

Monday May 29th A.D. 1861. and 5th Day of the Term.

Nathan Hadley

vs Complainant and Attachment No 82.

Lewis Orth.

Come now the parties and on motion of the defendant that he has leave and withdraws his answer and appearance herein and the plaintiff thereupon proves to the court that a summons has been issued out of this court in this cause and duly executed by the sheriff upon the defendant at least ten days before the first day of our present term, and said defendant having called comes not and in his absence this cause is submitted to the court for trial and the court being duly advised finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit for attachment herein.

And the court further finds that there is due the plaintiff on account of the allegations contained in his complaint the sum of three hundred and twenty two dollars and forty five cents. And the court also finds that this action and proceeding in attachment was commenced and filed under that of Jerome B. Root and Others against said defendant Lewis Orth same being cause number 81, and the judgment and order of sale in which is recorded on auto pages 457, 458, 459, 460, 461, 462, 463, 465, 466 & 467 of this Order Book.

It is therefore on motion considered that the plaintiff do recover of the defendant said sum of three hundred and twenty two dollars and forty five cents and costs of suit and proceeding in attachment, without relief from valuation or appraisement laws, to be levied of the property attached and ordered to be sold in the cause number 81 of Jerome B. Root and Others against Lewis Orth the defendant and which is fully described in said order of sale, on the above named pages of this Order Book.

And on motion it is ordered that for any unred unmeaning unsatisfactory of the above judgment interest and costs after the sale of said attached property the said plaintiff Nathan Hadley may have his execution against any other property of the defendant Lewis Orth subject to execution,

Zeno Hadley

vs Complainant and Attachment No 83

Lewis Orth

Come now the parties and on motion of the defendant that he has leave and withdraws his answer on file and appearance herein, and thereupon the plaintiff proves to the court that a summons has issued out of this court in this cause and duly executed by the sheriff upon the defendant at least ten days before the first

Tuesday May 30th A.D. 1861 (cont.) 6th Day of the Term.

day of the present term of this court and said defendant being called comes not and makes default and in his absence this cause is submitted to the court which finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root et al against the above defendant. Same being cause number 81 and the judgment and order of sale in which is recorded on auto pages 457, 458, 459, 460, 461, 462, 463, 464, 465, 466 & 467 of this Order Book. And the court further finds that there is due the said plaintiff Zeno Hadley from the defendant Lewis Orth the sum of Two Hundred and Sixty five Dollars and Sixty two cents on account of the allegations contained in the complaint.

It is therefore on motion considered that the plaintiff Zeno Hadley recover of the defendant Lewis Orth the said sum of \$265.62) Two Hundred and sixty five dollars and sixty two cents and costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws, to be levied of the property attached and ordered to be sold in the said cause of Jerome B. Root and Others against said defendant Orth and which said property is fully described in said Order of sale.

And on motion it is ordered that for any unred unmeaning unsatisfactory of this judgment interest and costs after the sale of said attached property the said plaintiff Zeno Hadley may have his execution against any other property of the defendant Lewis Orth subject to execution,

Harvey Stanley vs Complainant and Attachment
Lewis Orth No 84

Come now the defendant and on his motion he has leave and withdraws his answer and appearance herein and now comes said plaintiff and proves to the court that a summons has been issued out of this court in this cause and duly executed upon the defendant at least ten days before the first day of the present term of this court, and said defendant being called comes not and in his absence this cause is submitted to the court which finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root et al against the said defendant Orth the same being cause No 81 and the judgment and order of sale in which is recorded in this Order Book commencing at page 457 and ending at page 467. And the court further finds that there is due the plaintiff Harvey Stanley from the defendant Orth the sum of One hundred and thirty one dollars and five cents. on account of the allegations contained in the complaint and affidavit. It is therefore on motion considered that the plaintiff Harvey

Monday May 2d A.D. 1861. and on Day of the Term.

Stanley receiver of the Defendant Orth the said sum of One hundred and twenty One Dollars and five Cents and Costs of Suit and proceeding in his attachment without relief from valuation or appraisement laws to be levied of the property attached and Ordered to be sold in the said cause of Jerome B. Root and Others against said Orth & which property is fully described in said Order of sale.

And on motion it is Ordered that for any residue of this judgment interest thereon and Costs remaining uncollected after the sale of said attached property the said plaintiff Stanley may have his units of Execution against any other property of the debt Orth subject to execution,

Thomas Hadley

vs
Complaint & Attachment No. 85

Lewis Orth

Come now said Defendant and on his motion he has leave and withdraws his amours and appearance herein and now comes the plaintiff and sues to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least two days before the first day of the present term of this Court and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the section and proceeding in attachment of Jerome B. Root and Others against the debt Orth. Same being cause No. 81 and the judgment and Order of sale in which is recorded in this Order Book Commencing at ante page 45^y and ending at page 46^y. And the Court further finds that there is due the plaintiff in account of the allegations contained in his Complaint the sum of Two hundred and thirty six dollars and Seven Cents.

It is therefore Considered that the plaintiff Thomas Hadley receiver of the defendant Orth the said sum of Two hundred and thirty six Dollars and Seven Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached and Ordered to be sold in said cause of Jerome B. Root and Others against said defendant Orth and which property is particularly described in said Order of sale.

And on motion it is Ordered that for any residue of this judgment interest thereon and Costs remaining uncollected after the sale of said Attached property the said plaintiff Hadley may have his units of Execution against any other property of the defendant Orth subject to execution &c.

Marcus Teichimer

vs
Complaint and Attachment No. 86.

Lewis Orth

Comes the defendant and on motion he has leave and withdraws his amours and appearance herein, and now comes the plaintiff and sues to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least two days before the first day of the present term, and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under the section and proceeding in attachment of Jerome B. Root and Others against said defendant Lewis Orth the same being cause No. 81 the judgment and order of sale in which is recorded in this Order Book Commencing at ante page 45^y and ending at page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations contained in his Complaint the sum of \$163.01

It is on motion therefore Considered that the plaintiff Marcus Teichimer receiver of said defendant Lewis Orth the said sum of One hundred and Sixty two Dollars and Thirty one Cents and Costs of Suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached and Ordered to be sold in said cause of Jerome B. Root et al against said defendant Lewis Orth and which property is particularly described in said Order of sale.

It is Ordered that for any residue of this judgment interest thereon and Costs remaining uncollected after the sale of said attached property the said plaintiff Teichimer may have his units of Execution against any other property of the defendant Orth subject to Execution &c.

Ralph W. Booth

John Murray

Frank Alter and

Adolphus D. Rodgers

vs
Lewis Orth

Complaint and Attachment No. 87

Come now the parties and the Court having found herein that the amount due plaintiff in this behalf is the sum of \$163.51 and Costs without any relief from valuation laws and the Court having ordered judgment against said defendant for that sum of Costs herein, the Court finds now that the sum joined in the proceeding herein in attachment is for the plaintiff and that they have proven all the material allegations contained in their affidavit in attachment, and that the facts and proceeding in attachment herein were filed under that of Jerome B. Root et al against said defendant Orth the same being cause No. 81 the judgment and Order of sale in which

Tuesday May 28th A.D 1801. and 9th Day of the Term.

is recorded in this Order Book commencing at Auto page 457 and ending at Auto page 467 that the plaintiff recover of the defendant the costs of the proceeding in attachment herein. It is therefore On motion Considered and Ordered that the judgment in this behalf be levied of the property attached in the cause of said Jerome B. Root against said defendant Lewis Orth and which property is particularly described in the Order of Sale made and entered by this Court in that cause. And on motion

It is Ordered that for any residue of the above judgment Interest thereon and Costs remaining unsatisfied after the sale of the above described attached property the plaintiff Ralph W. Borthmay have their units of Execution against any other property of the defendant Lewis Orth subject to Execution.

John Winston and
William B. Johnston

vs

Complaint & Attachment No 88

Lewis Orth.

Comes the defendant and on his motion he has leave to withdraw his amurs and appearance herein, and here now comes the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term, and said defendant being called Comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff in account of the allegations contained in their complaint the sum of \$1040.60 and that the plaintiff have proven all the material allegations contained in their Affidavit in Attachment and that this action & proceeding in Attachment was commenced and filed under that of Jerome B. Root & others against said defendant Lewis Orth the same being cause No 81 and the Judgment and Order of Sale in which is recorded in this Order Book commencing at Auto page 457 and ending at Auto page 467. It is therefore on motion Considered that the plaintiff Winston and Johnston recover of the said defendant Orth the said sum of One Hundred and forty dollars and sixty cents and Costs of suit and proceeding in Attachment without any relief from Valuation and appraisement laws, to be levied of the property attached and Ordered to be sold in the said cause of Jerome B. Root and others against Lewis Orth and which property is particularly described in the Order of Sale in that cause. And on motion It is

Ordered that for any residue of the above judgment Interest thereon and Costs remaining unsatisfied after the sale of the above described attached property the plaintiff may have their other units of Execution against any other property of the defendant Lewis Orth subject to Execution,

Tuesday May 28th A.D 1801. and 9th Day of the Term.

Moses F. Thompson and
William C. Whitcher

vs

Complaint and Attachment
No 89

Lewis Orth.

Comes the defendant and on his motion he has leave and withdraws his Amurs and appearance herein, and Comes the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and that the same has been duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term, and said defendant being called Comes not. and in his absence this cause is submitted to the Court which finds that the plaintiff have proven all the material allegations contained in their Complaint and Affidavit in Attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root et al against the defendant Lewis Orth the judgment and Order of sale in which is recorded in this Order Book commencing at auto page 457 and ending at auto page 467. and that the amount due the plaintiff is \$111.00, It is therefore On motion Considered that the plaintiff recover of the defendant the said sum of Two hundred and Eleven Dollars without relief from the Valuation or appraisement laws and to be levied of the property attached in the said cause of Jerome B. Root and others against the said defendant Lewis Orth and which property is particularly described in the Order of sale in that cause.

And on motion It is Ordered that for any residue of the above judgment remaining unsatisfied after the sale of said attached property the plaintiff Thompson & Whitcher may have their units of Execution against any other property of the defendant Lewis Orth subject to execution,

David Maston

vs

Complaint and Attachment No 90

Lewis Orth.

Comes the defendant and on his motion he has leave and withdraws his amurs and appearance herein, and comes the plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term, and said defendant being called Comes not. and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, that the same were filed under the action and proceeding of Jerome B. Root et al against the defendant Lewis Orth Number 81 the judgment and order of Sale in which is recorded in this Order Book commencing at Auto page 37 and

Tuesday May 28th A.D. 1861. and 8th Day of the Term.

ending at ante page 67. and that there is due the plaintiff from the Defendant the sum of Seven hundred and thirty four dollars.

It is therefore motioned therefore considered that the plaintiff David Mastor receiver of the Defendant Lewis Orth the said sum of Seven hundred and thirty four dollars, and costs of suit and proceeding in attachment without relief from the valuation or appraisement laws to be levied up of the property attached and ordered to be sold and particularly described in the Order of Sale in said cause of Jerome B. Root and Others against Lewis Orth.

And On Motion Ordered that for any residue of the above judgment interest and costs remaining unsatisfied after the sale of said attached property the plaintiff David Mastor may have his Writs of Execution against the other property of the Defendant Orth subject to Execution.

Jabez E. Wymore.
George H. Christian
Lyman W. Chapman
and Noah W. Chapman

vs Complainant and Attachment No. 92.

Lewis Orth.

Comes now the parties and this Cause is submitted to the Court on motion and by agreement for trial upon the issues joined and the evidence adduced being less and due deliberation had the Court finds that the sum due plaintiff on account of the allegations contained in their Complaint is the sum of Two hundred and thirty four dollars and Ninety Cents, and that said defendant Lewis Orth before the commencement of this suit went on the 1st day of April 1861 left the State of Indiana with intent to defraud his Creditors and that the wife & family of said Orth at the commencement of this suit ~~were~~ ^{had been} always absent and ever since were unable to give account of the place where the said Orth might be found and that the Sheriff of Morgan County and the Sheriff of Hendricks County did proceed with the assistance of a disinterested and credible householder of their Counties to attack the lands and tenements goods and chattels of the defendant subject to Execution and did with the assistance of said householder make respectively an Inventory and appraisement thereof and returned the same with the Order of Attachment issued in the cause of Jerome B. Root and Others against said Defendant Orth under which the Court further finds that action and proceeding is filed.

It is therefore motioned therefore Considered that the said plaintiff Jabez E. Wymore and Others receiver of the said Defendant Orth the said sum of Two hundred and twenty four dollars and Ninety Cents and Costs of suit and proceeding in Attachment ~~without~~ ^{with} relief from the valuation or appraisement laws and to be levied ~~up~~

Tuesday May 28th A.D. 1861. and 8th Day of the Term.

the property attached and ordered to be sold in the said cause of Jerome B. Root and Others against the defendant Orth and which Order of sale is recorded in this Order Book commencing at page 459 and ending at page 467 and said property therein particularly described.

And On Motion It is Ordered that for any residue of the above Judgment Interest thereon and Costs remaining unsatisfied after the sale of the said attached property the said plaintiff Jabez E. Wymore and Others may have their Executions against the other property of the Defendant Orth subject to Execution.

Daniel W. Conwin

25. Complainant No. 93
Lewis Orth and John A. Orth With Attachment

Comes now the plaintiff and defendant Lewis Orth, and in relation of the plaintiff the Depositions taken by him and in file herein are published and the plaintiff sworn to the Court that the defendant John A. Orth has had due Notice of the Commencement and service of this suit by service of summons upon him in manner and form as required by law, and said defendant John A. Orth being called comes not and herein wholly makes default, and on motion and by agreement this cause is submitted to the Court for trial upon the issues joined in the premises between the plaintiff and defendant Lewis Orth, and the evidence adduced herein the Court finds that there is due the plaintiff from the defendants Lewis and John A. Orth on account of the allegations contained in the Complaint the sum of \$191.50 without relief from the valuation or appraisement laws and the further sum of One hundred and nineteen dollars and forty four cents (\$119.44) with such relief, And the Court further finds that the defendant Lewis Orth before the commencement of this suit went on the 1st day of April 1861 left the State of Indiana with intent to defraud his Creditors and that the wife and family of said Lewis Orth at the commencement of this suit ~~were~~ ^{had been} always absent and ever since were unable to give account of the place where the said Lewis Orth might be found and that the Sheriff of Morgan and also of Hendricks County did proceed with the assistance of a disinterested and credible householder of their Counties to attack the lands and tenements goods and chattels of the defendant Lewis Orth subject to Execution, and did with the assistance of said householder make respectively an Inventory and appraisement thereof and returned the same with the Order of Attachment issued in the cause of Jerome B. Root and Others against said defendant Lewis Orth under which cause the Court further finds this action & proceeding is filed. It is therefore On motion Considered that the plaintiff recover of the defendants Lewis and John A. Orth the said sum of One hundred and Ninety One dollars and fifty cents and Costs of suit and proceeding in attachment without

Tuesday May 25th A.D. 1861. and. 8th Day of the Term.

any relief from the valuation or appraisement laws. And our motion
further Considered that the plaintiffs recover of said defendants Lewis and
John A. Orth the sum further sum of One hundred and Nineteen dollars and
forty four cents and Costs with such relief, all which our motion is Ordered to be
levied of the property attached and Ordered to be sold in the said cause before
P. Root and Others against said Lewis Orth, and which Order of sale is recorded
in this Order Book Commencing at Auto page 457 and ending at page 467
our said property therein particularly described.

And our motion This further Considered that for any residue of
the above judgment remaining unsatisfied (together with interest and Costs) after
the sale of said Attached property the plaintiff Daniel W. Conner may have
his units of Execution against the other property of the defendant Lewis Orth,

William P. Devor and

Charles A. Rockwood.

vs.

Complaint and Attachment.

No 91

Lewis Orth and

John A. Orth.

Comes now the plaintiffs and defendant Lewis Orth
and motion of the plaintiffs they have leave and publish their Depositions on
file and the plaintiffs serve to the Court that the defendant John A. Orth
has been duly notified of the commencement of this suit by service of Sum-
mons upon him herein as the Statute requires, and said defendant being called
comes not and herein wholly makes default, and now here the issues joined
between the plaintiffs and defendant Lewis Orth are submitted to the Court
and the evidence adduced being heard the Court finds that there is due the
plaintiffs on account of the allegations contained in their Complaint the sum of
\$55.71 from said Defendants Lewis and John A. Orth, and that said Def-
endant Lewis Orth before the commencement of this suit left on the 1st day of
April 1861 left the State of Indiana with intent to defraud his Creditors and
that the wife and family of said Lewis Orth at the commencement of this suit
were unable to give account of the place where the said defendant Lewis
Orth might be found, and that the Sheriff of Morgan County and the Sheriff
of Hendricks County did proceed with the assistance of a disinterested and
credible householder of their Counties to attach the lands and tenements goods
and chattels of the defendant Lewis Orth subject to Execution and did further
the assistance of said householder respectively make an inventing and appraisement
thereof and returned the same into the Order of Attachment in the cause
of Jerome P. Root and Others against the Defendant Lewis Orth under
which cause the Court further finds this action and proceeding was filed

It is therefore Our motion Considered
that the plaintiffs Devor and Rockwood recover of the Defendants
Lewis and John A. Orth the said sum of Fifty five dollars and Seventy

One Cents and Costs of suit and proceeding in attachment all as aforesaid
Our Motion is Ordered to be levied of the property attached and Ordered
to be sold in the said cause of Jerome P. Root and Others against
Lewis Orth, and which Order of sale is recorded in this Order Book comm-
encing at Auto page 457 and ending at Auto page 467 and said prop-
erty therein particularly described. And in motion It
is further Considered and Ordered that for any residue of the above judg-
ment remaining unsatisfied (with Interest and Costs) after the sale of said
Attached property the plaintiffs Devor and Rockwood may have their
units of Execution against the other property of the Defendant Lewis Orth

Middle Masten

15
Lewis Orth.

Complaint and Attachment
No 91

Comes the Defendant and his motion he
has leave and withdraws his answer and
appearance herein, and said plaintiff serves to the Court that said Defendant
has been duly notified of the commencement and pendency of this suit
by service of summons upon him herein by the Sheriff at least ten days
before the first day of Current term and said Defendant being called
comes not and in his absence this cause is submitted to the Court which
finds that the plaintiff has given all the material allegations contained in
his Complaint and affidavit in attachment and that the same were filed
under the action and proceeding in attachment of Jerome P. Root and
Others against Lewis Orth, Same being Cause No 91 and the judgment and
order of sale in which is recorded in this Order Book Commencing at Auto
page 457 and ending at Auto page 467. And the Court further finds
that there is due the plaintiff on account of the allegations in his said
Complaint the sum of \$189.67

It is therefore Considered that said plain-
tiff recover of said Defendant said sum of One Hundred and Eighty
Nine Dollars and Sixty Seven Cents, less Costs of suit and proceeding
in attachment without any relief from valuation or appraisement laws to be
levied of the property attached in said cause of Root and Others against
said Defendant Orth and which property is particularly described in the
Order of Sale made in that cause.

Am on Motion. It is Ordered that for any residue of said
above judgment Interest and Costs which may remain unsatisfied after
the sale of said attached property the plaintiff may have his Execution
against any other property of said Defendant Orth subject to Execution

Tuesday May 28th A.D. 1861 and 8th Day of the Term.

Abraham Brinstine
Joseph Brinstine and
Charles Keifer

vs. ¹⁵ Complaint and Attachment No. 95.
Lewis Orth

Comes the Defendant and on his motion he has leave and withdraws his answer and appearance herein. And said plaintiffs comes to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of present term and said Defendant being called answered and in his absence this cause is submitted to the Court which finds that the plaintiffs have proven all the material allegations contained in their Complaint and affidavit for attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being cause No. 81 and the judgment and Order of Sale in which is recorded in the Order Book commencing at Auto page 457 and ending at page 467. And the Court further finds that there is due the plaintiffs in account of the allegations in the said Complaint the sum of Three Hundred Dollars and Thirty Cents without relief from the valuation or appraisement laws. and the further sum of Seventy Four Dollars and Eighteen Cents with such relief.

It is therefore Considered that the plaintiffs recover of the Defendant the said sum of Three Hundred Dollars and Thirty Cents and Costs of suit and proceeding in attachment without relief from the valuation or appraisement laws. It is further Considered that the plaintiffs recover of the Defendant said further sum of Seventy Four Dollars and Eighteen and Costs with such relief.

And On motion it is Ordered that the above judgments and interest thereon and costs be levied of the Real and personal property attached and ordered to be sold in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of Sale in that cause.

And On motion it is Ordered that for any residue of said above judgment interest and costs that may remain unsatisfied after the sale of said attached property the plaintiffs may have their executions against any other property of the defendant Orth subject to execution.

Tuesday May 28th 1861 and 8th Day of the Term

William H. Fry and
John W. Maxwell

vs. ¹⁵ Complaint and Attachment
Lewis Orth ^{No. 98.}

Comes now the Defendant upon his Motion he has leave and withdraws his answer and appearance herein. And Comes the plaintiffs and prove to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of present term and said Defendant being called does not, and in his absence this cause is submitted to the Court which finds that the plaintiffs have proven all the material allegations contained in their Complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the said Defendant Orth, the same being cause numbered 81 and the judgment and Order of Sale in which is recorded in the Order Book commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiffs in account of the allegations contained in their Second Complaint the sum of \$53.88 without relief from the valuation or appraisement laws. and the further sum of \$93.00 with such relief.

It is therefore Considered that the plaintiffs recover of the Defendant said sum of Fifty three Dollars and Eighty Eight Cents and Costs of suit and proceeding in attachment without relief from the valuation or appraisement laws.

It is also Considered that the plaintiffs recover of the Defendant said sum of Thirty Three Dollars and Costs with such relief.

And On Motion it is Ordered that said several sums also be levied of the Real and personal property attached and ordered to be sold in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of Sale in that cause.

And on motion it is Ordered that for any residue of said above judgments interest and costs that may remain unsatisfied after the sale of said attached property the plaintiffs may have their executions against any other property of the defendant Orth subject to execution.

Tuesday May 28th A.D. 1861. and 8th Day of the Term

John Maston

vs

Complaint and Attachment
N^o. 102.

Lewis Orth

his

Comes the Defendant and in motion he has leave and withdraws his answers and appearance herein and said plaintiff comes and proves to the Court that said defendant has been duly notified of the commencement and pendency of this suit by service of Summons upon him at least two days before the first day of our present term. And said Defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and Affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome Root and others against the defendant Orth same being Cause N^o 81 and the judgment and Order of sale in which is recorded in this Order Book commencing at Auto page 45⁷ and ending at Auto page 46⁷. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$ 215. 40

and Others against Lewis Orth the defendant; the same being Cause N^o 81 upon the Civil docket of this Term and the judgment and Order of Sale in which cause is recorded in this Order Book commencing at Auto page 45⁷ and ending at Auto page 46⁷. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$ 215. 40

It is therefore Considered that the

plaintiff recover of the defendant said sum of Two Hundred and fifteen Dollars and forty Cents and Costs of suit and proceeding in attachment without relief from the Valuation or appraisement laws, All of which sums or material are Ordered to be levied of the property attached in the said Cause of Root and others against said defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

But on motion this Order is made that for any residue of said above Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said defendant Orth subject to execution.

Franklin Ellis

vs.

Complaint and Attachment
N^o. 106.

Lewis Orth

Come now the parties and the Court having found herein that the amount due plaintiff in this cause is the sum of \$ 83. 00 without relief from the Valuation or appraisement laws, And that the Court having rendered and entered a judgment for the same, the same joined in the proceeding in attachment and on motion made by agreement of parties submitted to the Court for trial and due deliberation being had in the premises the Court finds said issues for the plaintiff that he has proven all the material allegations charged in his Complaint affidavit in attachment herein, and that the action and proceeding in attachment herein were filed under that of Jerome Root and others against said defendant Orth, the same being Cause N^o 81 upon the Civil Docket of this Term, and the judgment and Order of sale in which cause is recorded in this Order Book commencing at Auto page 45⁷ and ending at Auto page 46⁷. It is therefore on motion Considered and ordered that the Judgment in this behalf be levied of the property attached in said cause of said Jerome B Root et al vs. said defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

And on motion this Order is made that for any residue that of said above Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said defendant Orth subject to execution.

Alfred Stanley

vs.
Lewis Orth

Complaint and Attachment
N^o. 105.

Comes the Defendant and in his motion he has leave and withdraws his answers and appearance herein and said plaintiff comes and proves to the Court that said defendant has been duly notified of the commencement and pendency of this suit by service of Summons upon him at least two days before the first day of our present term. And said Defendant being called comes not and in his absence on plaintiff's motion this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and Affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome Root

Tuesday May 22nd A.D. 1861 and 7th Day of the Term.

James R. Sallust

vs.
Lewis Orths
Complaint and Attachment
N^o. 107

Come the parties and the Court having found herein that the amount due plaintiff from the defendant is the sum of \$25,50 and Costs of suit without relief from the valuation or appraisement laws, and the Court having rendered and entered judgment for that sum, the issues joined in the proceeding in attachment herein now in motion and agreement of the parties is submitted to the Court, for that and the Court being well advised finds said issues for the plaintiff that he has proven all the material allegations contained in his Complaint in attachment and that this action and proceeding in attachment herein were filed under that of Jerome B. Root and Others against said Defendant Orths, the same being Cause N^o. 81 upon the Civil Docket of our present term and the judgment and Order of sale in which cause is recorded before this Order Book Commencing at Auto page 45⁷ and ending at Auto page 46⁷.

This thereupon Motion Considered that the plaintiff never as the defendant the costs of the proceeding in attachment herein And on motion It is Ordered that said sum of Twenty five dollars and all Costs of suit and said proceeding in attachment together with all interest and remaining Costs thereon be left out any relief as aforesaid to be levied of the property attached in said Cause of Root and Others against said Orths, and which property is particularly described in the Order of sale made and entered in that Cause,

And on motion It is Ordered that for any residue that may remain uncollected after said Judgment Interest and Costs after the sale of said property attached to plaintiff the plaintiff may have his Execution against any other property of the said Defendant subject to Execution to be levied without the relief aforesaid.

Wm. Wallace

vs.
Lewis Orths
Complaint and Attachment
N^o. 108.

Come now the defendant and on his motion he has leave and withdraws his answer and appearance herein And comes the plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly Executed by the Sheriff upon the defendant at least ten days before the first day of our present term, and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his

Complaint and appellant in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against said Defendant Orths the same being cause N^o. 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 45⁷ and ending at Auto page 46⁷. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$41.61

It is therefore Considered that the plaintiff recover of said defendant said sum of Forty One Dollars and Sixty One Cents and Costs of suit and proceeding in attachment without relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said defendant Orths and which property is particularly described in the Order of sale made in that Cause,

And on motion It is Ordered that for any residue of said Judgment Interest and Costs that may remain uncollected after the sale of said attached property the plaintiff may have his Execution against any other property of said Defendant Orths subject to Execution,

William R. Sallust

vs.
Lewis Orths
Complaint and Attachment
N^o. 109.

Comes the defendant and on his motion he has leave and withdraws his answer and appearance herein, and said plaintiff proves to the Court that said defendant has been duly notified of the commencement and pendency of this suit by due service of summons upon him herein at least ten days before the first day of the present term of this Court, and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the defendant Orths. the same being cause N^o. 81 upon the Civil Docket of this term and the judgment and order of sale in which cause is recorded in this Order Book Commencing at Auto page 45⁷ and ending at Auto page 46⁷. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$37.00

It is therefore Considered that the plaintiff recover of the said defendant the said sum of Three hundred and seven dollars and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws. And to be levied of the property attached in said Cause of Root et al vs. said Orths and which property is particularly described in the Order of sale made and entered in that cause. And on motion It is Ordered that for any residue of said above Judgment Interest thereon and Costs that may remain uncollected after the sale of said attached property the plaintiff may have his Execution against other property of said Defendant Orths subject to Execution,

Sunday May 28th A.D. 1861 and 7th Day of the Term.

John Alexander

Complaint and Attachment

No 110

vs
Lewis Orth.

Comes now the Defendant and in his motion he has leave and withdraws his answers and appearance herein, and comes now the plaintiff and gives to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term, and said defendant being called comes not, and wholly makes default, and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affiant in attachment and that the same were filed under the action and proceeding in attachment of Jerome P. Root and others against the defendant Orth - same being cause No. 81, and the judgment and order of sale in which is recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$57.90

It is therefore Considered that said plaintiff recover of said Defendant said sum of Fifty seven dollars and Ninety cents and costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said cause of Root and others against said defendant Orth and which property is particularly described in the Order of sale made and entered in that cause,

And in relation thereto it is ordered that for any residue of said above judgment interest thereon and costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said defendant Orth subject to Execution.

John Sallust

Complaint and Attachment

No 111

vs
Lewis Orth.

Comes now the defendant and in his motion he has leave and withdraws his answers and appearance herein, and comes the plaintiff and gives to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of the present term of this Court and said defendant being called comes not and wholly makes default and in his absence in plaintiffs motion this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affiant in attachment and that the same were filed under

Sunday May 28th A.D. 1861 and 8th Day of the Term.

the action and proceeding in attachment of Jerome P. Root and others against the defendant Orth the same being cause No 81 upon the Civil Docket of this term and the judgment and order of sale which is recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations in his Complaint the sum of \$99.47

It is therefore Considered that said plaintiff recover of said defendant said sum of Ninety Nine Dollars and forty Seven cents and costs of suit and proceeding in attachment without any relief from valuation or appraisement laws, to be levied of the property attached in said cause of Root and others against said defendant Orth and which property is particularly described in the Order of sale made in that cause,

And in relation thereto it is ordered that for any residue of said judgment interest thereon and costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said defendant Orth subject to Execution.

John Swain

Complaint and Attachment No 112.

vs
Lewis Orth

Comes now the defendant and in his motion he has leave and withdraws his answers and appearance herein and said plaintiff comes and gives to the Court that said defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the statute requires two days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affiant in attachment and that the same were filed under the action and proceeding in attachment of Jerome P. Root and others against the defendant Orth - same being cause No. 81 and the judgment and order of sale in which is recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$57.42

It is therefore on motion Considered that said plaintiff recover of said defendant said sum of Fifty seven Dollars and forty two cents and costs of suit and proceeding in attachment without relief from the valuation or appraisement laws, to be levied of the property attached in said cause of Root et al. vs, said defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

And in relation thereto it is ordered that for any residue of said judgment interest thereon and costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said defendant Orth subject to Execution.

Sunday May 28th A.D. 1861 and 8th Day of the Term.

William Alexander

vs Lewis Orth. Complaint and Attachment N^o 113

Comes now the Defendant and on his motion he has leave and withdraws his answer and appearance herein, and now comes the plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term and said defendant has moved to be called and comes not and in his absence

It is Considered that the plaintiff's Complaint and the matters and things therein contained as also the allegations contained in his affidavit in attachment must be taken for Confessed and true against said Defendant. And on Motion of the plaintiff this cause is Ordered Contested

William Pasters

vs Lewis Orth. Complaint and Attachment N^o 114.

Come now the parties, and the Court having found that the amount due the plaintiff in this cause is the sum of \$31.00 and Costs affied without relief from the valuation laws, and the Court having rendered judgment for that sum, On motion and by agreement the issues joined in the proceeding in attachment herein is submitted to the Court which finds for the plaintiff and that he has proven all the material allegations contained in his affidavit in attachment and that this action and proceeding in attachment was filed under that of Jerome B. Root and Others against said Defendant Lewis Orth same being Cause N^o 81 upon the Civil Docket of our present term and in which Cause the Judgment and Order of sale is recorded in Order Book N^o 4 of this Court Commencing at page 457 and ending at page 467 It is therefore Considered that the plaintiff recover of the Defendant the Costs of the proceeding in attachment herein, and that the said sum of Thirty One Dollars with all Interest thereon and Costs affied be levied of the property attached in said Cause of Root et al against said Orth and which property is specifically described in the Order of sale made and entered in that cause,

And on motion it is Ordered that for any interest that may run on unsatisfied part of said Judgment Interest since Costs after the sale of said attached property the plaintiff may have his Execution against any other property of the defendant Orth subject to Execution to be levied without the relief aforesaid

Tuesday May 28th A.D. 1861 and 8th Day of the Term

Benjamin F. Shirk

vs Lewis Orth. Complaint and Attachment N^o 115.

Comes now the Defendant and on his motion he has leave and withdraws his answer and appearance herein, and thereupon Comes the plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant has moved to be called and comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth, same being Cause No 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of One Hundred and Eighteen Dollars and forty five Cents

It is therefore Considered that said plaintiff recover of said Defendant said sum of One hundred and Eighteen Dollars and forty five Cents, and Costs of suit and proceeding in Attachment Without Relief from the Valuation or appraisement laws to be levied of the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale in that cause. And on Motion it is Ordered that for any residue of said over Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution,

William Cox

vs Lewis Orth. Complaint and Attachment N^o 116.

Comes the Defendant and on his motion he has leave and withdraws his answer and appearance herein, And Said Plaintiff comes and proves to the Court that said defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him as the Statute requires ten days before the first day of our present term, and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment

Sunday Aug 20th A.D. 1861 and the 8th Day of the Term

Sunday Aug 20th A.D. 1861 and the 8th Day of the Term.

of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 upon the Civil Docket of our present term, and the Judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at auto page 467. And the Court further finds that there is due the plaintiff in account of the allegations in his said Complaint the sum of One Hundred and fifteen Dollars. It is therefore Considered that said plaintiff recover of said Defendant said sum of One Hundred and fifteen Dollars and Costs of suit and proceeding in Attachment without any relief from the Valuation or Appraisal laws to be levied against the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause. *In motion. It is Ordered* that for any residue of said Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution,

Julius Hoffstaat

Lewis Orth vs *Complaint and Attachment* No 117

Concerning the parties, and the Court having found herein that the amount due plaintiff in this cause is the sum of \$100.50 ^{and costs} without relief from the Valuation or Appraisal laws, and the Court having rendered and entered Judgment for that sum and Costs of suit against the Defendant the Issues joined in the proceeding in attachment notwithstanding and by agreement of the parties are submitted to the Court, and the evidence adduced being heard and due deliberation had the Court finds said issues for the plaintiff and that he has proven all the material allegations contained in his Affidavit in Attachment & that this action and proceeding in attachment herein were filed under that of Jerome B. Root and Others against Said Defendant Orth the same being Cause No 81 and the Judgment and Order of Sale in which is recorded in this Order Book commencing at Auto page 457 and ending at Auto page 467. It is therefore On motion Considered and Ordered that the plaintiff recover of the Defendant the Costs of the proceeding in attachment herein, that the said sum of One Hundred dollars and fifty cents, and Interest thereon and all Costs adjudged against the defendant in this cause & proceeding be levied without any relief from valuation or appraisement laws of the property attached in said cause of Jerome B. Root and Others against said Orth and which property is particularly described in the Order of sale made and entered by this Court in that cause, *In motion* It is ordered that for any residue of the above Judgment Interest and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of the Defendant Orth subject to Execution

Daniel W. Stapp and Edward Branham

Lewis Orth vs *Complaint and Attachment* No 118

Concerning the parties, and the Court having found that the amount due the plaintiff in this cause is the sum of \$140.70 and Costs of suit and having rendered and entered Judgment for the same against the Defendant, without any relief from the Valuation or Appraisal laws. On Motion and by agreement the Issues joined in the proceeding in attachment herein are submitted to the Court which finds said Issues for the plaintiff, that they have proven all the material allegations contained in their Complaint affidavit in attachment and that the action and proceeding in attachment herein were filed under that of Jerome B. Root and Others the original attaching creditors against said defendant Orth the same being Cause No 81 upon the Civil Docket of our present term, and in which cause the Judgment and Order of Sale are recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. It is therefore Considered that the plaintiff recover of the defendant the Costs of the proceeding in attachment herein, and that said sum of One hundred and forty two Dollars and Twenty two cents with all Interest thereon and Costs adjudged to be levied of the property attached in said cause of Root and Others against Said Orth without any relief from the Valuation or Appraisal laws and which property is particularly described in the Order of sale made and entered in that cause. *In motion. It is Ordered* that for any residue of the above Judgment Interest and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of the Defendant Orth subject to Execution to be levied without any relief afforded,

William Wells and John Alling

Lewis Orth vs *Complaint and Attachment* No 119

Concerning the parties and the Court having found that the amount due the plaintiff in this cause is the sum of \$100.50 and Costs of suit and having rendered and entered Judgment for the same against the Defendant without any relief from the Valuation or Appraisal laws. On motion and by agreement the Issues joined in the proceeding in attachment herein are submitted to the Court which finds said Issues for the plaintiff and that they have proven all the material allegations for the plaintiff and that they have proven all the material allegations contained in their affidavit in attachment, and that the action and proceeding

Tuesday May 20th A.D. 1801. and 8th Day of the Term.

Tuesday May 20th A.D. 1801. and 8th Day of the Term.

in attachment herein are filed under seal of Dennis B Root and Others the Original Attaching Creditors against said Defendant Ortho, the same being Cause No 81 upon the Civil docket of our present term and in which cause the Judgment and Order of sale are recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. It is therefore Considered that the plaintiff recover of the defendant the Costs of the proceeding in Attachment herein, and that said sum of One Hundred Dollars and fifty Cents with all Interest thereon and Costs aforesaid to be levied of the property attached in said Cause of Root and Others against said Ortho without any relief from the Valuation or Appraisal laws, and which property is particularly described in the Order of sale made and entered in that cause.

And On motion ^{and by the court} Ordered that for any residue of said sum of One hundred dollars with Interest thereon and Costs aforesaid that may remain uncollected after the sale of said Attached property the plaintiff may have this Execution against any other property of the Defendant Ortho subject to Execution to be levied without the relief aforesaid,

Alden B Smith
Edward Brumham
Edwin A. Smith

15 Complaint and Attachment No 120

Lewis Orth

Come now the parties and the Court having found that the amount due the plaintiff in this cause is the sum of \$397.76 and Costs of suit and having rendered and entered Judgment for the same against the Defendant without any relief from the Valuation or Appraisal laws, On Motion and by agreement the parties joined in the proceeding in Attachment herein are submitted to the Court which finds said sum for the plaintiff and that he has given all the material allegations contained in their affidavit in attachment and that the Action and proceeding in Attachment herein were filed under seal of Dennis B Root and Others (the Original Attaching Creditors) against said Defendant Ortho the same being Cause No 81 upon the Civil docket of our present term and in which cause the Judgment and Order of sale were recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467.

It is therefore Considered that the plaintiff recover of the defendant the Costs of the proceeding in Attachment herein, and that said sum of Three hundred and Ninety seven ⁷⁶ Dollars with all Interest thereon and Costs aforesaid to be levied of the property attached in said Cause of Root & Others against said Ortho without any relief from the Valuation or Appraisal laws, and which property is particularly described in the Order of sale made and entered in that cause, And On motion ^{of the court} Ordered that for any residue of said sum of \$397.76 and Interest thereon and Costs aforesaid that may remain uncollected after the sale of said Attached property the plaintiff may have this Execution against any other property of the Defendant subject to Execution without relief.

William Holloman

vs
Lewis Orth

Comes the Defendant and in his motion he has leave and withdraws his answer and appearance herein, and said plaintiff comes and proves to the Court that a summons has been issued out of this Court in this cause and duly Executed by the Sheriff upon the Defendant at least ten days before the first day of our present term, and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has given all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under seal of Dennis B. Root and Others against the defendant Ortho the same being Cause No 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$90.88

It is therefore Considered that said plaintiff recover of said Defendant said sum of Ninety Dollars and Eighty Eight cents and Costs of suit & proceeding in Attachment without any relief from the Valuation or Appraisal laws to be levied of the property attached in said Cause of Root and Others against said Defendant Ortho and which property is particularly described in the Order of sale made in that cause.

And On motion ^{of the court} Ordered that for any residue of the above Judgment Interest thereon and Costs that may remain uncollected after the sale of said Attached property the plaintiff may have this Execution against the other property of the Defendant subject to Execution to be levied without the relief aforesaid

Samuel O Stanley

15 Complaint and Attachment
No 123

Lewis Orth

Comes the Defendant and in his motion he has leave and withdraws his answer and appearance herein, and said plaintiff comes and proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of Summons upon him herein as the Statute requires ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has given all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under seal of Dennis B. Root and Others

Tuesday May 20th A.D. 1808. and is a Day of our Term

Tuesday May 20th A.D. 1808. and is a Day of our Term.

against the defendant Orth same being Cause No 81 upon the civil docket of our present term and the judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff in excess of the allegations in his said Complaint the sum of \$96.95

It is therefore Considered that said plaintiff recover of said defendant said sum of Ninety six Dollars and Sixty five Cents and Costs of suit and proceeding in Attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against 1st Deft Orth and which property is particularly described in the Order of sale made in that cause. Now therefore It is Ordered that for any residue of said Judgment Interest and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any Other property of said Def't Orth subject to Execution to be levied without the relief aforesaid.

Columbus West

vs
Lewis Orth and Franklin Elliott. Complaint and Attachment N^o 194

Comes the Defendant Orth and in his motion he has leave and withdraws his Amours and appearance herein, and Comes the plaintiff and goes to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendants Orth and Elliott at least ten days before the first day of our present term, and said Defendants being called Come not and in their absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in Attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause N^o 81 and the Judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff from the Defendants Lewis Orth as principal and Franklin Elliott as security on account of the allegations contained in his said Complaint the sum of \$131.84

It is therefore Considered that said plaintiff recover of said Defendants Orth as security and Franklin Elliott as security the said sum of One hundred and Thirty One Dollars and Eighty four cents and Costs affixed proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth, and which property is particularly described in the Order of sale made and entered in that cause.

And in motion this Order that for any residue of the above Judgment Interest

and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any Other property of said Defendants Orth and Elliott subject to Execution to be levied without the relief aforesaid.

Sina West

vs
Lewis Orth and Franklin Elliott. Complaint and Attachment N^o 195

Comes now the Defendant Orth and in his motion he has leave and withdraws his Amours and appearance herein, and Comes the plaintiff and goes to the Court that the Defendants Orth and Elliott have been duly notified of the Commencement and pendency of this suit by service of summons upon them herein as the statute requires ten days before the first day of our present term and said Defendants being called Come not and in their absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in Attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth the same being Cause N^o 81 and the Judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff from the Defendants Orth as principal and Elliott as security on account of the allegations in his said Complaint the sum of \$78.00

It is therefore Considered that the plaintiff recover of the Defendants Orth as principal and Elliott as his security the said sum of Seventy Eight Dollars and Twenty two Cents and Costs affixed and proceeding in Attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made in that cause. And in motion this Order that for any residue of said Judgment Interest and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any Other property of said Defendants Orth and Elliott subject to Execution to be levied without the relief aforesaid.

Daniel Rizel

vs
Lewis Orth and Franklin Elliott. Complaint and Attachment N^o 196

Comes now the Defendant Orth and on his motion he has leave and withdraws his Amours and appearance herein

Tuesday May 28th A.D. 1861 and 8th Day of the Term.

and said plaintiff proves to the Court that said Defendants Orth and Elliott have been duly Notified of the Commencement and pendency of this suit by service of summons upon them herein as the Statute requires at least ten days before the first day of our present term and said defendant being called Comes not and in their absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 and the judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467 And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint from the Defendants Orth as principal and Elliott as his security the sum of \$27.25

It is therefore Considered that the plaintiff recovers the Defendants Orth as principal and Elliott as security the said sum of Thirty Seven Dollars and Twenty five Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to the value of the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

And in motion it is Ordered that for any relief as said Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said Defendants Orth and Elliott subject to Execution,

David Plunk

vs
Lewis Orth
Complaint & Attachment No 132

Comes now the Defendant and in his motion he has leave and withdraws his answer and appearance herein and said plaintiff comes and proves to the Court that said Defendant has been duly Notified of the Commencement and pendency of this suit by service of summons upon him herein as the Statute requires at least ten days before the first day of our present term and said defendant being called Comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and others against the Defendant Orth same being Cause No 81 upon the Civil Docket of our present term, and the judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467 And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$107.00 without relief from the valuation or appraisement laws and \$151.00 with such relief

Tuesday May 28th A.D. 1861 and 8th Day of the Term.

therefore Considered that said plaintiff recover of said Defendant said sum of One Hundred and Seven Dollars and Thirty Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

And in motion it is Ordered that for any relief as said Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of the Defendant subject to Execution, to be levied without the relief aforesaid,

Thomas Delkins

vs
Lewis Orth
Complaint and Attachment No 141

Comes the Defendant and in his motion he has leave and withdraws his answer and appearance herein and said plaintiff proves to the Court that said defendant has been duly Notified of the Commencement and pendency of this suit by service of summons upon him herein as the Statute requires at least ten days before the first day of our present term and said defendant being called Comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 upon the Civil Docket of our present term, and the judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467 And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$207.00 without relief from the valuation or appraisement laws and \$151.00 with such relief

It is therefore Considered that said plaintiff never offered Defendant said sum of One hundred and Seven Dollars and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws.

It is further Considered that said plaintiff never offered the Defendant the further sum of \$151.00 One hundred and fifty One Dollars and Costs with such relief

And in motion it is Ordered that the foregoing judgments Interest thereon and Costs aforesaid be levied of the property attached in said cause of Root et al against said Defendant Orth and which property is particularly described in the Order of sale made in that cause, and that such levy as to said \$207.00 and Costs be made without the relief aforesaid and as to said \$151.00 with such relief.

And in motion it is Ordered that for any relief offered

Monday May 28th A.D. 1861 and 8th Day of the Term.

above Judgments Interest and Costs that may remain uncollected after the sale of said attached property the plaintiff may have his Execution against any other property of the Defendant subject to Execution, to be levied with or without the relief aforesaid.

John Johnson

vs Complaint and Attachment N^o 142

Lewis Orth

Comes the parties and the Defendant on his motion has leave and withdraws his answers and appearance herein and the plaintiff thereupon moves to the Court that a Summons has been issued out of this Court and duly executed by the Sheriff upon the Defendant in this cause at least ten days before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth, same being cause N^o 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467 and the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$56.51.

It is therefore Considered that the plaintiff recover of the Defendant said sum of Fifty six Dollars and Twenty One Cents and Costs afftnt and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that behalf.

And on motion. This Order that for any residue of this Judgment. Interest thereon and Costs that may remain uncollected after the sale of said attached property the plaintiff may have his Execution against any other property of the Defendant subject to Execution to be levied without the relief aforesaid

Thomas Crews

vs Complaint and Attachment

N^o 143

Lewis Orth

Comes the Defendant and on his motion he has leave and withdraws his Answers and appearance herein. And comes the plaintiff and proves to the Court that a Summons

Tuesday May 28th A.D. 1861 and 8th Day of the Term

has been issued out of this Court in this cause and duly Executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being cause N^o 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467 and the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$56.51.

It is therefore Considered that the plaintiff recover of the Defendant said sum of Fifty six Dollars and Twenty One Cents and Costs afftnt and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that behalf. And on motion. It is Ordered that for any residue of the above Judgment. Interest thereon and Costs that may remain uncollected after the sale of said attached property the plaintiff may have his Execution against any other property of the Defendant Orth subject to Execution to be levied without the relief aforesaid.

William Newman

vs Complaint and Attachment N^o 144

Lewis Orth

Comes the Defendant and on his motion he has leave and withdraws his answers and appearance herein. and Comes the plaintiff to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of Summons upon him herein as the Statute requires ten days before the first day of our present term, and said Defendant being called comes not, and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth. the same being cause N^o 81 and the Judgment and Order of sale in which cause is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$100.00

It is therefore Considered that said plaintiff recover of said defendant said sum of One hundred dollars and Costs afftnt

Tuesday May 28th A.D. 1861 and 8th Day of the Term.

and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made in that cause.

And on motion It is Ordered that for any residue of said Judgment interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution to be levied of the property without the relief aforesaid.

John Staley

vs. Lewis Orth Complainant and Attachment No 145

Lewis Orth

Comes the Defendant and on his motion he has leave and withdraws his amurs and appearance herein. And said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires ten days before the first day of our present term and said Defendant being called Comes not and in his absence this Cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 and the Judgment and Order of sale in which is recorded in this Order Book commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$ 80.68. It is therefore Considered that the plaintiff recover of the defendant said sum of Eighty six Dollars and Sixty eight Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause.

And on motion It is Ordered that for any residue of the above Judgment interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution to be levied of any other property of the Defendant subject to Execution without the relief aforesaid.

Tuesday May 28th A.D. 1861 and 8th Day of the Term.

Eli Staley

vs. Lewis Orth Complainant and Attachment No 146

Comes now the Defendant and on his motion he has leave and withdraws his amurs and appearance herein, and said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires ten days before the first day of our present term and said Defendant being called Comes not and in his absence this Cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 and the Judgment and Order of sale in which is recorded in this Order Book commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$ 411.54. It is therefore Considered that said plaintiff recover of said Defendant said sum of Four hundred and eleven dollars and fifty four Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause. And on motion It is Ordered that for any residue of said Judgment Interest & Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution to be levied of any other property of the Defendant Orth subject to Execution without the relief aforesaid.

Victor H. Hendricks
and Timothy S. Stone

vs. Lewis Orth Complainant and Attachment No 154

Lewis Orth

Comes the Defendant and on his motion he has leave and withdraws his amurs and appearance herein. And said plaintiff proves to the Court that said defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires ten days before the first day of our present term and said Defendant being called Comes not and in his absence this Cause is submitted to the Court which finds that the

Tuesday May 28th A.D. 1861. and 8th Day of the Month)

Plaintiffs have never all the material allegations contained in his Complaint and Affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Ortho something Cause No. 81 and the Judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the Plaintiff on account of the allegations in their said Complaint the sum of \$223.80

It is therefore Considered that said Plaintiff recover of said Defendant said sum of Two Hundred and Twenty Three Dollars and Eighty Cents and Costs of suit and proceeding in attachment without any relief from Valuation or Appraisement laws, to be levied of the property attached in said Cause of Root and Others against said defendant Ortho which property is particularly described in the Order of Sale made and entered in that Cause. And on motion This Order is that for any residue that may unsatisfy a civil Judgment Interest thereon and Costs after the sale of said attached property the Plaintiff may have his Execution against any other property of the Defendant Ortho subject to Execution without the relief aforesaid.

Samuel P Hastings

Lewis Ortho Complainant and Attachment No. 160

Comes the defendant and on motion he has leave, and intitutes his answers and appearance herein, and comes the Plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence on Plaintiff's motion this cause is submitted to the Court which finds that there is due the Plaintiff has proven all the material allegations in his Complaint and Affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Ortho, something Cause No. 81 and the Judgment and Order of Sale in which is recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y. And the Court further finds that there is due the Plaintiff on account of the allegations in his said Complaint the sum of \$30.83. It is therefore Considered

that the Plaintiff recover of the Defendant said sum of Thirty Dollars and Eighty three Cents and Costs of suit and proceeding in attachment without relief from the Valuation or Appraisement laws, to be levied of the property attached in said Cause of Root and Others against said Ortho and whose property is particularly described in the Order of Sale made in that cause.

And on motion This Order is that for any residue of civil Judgment Interest and Costs that may remain unsatisfied after the sale of said attached property the Plaintiff may have his Execution against any other property of said Defendant

Tuesday May 28th A.D. 1861 and 8th Day of the Month)

Subject to Execution to be levied without the relief from Valuation or Appraisement laws aforesaid.

Galph W. Booth
John Gony, Frank Alter
and Adolphus D. Rogers

Lewis Ortho Complainant and Attachment No. 164

Comes the Plaintiff and the Court having found that the amount due the Plaintiff in this cause is the sum of \$116.34 and Costs of suit without any relief from Valuation or Appraisement laws, and having rendered and recorded Judgment for the same against the defendant. On motion of the Plaintiff the issues joined in the proceeding in attachment in the cause of the Defendant is submitted to the Court which finds that the Plaintiff have proven all the material allegations contained in their Affidavit in attachment, and that the action and proceeding in attachment herein were filed under that of Jerome B. Root and Others (the Original Attaching Creditors) against said Defendant Ortho, the same being cause No. 81 upon the Civil Docket of our present term, and which cause the Judgment and Order of Sale are recorded in this Order Book Commencing at Auto page 45^y and ending at Auto page 46^y.

It is therefore Considered that the Plaintiff recover of the defendant the Costs of the proceeding in attachment herein, and that said sum of \$116.34 with all Interest thereon and Costs aforesaid to be levied of the property attached in said Cause of Root and Others against said Ortho without any relief from the valuation or appraisement laws and which property is particularly described in the Order of Sale made in that cause. And on motion Ordered that

for any residue of the above Judgment Interest thereon and Costs aforesaid that may remain unsatisfied after the sale of said attached property the Plaintiff may have his Execution against any other property of the Defendant subject to Execution to be levied without the relief aforesaid.

Solomon Gross

Lewis Ortho Complainant and Attachment No. 165

Comes the Plaintiff and the Court having found that the amount due the Plaintiff in this cause is the sum of \$139.67 and Costs of suit and having rendered and entered Judgment for the same against

Wednesday May 28th A.D. 1861. and 7th Day of the Term,

The defendant without any relief from the valuation or appraisement laws. The Court now in the absence of the Defendant finds that the plaintiff has proven all the material allegations contained in his affidavit in attachment, and that this action and proceeding in attachment herein were filed under that of Jerome B. Root and Others the original attaching creditors against said Defendant Otto, the same being Cause Number 81 upon the Civil Docket of my present term and in which cause the Judgment and Order of sale are recorded in this Order Book Commencing at ante page 45⁷ and ending at ante page 46⁷. It is therefore Considered that the plaintiff is now receiver of the Defendant Otto the Costs of the proceeding in attachment herein and that said sum of \$129.67 with all Interest thereon and Costs aforesaid to be levied of the property attached in said cause of Root and Others against said Otto without any relief from the valuation or appraisement laws, and which property is particularly described in the Order of sale made and entered in that cause. And in motion it is ordered that for any valid appeal of said sum of \$129.67 and Interest thereon and Costs remaining unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of the Defendant Otto subject to Execution to be levied without the relief aforesaid.

Elisha Work

Lewis Otto vs. Complaint and Attachment No 168

Comes the Defendant and in his Motion he has leave and withdraws his answer and appearance herein and said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires ten days before the first day of my present term and said Defendant being called Comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Otto the same being Cause No 81 out the Judgment and Order of sale in which is recorded in this Order Book Commencing at ante page 45⁷ and ending at ante page 46⁷. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$290.36

It is therefore Considered that said plaintiff now recover of said Defendant Otto said sum of Two hundred and Ninety Dollars and Thirty six Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws. To witness

Wednesday May 28th A.D. 1861. and 7th Day of the Term.

of the property attached in said cause of Root and Others against said Defendant Otto, and which property is particularly described in the Order of sale made in that cause. And in motion it is ordered that for any valid appeal of said judgment interest thereon and Costs aforesaid that may remain unsatisfied after the sale of said attached property the plaintiff Work may have his Execution against any other property of the Defendant Otto subject to Execution without the relief aforesaid,

William Wheeler

Lewis Otto vs. Complaint and Attachment No 178

Comes the Defendant and in his motion he has leave and withdraws his ^{appearance} herein and said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires ten days before the first day of my present term and said defendant being called Comes not and makes default and cause in his absence is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit in attachment and that the same were filed under the action and proceeding of Jerome B. Root and Others the original attaching creditors against said defendant Lewis Otto the same being Cause No 81 and the Judgment and Order of sale in which is recorded in this Order Book Commencing at ante page 45⁷ and ending at ante page 46⁷, and this cause in motion is continued for further hearing and judgment.

William R. Bird Adv'r
of Dorcas Lippins. Decth

Lewis Otto vs. Complaint and Attachment No 183.

Comes now the Defendant and in his motion he has leave and withdraws his answer and appearance herein, and said plaintiff comes and proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires at least ten days before the first day of my present term and said defendant being called Comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment, and that the same were filed under

Tuesday May 28th A.D. 1801. and 8th Day of the Term.

The action and proceeding in attachment of Jerome Root and Others against the Defendant Orth being Cause No 81 of the Civil Docket of our present term and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of One hundred and two Dollars. It is therefore Considered that said plaintiff recover of said Defendant said sum of One hundred and two Dollars and Costs of suit and proceeding in attachment without relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause. And on motion it is Ordered that for any residue of said Judgment Interest thereon & Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution to be levied without the relief aforesaid,

Davis Olson

v.s.

Lewis Orth

Complaint and Attachment No 184

Comes now said Defendant and on his motion he has leave and withdraws his amours and appearance herein, and Comes the plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term, and said defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 upon the Civil Docket of our present term and the Judgment and Order of sale in which cause is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$51.58 It is therefore Considered that said plaintiff recover of said Defendant said sum of Fifty one Dollars and fifty eight Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made and entered in that cause. And on motion it is Ordered that for any residue

Tuesday May 28th A.D. 1801. and 8th Day of the Term

of said above Judgment Interest thereon and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution to be levied without the relief aforesaid,

Addison Coffin

v.s.

Lewis Orth

Complaint and Attachment No 185

Comes the Defendant and on his motion he has leave and withdraws his amours and appearance herein, and Said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons upon him herein as the Statute requires, less than before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment and that the same were filed under the action and proceeding in attachment of Jerome B. Root and Others against the Defendant Orth same being Cause No 81 upon the Civil Docket of our present term and the Judgment and Order of sale in which is recorded in this Order Book Commencing at Auto page 457 and ending at Auto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$4.23 It is therefore Considered that said plaintiff recover of said Defendant said sum of Sixty four Dollars and twenty three Cents and Costs of suit and proceeding in attachment without any relief from the valuation or appraisement laws to be levied of the property attached in said Cause of Root and Others against said Defendant Orth and which property is particularly described in the Order of sale made in that cause.

And on motion it is Ordered that for any residue of said above Judgment Interest and Costs that may remain unsatisfied after the sale of said Attached property the plaintiff may have his Execution against any other property of said Defendant Orth subject to Execution to be levied without the relief aforesaid,

Benjamin Rector

v.s.

Lewis Orth

Complaint and Attachment No 186.

Comes the Defendant and on his motion he has leave and withdraws his amours and appearance herein, and Said plaintiff proves to the Court that said Defendant has been duly notified of the commencement and pendency of this suit by service of summons

Tuesday Day 28th A.D 1861 and 8th Day of the Term

upon him herein as the Statute requires at least ten days before the first day of our present term and said Defendant being called comes not, and in his absence this cause is submitted to the Court, which finds that the plaintiff has proven all the material allegations contained in his Complaint and affidavit in attachment, and that the same were filed under the action and proceeding in attachment of Jerome Root and Others against the Defendant Otto, same being Cause No. 81 upon the Civil Docket of our present term and the Judgment and Order of sale in which cause is recorded in this Order Book commencing at unto page 457 and ending at unto page 467. And the Court further finds that there is due the plaintiff on account of the allegations in his said Complaint the sum of \$45.50. It is therefore Considered that said plaintiff recover of said Defendant said sum of Forty five Dollars and fifty Cents and Costs of suit and proceeding in Attachment without any relief from the valuation or appraisal laws to be levied of the property attached in said cause of Root and Others against said Defendant Otto and which property is particularly described in the Order of sale made and entered in this cause.

And O'motion it is Ordered that for any residue of the above Judgment entered thereon and Costs that may remain unsatisfied after the sale of said attached property the plaintiff may have his Execution against any other property of said Defendant Otto subject to Execution to be levied without the like expense.

Benjamin Purcell

v/s

Complaint of Attachment, No. 190

Levis Otto

Comes the plaintiff unto the defendant comes not, and the Court finds that the plaintiff has proven all the material allegations contained in attachment and that the same was filed under the of Jerome B. Root and Others against said Defendant Otto, that cause being Number 81 upon the Civil Docket, and that the service of summons herein was not so long for a final judgment against defendant. And the Court finds the amount due plaintiff on account of the allegations in said Complaint to be the sum of Three Hundred and Forty nine Dollars and fifteen Cents and without any relief from valuation or appraisal laws. And O'motion it is Ordered that this cause stand continued.

Ordered that Court adjourn until tomorrow morning at Nine o'clock
Signed May 29, 1861.

Judge.

Wednesday Morning at 9 O'clock May 29th A.D 1861 and 9th Day

of the Term Court met. Present The Hon. John Colson Judge,

Elizabeth Neff

v/s

Partition, No. 15

Henry Neff et al.

Came now Willis L. Spears & Cyrus Rogers two of the said Commissioners hereinbefore appointed and make to the Court and duly acknowledge in open Court a Report of Partition made by them herein, and no objections being made thereto on motion it is Ordered that the same be and is in all things approved and confirmed, and O'motion and by Order of the Court said Report is here recorded as follows:

"State of Indiana Hendricks County. In Court of Common Pleas May Term 1861. The Hon. Mr. Willis L. Spears, and Cyrus Rogers Commissioners appointed at the last term of said Court to make partition in the Case of Elizabeth Neff, v/s, Henry Neff et al and report as follows: That I set off and assign unto Elizabeth Neff in fee simple the following tract of land: Tract Commencing at the South East Corner of the East half of the South East Quarter of Section Twenty two (22) in Township Seventeen (17) North of Range two (2) West and running West Twenty rods thence North One hundred and two $\frac{1}{2}$ rods thence East Twenty rods to the E. line of said $\frac{1}{2}$ and thence South One hundred and two $\frac{1}{2}$ rods to the beginning containing 45 acres more or less. Given under our hands this day of May 1861.

Willis L. Spears
Cyrus Rogers.

It is therefore O'motion Considered and decreed that the said plaintiff Elizabeth Neff have hold and enjoy in severally in fee simple forever the premises above assigned and set apart to her by said Commissioners, and that she pay the Costs and charges herein expended, and that in default of such payment Execution issue against her.

And in motion it is Ordered that Henry Morris be allowed \$1.50 Willis L. Spears $\frac{3}{4}$ of Cyrus Rogers \$9.00 for their services as Commissioners of herein, and that these allowances be taxed & paid as other Costs of the cause.

Copied

Wednesday May 29th 1861, and 9th Day of the Term.

James Mahoney

vs Complainant No 26.

Abraham Bland and
Emm Singer.

Come now the parties and the Defendants move the Court that the Costs and charges herein be taxed against the Administrator of the Estate of Lucinda Clifford Dec^d. And the Court being well advised in the premises overrules said motion, to which the Defs except,

State Ex rel of Mary Jones et al

vs Complainant No 67

Matthew Owen et al

Come the parties and the Court being well advised in the premises sustains the plaintiffs Demurrer to the 2^d paragraph of the joint answer of all the Defendants to which ruling of the Court the Defs except and on motion and by agreement this Cause is continued

John Clifford et al By R^o

vs Complainant No 129

Abraham Bland Admr.

Come the parties and the arguments of Counsel being heard the Court takes time to consider upon the finding, and Orders to continue up this Cause until next term.

Charles H. Root.

William H. Bennett

Jesse B. Root

vs Garnishment No 147

Daniel McAninch Garnished of Lewis Orth Come now the

Wednesday May 29th A.D. 1861 and 9th Day of the Term.

plaintiffs and on their Motion. It is Considered that the plaintiffs recover of the said McAninch Garnished as aforesaid the said sum of Twenty six Dollars and Thirty five Cents as and for the amount found due by him to the said Lewis Orth and also the Costs of this Garnishment. And on motion Ordered that this Judgment when Collected be paid into Court to be paid to the plaintiffs and several attacking Creditors of said Orth pro rata as shall be hereinafter Ordered by the Court. Itemizing and Replevin Bill for the above Defendant for the payment of the above Judgment together with the Interest and Costs accrued and to accrue thereon July 1st 1861 John A. Holloman Esq
Test. C. F. Parker D.C.

Charles H. Root, William H. Bennett
and Jerome B. Root

vs Garnishment No 148

William Greulich Garnished of
Lewis Orth

Come now the plaintiffs and on their Motion. It is Considered that they recover of said Greulich Garnished as aforesaid the said sum of Eight Dollars as and for the amount found due by him to the said Lewis Orth, and also the Costs of this Garnishment. And on motion, Ordered that this Judgment when collected be paid into this Court to be paid to the plaintiffs and several attacking Creditors of said Orth pro rata as shall be hereinafter Ordered by this Court.

Charles H. Root, William H. Bennett.
and Jerome B. Root

vs Garnishment No 149

Pico Bird Garnished of Lewis Orth

Come the plaintiffs and on their motion. It is Considered that they recover of said Bird Garnished as aforesaid the said sum of Thirty Dollars as and for the amount found due by him to the said Lewis Orth and also the Costs of this Garnishment. And on motion, Ordered that the sum principal and interest of this Judgment when Collected be paid into Court to be paid to the plaintiffs and several attacking Creditors of said Orth pro rata as shall be hereinafter Ordered by this Court.

Wednesday January 29th A.D. 1861. and 9th Day of the Term.

Charles H. Root and
William H. Bennett &
Jerome B. Root

vs

Garnishment No 150

John Crows Garnished of
Lewis Otto

Come the parties and ownmored on the plaintiffs This Comend
that the plaintiffs recover of said Crows Garnished as aforesaid the said sum of
Three Dollars as and for the amount found due by him to the said Lewis Otto
and also the Costs of this Garnishment

And. On motion, Ordered that this Judgment when Collected be paid into
Court so that the principal and Interest of the same may be divided among
the plaintiffs and several attaching Creditors of said Otto prorata as shall be
hereinafter Ordered by this Court.

Charles H. Root

William H. Bennett and
Jerome B. Root

vs

Garnishment No 151

James H. Adair and Joseph Adair
Garnished of Lewis Otto

Come now the parties and the Court being well advised in the
 premises overrules the motion of said Garnisher to quash the plaintiffs affidavits
to which noting the Garnisher excepts, and the said Garnisher James H Adair
being examined under Oath touching the allegations contained in the plaintiffs
affidavit answers that he has the Books accounts of Lewis Otto in his possession
and produces the same in Court, and that he had the Notes of said Otto in his
possession when the suit was served on him herein, and produces the same in
Court, and said James H Adair Garnisher as aforesaid files in open
Court a Schedule of the Notes and accounts payable to said Lewis Otto
and which were in the possession of said James H Adair at the time of said
service of said suit herein which Schedule is as follows First, Case No.
thereupon. This Considered that said James H Adair Garnisher as aforesaid
recover of said plaintiffs the Costs of this Garnishment

Wednesday May 9th A.D. 1861. and 9th Day of the Term

Charles H. Root
William H. Bennett
& Jerome B. Root

vs

Garnishment No 153

Nathaniel Chizley
Garnished of Lewis Otto

Come now the plaintiffs and move the
Court for Judgment in the finding herein, This therefore Considered
that the plaintiffs recover of the said Chizley Garnished as aforesaid
the said sum of Twelve Dollars and Seventy Cents and Costs
of Garnishment. On motion, Ordered that this Judgment when
Collected be paid into Court so that the principal and Interest of the same may
be divided among the plaintiffs and several attaching Creditors of said Otto
prorata as shall be hereinafter Ordered by the Court.

Charles H. Root William H. Bennett
and Jerome B. Root

vs

Garnishment No 154

Franklin Elrod Garnished of Lewis Otto

Come now the plaintiffs and move the Court
for Judgment in the finding herein, This therefore Considered that the
plaintiffs recover of the said Elrod Garnished as aforesaid, the said sum
of Twenty Dollars and Costs of Garnishment. On motion, Ordered
that this Judgment when Collected be paid into Court so that the principal
and Interest of the same may be divided among the plaintiffs and several
attaching Creditors of said Otto prorata as shall be hereinafter Ordered
by this Court.

Wednesday May 29th A.D. 1861. and 9th day of the Term.

Charles H. Root. William H. Bennett
and James D. Root

vs.

Garnishment No. 155

Sixty Five Dollars Garnished of
Lewis Otto

Came now the plaintiffs and move the Court for Judgment
upon the finding of the Court heretofore. Whereupon It is Considered
that the plaintiffs recover of the said Otto Sixty Five Dollars as aforesaid the
sum of Twelve Dollars and Thirty five cents and Costs of
Garnishment. On motion Ordered that the principal and Interest
of this Judgment when Collected be paid into Court so that the same
may be divided pro rata among the plaintiffs and several attaching
Creditors of the said Otto as shall be hereinafter Ordered by this Court.

The State of Indiana Ex Rel
of Hamm Brittain Adm'r of
Frank Harper Dec'd

vs

Complaint No. 167

Thomas Nichols. Edmund R. Hadley. Lewis Rose. William E. Howland
Andrew Nichols. Elijah M. Under & John O. Hadley

Come now the parties and the plaintiff files her Reply
to the 9, 3 & 4 paragraphs of the answer of the Defendants Nichols to the 24
Paragraphs of the Complaint and this cause being now settled upon the
issues joined in motion of the Defendants and by Order of the Court a Jury
composed mainly of Perry Burks. David Cox. Jesse Bernman. Amiel Edwards
Thomas C. Johnson. Perry Timpkins. Allen Norton. William Helshans
William McWay. John W. Hawkins. David M. Cox and John Norton. in all
twelve good and lawful men resident of our County who are duly elected
and now the truth to speak upon the issues joined in the premises, and
part of the evidence adduced being heard in motion and by agreement of the
parties this cause is dismissed at the Costs of the plaintiff Hamm Brittain

It is therefore Considered that said Defendants do recuse
of the said Relator Hamm Brittain in his own individual Capacity the Costs
and Charges by them about their defense herein expended. And the plaintiff moves
the Court that said Relator Hamm Brittain as administrator as aforesaid be taxed

Wednesday May 29th A.D. 1861. and 9th Day of the Term.

with the Costs of this suit and the Court being well advised in the premises ordered
said Motion to which the plaintiff excepts and has until next term to file
her exception

On motion Ordered that the Indianapolis Journal Company
be allowed the sum of \$4.75 for printing done for this Court.

And On motion Ordered that this allowance be Certified to the
County Auditor and paid out of any Money in the County Treasury
not otherwise appropriated,

On motion Ordered that Levi Peter be allowed \$49.65 for
services rendered as Clerk of this Court during my present term.
And on motion. This allowance is Ordered to be Certified to the Co
unty Auditor and paid out of any funds in the hands of the County
Treasurer not otherwise appropriated

On motion Ordered that Elias Jessup be allowed Fifty Dollars
for acting as Prosecuting Attorney during the present term of this Court.
And that this allowance be duly Certified and paid out of the County Dr. of

On motion Ordered that the following allowances be made and
duly Certified and paid out of the County Treasury for expenses
of the present term of this Court for

Thomas Nichols	for services as Sheriff &c	\$6.50
E. H. Stranghan	" " "	\$2.50
Alexander Little	" " "	7.50
James Coser	" " "	12.50
Davis Polk	" " "	9.50
Henry Stranghan	" " "	15.00
Samuel Hawkins	" " "	5.00
Davis F. Cox	Paid for Jr. & 4th Miles	8.14
Allen Norton	" " " 6"	7.50
Amiel Edwards	" " " 6" 24"	8.26
Joseph M. McWay	" " " 6" 12"	7.98
Jesse Bernman	" " " 6"	7.50

Wednesday May 29th 1861. and 9th Day of the Term

Vacation Entries

Joel Reynold	for services as Petil Jour. 6 Days. & 14 miles	8.06
John W. Hawkins	" " " 6 " " 3 "	7.62
S. A. Verbike	" " " 6 " " "	7.50
J. P. Burks	" " " 6 " " 4 "	7.66
Perry Templin	" " " 6 " " 6 "	7.74
D. M. Cox	" " " 2 " " 10 "	2.90
John H. Holton	" " " 2 " " 8 "	2.82
William Wilshens	" " " 2 " " "	2.50
Thomas Johnson	" " " 2 " " "	2.50

(Enclosed)

On motion. Ordered that all Informations, Complaints, Petitions. Answers. Demurrers. Motions. Submissions. Trials and all other matters. things and causes that otherwise disposed of at our present stand continued until our next term,

And there being no further business for this term. Ordered that Court adjourn until Court in Conve.

Received and Signed May 29th A. D. 1861.

Judge

Among the Records of the proceedings had and done in the Court of John Thos Burns a Justice of the peace in and for the Township of Brown in the County of Hendricks and the State of Indiana the following is found
 Homer Burger and Simon Hornaday } Complaint on Note Demand 13.32
 vs James S. Polk

Be it known that on the 26th day of January in the year of our Lord 1861, the Plaintiffs in the foregoing cause complained of the Defendant in the office of John Thos Burns a Justice of the peace in and for the County of Hendricks and State of Indiana, and filed the following cause of action. #1179 Caterburg Indiana December 26th 1858. One day after date I promise to pay to Burger & Hornaday Eleven $\frac{7}{8}$ Dollars value received without any relief whatever from valuation or appraisement laws, signed James S. Polk. January the 26th 1861 a summons was issued for the Defendant and was delivered to John H. Pedigo a special constable in this cause and was made returnable on the 27th day of January 1861 at three O' clock in the afternoon, and all things herein are contained and day is given. Test John Thos Burns Justice Seal. January 27th 1861 the summons was returned endorsed thereon as follows Came to hand January 26th 1861 and served the same day by reading to Defendant, signed John H. Pedigo special constable. January 27th 1861 the day and hour at which this cause was set for hearing the parties were called and the defendant came not but herein wholly made default, all things herein are therefore considered taken and held as confessed, and the court being fully advised in the premises it is therefore considered by the Court, ordered, adjudged and Decreed, that the Plaintiff recover of the Defendant the sum of Thirteen Dollars and thirty two cents. with the costs and accruing costs in this behalf laid out and expended, and that they have execution therefor without any relief from valuation or appraisement laws; Witness my Name and Seal January 29th 1861 John Thos Burns Justice Seal

Execution issued Feb 14th 1861 and delivered to George W. Nash Constable, April the 3rd 1861 the Execution was returned endorsed as follows, came to hand February 15th 1861 at 10 o'clock in the forenoon and served April the 2nd 1861 and no goods and chattels of the defendants found wherein to levy signed G. W. Nash Constable State of Indiana Hendricks County. I John Thos Burns Justice before who the foregoing proceedings were had do certify that the foregoing Transcript is a full true and complete copy of all the Records of the proceedings had in said cause between said Burger & Hornaday and James S. Polk. In testimony of which I have hereunto set my hand and affixed my name and seal at Brownsburg Indiana this the 27th day of May in the year of our Lord 1861
 Test John Thos Burns Justice Seal
 Justice Filed in my office and Recorded May 30th 1861
 Levi Ritter Clerk

Vacation Entries

John R Ballard
versus
John Williams &
Comodore P Williams

Complaint for \$41.67

Be it remembered that on the 1st day of May 1861 John R Ballard filed in my office the following notes, to wit:
February 16th 1860 Nine Months after date we the subscribers of the County of Hendricks and State of Indiana promise to pay to the order of John R Ballard Forty dollars without any relief from valuation or appraisement laws, value received, signed, John ^{has} Williams, C.P. Williams
May 2nd 1861 Issued summons of that date, returnable the 10th day of May 1861 at two o'clock P.M., and delivered to Barkley Moore constable. May 4th 1861 the above named summons returned, endorsed as follows, came to hand May 4th 1861 and served May 6th 1861 by reading to both of the defendants. May the 10th 1861 The defendants came not but made default to the sum of forty one dollars and sixteen cents. It is therefore adjudged, that the plaintiff recover of the defendants the sum of Forty one dollars and sixteen cents with interest without any relief from valuation or appraisement laws, together with costs and accruing costs Dated May 10th 1861

Henderson Ferree J.P.

I the undersigned a Justice of the Peace of Washington Township in Hendricks County Indiana certify that the foregoing is a true and complete copy from my docket of the proceedings and judgment before me in the foregoing entitled cause

Given under my hand and Seal this
the 13th day of May 1861

Henderson Ferree J.P.

Filed in my office and Recorded May 16th 1861

Levi Ritter Clerk A.C.

Vacation Entries

Rees Trobridge

vs
Joseph H Craig

Complaint on Note. Demand \$30.29

February the 16th 1861 Plaintiff filed a note in my office for the collection in the following words and figures to wit \$29.25 from Feb¹⁶th 1860 one day after date I the subscriber of the County of Hendricks and State of Indiana promise to pay to the order of Rees Trobridge Twenty nine $\frac{1}{2}$ dollars for value received without any relief from valuation or appraisement, stay or Exemption laws, Joseph H Craig

at the same time by order of Plaintiff a summons was issued against defendant mad returnable the 25th day of February 1861 at one o'clock after noon of said day February 22nd 1861 summons returned came to hand February the 16th served the 18th Returned the 23rd ^{24th Hackworth} February the 25th 1861 the time set for trial and defendant comes not but makes default, it is therefore adjudged that the Plaintiff recover of the Defendant the sum of thirty Dollars and twenty nine cents with interest and costs and all accruing costs waiving all benefit of valuation or appraisement laws. Costs of suit taxed \$1.10 Given under my hand February the 25 1861

P Pennington J.P.

I James Hackley acknowledge myself Relying on bail for the stay of the above judgment interest and costs and all accruing costs in one hundred and twenty days from the rendition thereof, March the 18th 1861 James Hackley attest P Pennington J.P.

Execution issued June 20th 1861, July the 11th 1861 Execution returned no property found to levy on G D Duckworth Constable State of Indiana Hendricks County

I Preston Pennington a Justice of the Peace within and for Culver township of said County do hereby certify that the foregoing is a true correct and complete copy from my docket of the proceedings and judgment in the above cause.

Given under my hand July the 13th 1861 P Pennington J.P.

Filed in my office this the 15th day of July 1861 Levi Ritter Clerk State of Indiana a Judgment before Justice Pennington Hendricks County

Rees Trobridge

vs

Joseph H Craig and

James H Hackley Rep. Bail I Preston Pennington agent for the Plaintiff Swear that there is due on a judgment rendered before Preston Pennington a Justice of the Peace within and for said County on the 25th day of Feb 1861 the sum of \$30.29 of principle, and interest thereon from rendition & \$4.20 costs in favor of the Plaintiff against the defendant, P Pennington Subscribed and sworn to before me this July 13th 1861

Levi Ritter Clerk

Vacation Entries

David Swank Assignee
of William J Ragan }
vs. Comodore P Williams } Complaint for \$60 14

Be it remembered that on the 31st day of December 1860 David Swank filed in my office as a cause of action against Comodore P Williams the following note "June the 4th 1860 On or before the 25th day of December next & prior to pay Barkley Moore the sum of Sixty dollars for value received waiving valuation or appraisement laws signed C P Williams. Said note apigned as follows. Pay the within note to W J Ragan June the 16th 1860 signed Barkley Moore. Pay the within note to David Swank June 20th 1860 signed W J Ragan.

January 5th 1861, there being no constable in Washington Township I appointed Reuben S Perry special constable in the above named cause and administered to said Reuben S Perry an affidavt oath as constable. January 5th 1861 issued summons of that date returnable the 9th day of January 1861 at one o'clock PM and delivered to Reuben S Perry special constable January 5th 1861 the above named summons returned endorsed as follows "Came to hand January 5th 1861 and served same day by reading, signed R S Perry special Constable. January 9th 1861 The defendant comes not but made default to the above named amount of Sixty dollars & fourteen cents. It is therefore adjudged that the Plaintiff recover of the Defendant the sum of Sixty Dollars & fourteen Cents, with interest, without any relief whatever from valuation or appraisement laws. Dated January 9th 1861 Henderson Ferre f P Seal

I the undersigned a Justice of the Peace of Washington Township Hendricks County Indiana, Certify the foregoing is true and complete copy from my docket of the proceedings and judgment before me in the above & foregoing entitled cause

Given under my hand & seal
this the 16th day of July 1861

Henderson Ferre f P Seal

Filed and Recorded in my office this the 17th day of July 1861
Levi Ritter Clerk

Vacation Entries

Max Mueller et al. vs. Buckley Bartholomew
Suits in the Hendricks Court of Common Pleas. Sept Term 1861.
The Suit is dismissed at the Costs of the plaintiffs and the Clerk will enter this dismissed in the Order Book of said Court. Sept 2nd 1861.

Aug 1st 1861
Harr & Whitmore Atts for Riffs.
Attest Levi Ritter Clerk.

James Morrison agent for John Hadley (at Peckslury)

vs. Complaint Note \$35.65

Benjamin Heath vs. July 2nd 1861 at request of plaintiff summons issued returnable 1st day of August at One O'clock PM and was handed to James Hills Court of Liberty Township. Same day Sust. July 2nd 1861. Plaintiff filed the following Complaint \$35.65 May 14. 1861. One day after date I promise to pay to the Order of James Morrison agent for John Hadley at Peckslury Hendricks County Ind. Thirty five ⁶⁵/₁₀₀ Dollars Value received without any relief from Valuation or appraisement laws. Signed Benjamin Heath

August 2nd 1861. One O'clock PM the parties appeared not but made default and it appearing from the return of the summons that the same had been served by Copy on the 1st day of July 1861 and the plaintiff having proof on file of his Complaint. This therefore adjudged that he recover of the Defendant Thirty six Dollars and nine Cents with Costs and attorney Costs. and that he have Execution therefor without relief to said Defendant from Valuation laws. Given under my hand this August 2nd day 1861. Amiel Hunt Justiced.

Justiced fees \$1.00. Constables fees \$0.90

State of Indiana Hendricks County. I hereby Certify that the foregoing is a true transcript of the proceeding had before me in the above cause as appears from my Docket. Given under my hand and seal this eighth day of August 1861.

Amiel Hunt - Justiced Seal
Filed and Recorded August 8. 1861. witness Levi Ritter Clerk.

James Morrison agent vs. Complaint Note \$57.97

July 26th 1861 at request of plaintiff summons issued returnable the second day of August

Benjamin Heath vs. at 12 O'clock PM and was handed to James Hills Constable of Liberty Township. July 26. 1861. Plaintiff filed the following Complaint Sust. \$57.97 January 21st 1861. One day after date I promise to pay to the Order of James Morrison agent for John Hadley at Peckslury Hendricks County Ind. Twenty seven and 97/₁₀₀ Dollars Value received without any relief from Valuation or appraisement laws. Signed Benjamin Heath.

Aug 2nd 1861 Under O'Clock PM, the parties appeared Not but made default and it appearing from the return of the summons that the same had been served

In Vacation Court of Common Pleas.

by Copy on the 26 day of July 1861 and the Plaintiff having proof on file of his Complaint. It is therefore adjudged that the Plaintiff recover of the Defendant Twenty eight and $\frac{3}{4}$ Dollars with Costs and Accruing Costs and that he have Execution therefor without relief to said defendant from valuation laws. Given this 2^d day of August 1861. Amiel Hunt Justice.

Justices Costs. \$1.05 Courtable Costs. \$0.60

Estate of Indiana Hendricks County S. S. I hereby certify that the foregoing is a true transcript of the proceedings had before me in the above entitled Cause as appears from my docket. Given under my hand and seal this sixth day of August 1861.

Amiel Hunt Justice (seal)

Filed and Recorded August 8. 1861. Levi Ritter Clerk,

William Finch

v. James St John. January 10th 1861. Now comes the Defendant James St John. Who waives the service of process, enters his appearance and upon his oath says that he is fully indebted to the Plaintiff in the sum of One hundred $\frac{3}{4}$ Dollars without any relief from valuation or appraisement laws and that this confession is not made to deface or defraud his Creditors. It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of One hundred and $\frac{3}{4}$ Dollars, together with the Costs herein taxed at. and accruing Costs without any relief from valuation or appraisement laws.

E. Singers J. P.

I acknowledge myself Replevin bailed on the above Judgment for the sum of $\frac{3}{4}$ Dollars for the period of One hundred and eighty days from the execution thereof Attest E. Singers J. P. John Swigman

The State of Indiana Hendricks County S. S. I Ensign Singers a Justice of the peace in said County hereby Certify that the above is a full & true Transcript from my Docket in said Cause of William Finch vs James St John.

Given under my hand & seal this 24th day of August 1861. E. Singers J. P.
Filed and Recorded Aug 24. 1861. witness Levi Ritter Clerk

The State of Indiana, Hendricks County S. S. I the undersigned Justice of the peace of Centre Township, in Hendricks County Indiana, Certify that on the judgment rendered before me on the 10th day of January 1861, in which William Finch was Plaintiff against James St John as defendant for One hundred and $\frac{3}{4}$ Dollars, the Costs taxes at $\frac{1}{2}$ an execution has been by me imposed to the proper constable, and has been by him duly returned endorsed that no constable could be found to satisfy said judgment or any part thereof Given under my hand and seal, this 26th day of March 1862. E. Singers J. P. Justice of the peace

William Finch vs. James St John, Transcript in the Common Pleas of Hendricks County.

Simon T. Hadley attorney for William Finch, wherein that William Finch, obtained a judgment in the above entitled case before Ensign Singers a Justice of the peace of Centre Township in said County, on the 10th day of January 1861, and that said judgment is wholly unpaid; and that there is now due thereon the sum of \$100 $\frac{3}{4}$ with interest from the rendition thereof; And the further sum of \$480⁰⁰ Costs thereon, S. T. Hadley Severe to and delivered before me a Justice of the peace of said County, the 26th day of March 1862.

E. Singers J. P.

Filed and Recorded March 26. 1862 at the Levi Ritter Clerk

In Vacation Court of Common Pleas.

Samuel A. Russell. v. James St John. August 8. 1861 Plaintiff this day filed in my office the following cause of action viz.

Dated Sept 1. 1860 Three months after date I promise to pay S. Russell Order with Interest value received without any relief whatever from valuation or appraisement laws.

James St John" (Signed by Clerk amount held left out of it) Also the following "Dated January 31. 1860 One day after date I promise to pay S. Russell or order fifty four $\frac{3}{4}$ dollars with Interest value recd without any relief whatever from valuation or appraisement laws

James St John"

Or Mar 29/60 \$07. June 11/60 \$10. Nov 16/60 \$10.00" Also the following assigned by delivery viz "Dated April 28. 1860 Two months after date I promise to pay James Runyan or order twenty five dollars value received without any relief from valuation or appraisement laws.

James St John"

Or Mar 11/61 \$21. Thereupon issued unto to Courtable Lieutentable August 10th 1860 at G. O. M.W. summons returned served by copy, left at defendants usual place of residence August 7. 1861 W. Lee Const. August 19. 1861 Now comes the plaintiff, the defendant comes not, and it appearing by the Constables return that the defendant had more than three days served of process whereupon the defendant being duly called he comes not but makes default, where after hearing the plaintiffs proof of the debt being sufficiently advised in the premises its considered that the plaintiff recover of the defendant the sum of Sixty seven $\frac{3}{4}$ Dollars together with the Costs herein taxed at of \$1.05 & accruing Costs without any relief from valuation or appraisement laws.

E. Singers J. P.

Expedited Aug 25. 1861. to Const. W. Lee. J. P. \$1.90 Const. 1.10
State of Indiana Hendricks County I Ensign Singers a Justice of the peace of said County Certify that the within is a full & true transcript from my Docket of the proceedings had by and before me in said Cause of Samuel A. Russell against James St John. Given under my hand and seal this 2^d day of September 1861. E. Singers J. P.

Filed and Recorded Sept 3. 1861. witness Levi Ritter Clerk

In Vacacion

State of Indiana Hendricks County. Be it known that we the Clerk, Sheriff and County Auditor of said County have this day appointed Joseph S. Miller as Judge to attend and hold the September Term of the Court of Common Pleas of said County for the year 1861. the Judge of said Court having failed to attend for that purpose.

Witness my hand this 23. day of September 1861

Lew Ritter Clerk
J. R. Crawford County Auditor
John Nichols Sheriff

State of Indiana Hendricks County

I, Joseph S. Miller, swear that I will support the Constitution of the United States and the Constitution of the State of Indiana and that I will faithfully discharge the duties of Judge of the Hendricks Court of Common Pleas so help me god. J. S. Miller

Solicited and sworn to before me Sept 23. 1861

Witness my hand as Clerk of the Hendricks County Common Pleas and the seal thereof affixed
Filed and recorded Sept 23. 1861

Lew Ritter Clerk
Lew Ritter Clerk

State of Indiana

Hendricks County. I, John Culum Judge of the Court of Common Pleas of the 12th District for the State of Indiana do hereby appoint Joseph Miller Esq an attorney practicing in said Court and resident in the County of Hendricks in said State to act as the Judge of said Court during the present term in my absence. Attest my signature this 23rd day of September A. D 1861. John Culum Judge Court C. P. 12th Dist

State of Indiana

Hendricks County. I, Joseph S. Miller swear that I will support the Constitution of the United States and the Constitution of the State of Indiana and that I will faithfully discharge the duties of Judge of the Hendricks Court of Common Pleas so help me god. Joseph S. Miller

Solicited and sworn to before me Sept 23. 1861.

Witness my hand as Clerk of the Hendricks County Common Pleas and the seal thereof affixed this day and date aforesaid

Lew Ritter Clerk.
Lew Ritter Clerk

Filed Sept 23. 1861.

Monday September 23rd A.D 1861. and 1st Day of the Term

Be it remembered that at a Term of the Court of Common Pleas within and for the County of Hendricks and State of Indiana begun and held at the Court House in Danville on Monday the 23rd day of September AD 1861 Before the Honorable Joseph S. Miller Judge of said Court by appointment of His Honor John Culum Judge of the 12th District of this State the following proceedings were had & done

State of Indiana

vs. Mal trespass Not.
Allen Huff.

On motion of the Dist Atty this cause is dismissed

State of Indiana

vs. Mal trespass. No 2
Alexander Stevenson

On motion of the Dist Atty this cause is dismissed

State of Indiana

vs. Riot No 4

Edward Stevenson
Alexander Simpson
Alexander Little

On motion of the Dist Atty this cause is dismissed

State of Indiana

vs. A. B. No 5

Temurill Parsons

On motion of the Dist Atty this cause is dismissed

Monday September 23rd 1861, and 1st Day of the Term.

State of Indiana

"

District Relig Meeting No 6

Isaac Wilson Jr.

On motion of the District Attorney this cause is dismissed

State of Indiana

"

A.T.B. No 8.

Joseph Murphy.

Comes the Defendant unto Benjamin Morphew and acknowledge themselves to owe and be indebted to the State of Indiana in the sum of fifty dollars to be levied of their expected property. But to be paid on Condition that said Defendant shall make his personal appearance before this Court on the first day of our next term and answer unto the State upon the above Information. And the Order and Judgment of the Court and not depart the same without leave.

And here now comes Thomas Mahoney and acknowledges himself to owe and be indebted unto the State of Indiana in the sum of fifty dollars to be levied of his property. But to be paid upon Condition that he shall make his personal appearance before this Court on the first day of our next term and testify as a witness for the State upon the trial of the above named cause and not depart the Court without leave.

State of Indiana

"

A.T.B. No 11

Samuel A. King

Comes now John C. Buffins attorney for the State and the Defendant is proper person and by Counsel also comes, and said Defendant being arraigned upon the above Information for pleas thereto saith he is guilty and the evidence adduced being heard after a submission of the cause to the Court the Court finds the Defendant guilty and assesses his punishment to a fine of Three Dollars.

This therefore On motion Considered that said Defendant is guilty as charged and Confessed and that he make his fine to the State of Indiana in the said sum of Three Dollars and that he pay the Costs of this prosecution On motion. It is Ordered that said Defendant stand committed until said fine and Costs are paid or suspended.

Monday Sept 23rd 1861, and 1st Day of the Term

into the Custody of the Sheriff until said fine and Costs are paid or suspended

State of Indiana

"

Selling Intox Liquor in less quantities than a Quart

John Knightley

No 13

Comes now John C. Buffins Attorney for the State and the defendant is proper person and by Counsel also comes and said Defendant being arraigned upon the above Information for pleas thereto saith he is guilty and for that whereof he puts himself upon the Court and the Attorney for the State doth the like and the evidence adduced being heard after a submission of the cause to the Court the Court finds the Defendant guilty and assesses his punishment to a fine of Two Dollars. and thereupon the Defendant moves the Court in arrest of judgment to which

State of Indiana

"

A.T.B. No 90

James Gay.

Comes now the attorney for the State and the Defendant comes and being arraigned upon the above Information for pleas thereto saith he is guilty and by agreement this cause is submitted to the Court and the evidence being heard and due deliberation had the Court finds the defendant guilty and assesses his punishment to a fine of Two Dollars.

This therefore On motion Considered that said Defendant is guilty as charged and Confessed and that he make his fine to the State of Indiana in the said sum of Two Dollars and pay the Costs of this prosecution

On motion. Ordered that said Defendant stand committed until said fine and Costs are paid or suspended.

Ordered that Court adjourn until Tomorrow morning at 8 o'clock

Joseph Miller Judge

Tuesday Morning at 9th part 8. O'clock Sept 24th 1861. and 2^d

Judicial day of the Term Court Met. Present.

Wth Hon. Jst S Miller Judge of Term

State of Indiana

vs Transcript No 2.

Jonathan Curtis
On motion of the District Attorney this cause is dismissed

State of Indiana

vs Appellate Ct N.Y

Frederick Wines

On motion of the District Attorney this cause is dismissed

State of Indiana

vs A.P.B. No 11

Samuel A. King

(one) the parties and the Defendant moves the Court to tax the Prosecuting witness with all the Costs of Witnesses herein excepting three & the Court being well advised in the premises overrules said motion to which ruling the Defendant excepts.

State of Indiana

vs No 13

John Knightley

(one) the parties and the Defendant files his reasons in support of his motion in arrest of judgment, and the Court being well advised in the premises sustains said motion, and on motion of the plaintiff the Defendant is ordered into the custody of the Sheriff, and here now comes John L Buffum attorney for the State and files several an Affidavit and Information

Tuesday Sept 24th 1861. and 2^d Day of the Term.

tion against said Defendant for selling Intoxicating Liquors in less quantities than a Quart, and here now comes said Defendant in proper person who being arraigned upon the above Information for pleas thereto saith he is guilty and the Court being duly advised in the premises finds that said Defendant is guilty and assesses his punishment to a fine of Five Dollars.

It is therefore On motion Considered that said Defendant is guilty as charged and that he make his fine to the State of Indiana in the sum of Five Dollars and pay the Costs of this prosecution. On motion Ordered that said Defendant stand Committed until said fine and Costs are paid or satisfied.

State of Indiana

vs No 14

Ellen Knightley

Comes the attorney for the State and the Defendant in her own proper person also Comes and said Defendant being arraigned upon the above Information for pleas thereto saith she is not guilty and further thereof she puts herself upon the Court and the attorney prosecuting doth the like & the Court being well advised in the premises finds the Defendant guilty and assesses her punishment to a fine of Five Dollars, and said Defendant moves the Court in arrest of Judgment and files her reasons therefor and the Court being well advised sustains said motion.

State of Indiana

vs No 15. (Same as above)

Ellen Knightley

Tuesday Sept 24th 1861. T^o Day.

Mary C. Davis et al

vs.

Partition No 8.

James W. Pock et al.

Comes John Hetherow Commissioner herein
and files his Report showing among other things that before the day on which
he advertised the lands herein to be sold one Will and Brown purchased from
the several parties interested in this suit their shares of the lands herein and
entitled to be sold, and On motion said Report is examined and approved. Said
land ordered not to be sold, said Commissioners discharged from any further
trust in the premises and Cases struck from the Docket.

State of Indiana Ex Rel of

vs.

Complaint No 36.

Jonathan Owen et al

On motion and by agreement Continued

State of Indiana Ex Rel of

vs.

Complaint No 37

Jonathan Owen et al

On motion and by agreement Continued.

Jesse S. Matlock

vs.

Complaint No 38.

Henry G. Godd.

Come the parties and on motion of the Defendant he
has leave and withdraws his answer filed at our last term, and said left
files his Answer anew to the 1st paragraph of the Complaint and his Demurrer
to the 2^d paragraph.

Tuesday Sept 24. 1861. D^o Day.

State of Indiana

vs.

Complaint No 41

Joseph R. Huff.
Eli Hyatt and James W. Meeks

Comes now the plaintiff by John C Buffkin
District Attorney and proves to the Court that a summons has been issued out of
this Court in this cause and duly executed by the Sheriff upon the Defendant,
unto Hyatt and Meeks at least ten days before the first day of our present
term and said Defendants Hyatt and Meeks being called cannot and
in their absence this cause is submitted to the Court and the evidence adduced
being heard and heard the Court finds for the plaintiff and assesses her Damages
to fifty dollars.

It is therefore Considered that the plaintiff recover
of said Defendants Hyatt and Meeks said sum of Fifty Dollars Damages
aforesaid assessed and Costs aff'd. and On motion this suit is to the D^o
Huff is dismissed.

Benjamin Purcell

vs.

Complaint of Attachment No 52

Lewis Ord.

Comes now the plaintiff and the Defendant
the called Comes not and in his absence the plaintiff moves for a judgment
upon the finding of the Court herein at our last term and the Court being
duly advised in the premises. It is Considered that the plaintiff recover
of the Defendant the sum of Three Hundred and fifty seven Dollars as
sum for the amount due him of principal and interest of the premises rate
and upon to this date. On motion Ordered that this judgment be levied
without prejudice from the valuation or appraisement laws of the property attached
in the cause of Root and Others against said defendant Ord and
which property is particularly described in the order of sale made and
entered in that cause by this Court at our last term. And it is ordered
it is Ordered that for any residue of said Judgment also rendered Interest &
Costs that may remain unsatisfied after the sale of said attached property
the plaintiff Purcell may have this Execution against any other property

I. Day.

Tuesday Sep 24th 1861

of said Defendant's Oath subject to Execution to be levied without any relief from the valuation or appraisement laws aforesaid

Commodore Williams

vs.

Appeal. No 53

John Ross

Came the parties and for good Causes shown under Oaths by the plaintiff and in his motion this cause is Ordered Continued at his Costs. It is therefore Considered that the Defendant recover of the plaintiff the Costs of this Continuance &c.

Christopher C. Davis and
John Wetherow

vs.

Appeal. No 108.

John Lingemar

Came the plaintiffs and appellees and in their motion the Defendant and appellant is called and comes not and wholly fails to prosecute his above appeal herein, and in his absence this cause is submitted to the Court for trial on motion of the plaintiffs upon the cause joined and the evidence adduced bring record the Court bring duly advised & finds for the plaintiffs and assesses their Damages at \$10.00

It is therefore On motion Considered that the Plaintiff recover of the Defendant such sum of One Dollar Damages aforesaid assessed and Costs of suit in this cause the Court below expended.

I. Day. Tuesday Sep 24th 1861.

North Western Christian University

vs.

Op Sup Ct. No 112.

Jordan Denny

Came the plaintiff and other noted the Transcript of the Opinion of the Supreme Court and the Judgment there of as filed herein is recorded as follows Court "State of Indiana, Supreme Court, May Term A.D. 1861. 4th day June 1861 Present, the Honorable Samuel E. Perkins, Ch. J. Andrew Dawson, James L. Worrell, James M. Hanna Judges. Jordan Denny vs North Western Christian University, Appeal from the Hendricks Co. Pleas, Now come the parties by their attorneys, and the Court being sufficiently advised in the premises give the following opinion and judgment pronounced, In Curius, Suit by the University against Denny upon a stock subscription, by which he subscribed for one share of stock payable in lumber, Denny sues to the complaint over ruled and exception, same, tried by the Court, finding and judgment for the plaintiff, a new trial being refused, the objections to the complaint are that it does not disclose the date of Denny's subscription, and also that the Corporation had not power to take anything but a cash subscription, The subscription set out does not contain any date, nor does the complaint show when it was made, But where time is not material as it is not in this case, it is a matter of form only, and the defect is not reached by demurrer, We are of opinion that the charter of the plaintiff, sufficiently authorizes the subscription, Local Laws 1849-50 § 534. A new trial was asked for on several grounds, such of which as are relied upon in brief of Counsel will be noticed, The record shows that the plaintiff offered in evidence the subscription based upon some oral testimony, and that the defendant excepted to the evidence introduced or so much thereof as disclosed the conversation had by said witness with Benjamin Robins and the statement of Robins to each of the witnesses in the absence of the defendant, and the introduction of the writing sued on, severally which objection was overruled, It does not appear that any ground of objection was stated or pointed out to the Court and it has been held in numerous instances by this Court, that it is not error to overrule an objection made in this general manner, the defendant offered to prove by a witness that he did not sign his name to the writing sued on, but only stated to John O'Han (the agent of the plaintiff by whom the subscription was procured) that he could put his name down on a piece of paper for one share of the Capital stock payable in lumber, that O'Han stated he had no authority to receive such subscription, but that he could take the plaintiff's name for one share payable in lumber, and submit it to the trustees of the plaintiff, This testimony was rejected and the defendant excepted, The testimony thus offered only tends to negative the execution by the defendant, of the subscription sued upon, there being no plea denying such execution under oath, the evidence was inadmissible and properly rejected, Lest it be said that this was another part of the list of exceptions it appears that the plaintiff in rebutting was permitted to give in evidence conversations between one Wicker and Robins and Hammick and Robins over the objections of the defendant made on the ground that the conversations, were not with the defendant and were irrelevant, The conversation in regard as unimportant and without calling to enquire whether their admissions was strictly correct, we think they may be struck out, still leaving ample evidence to support the finding, The only other point made by the defendant is as to the sufficiency of the evidence to sustain the finding, the deficiency in the evidence is claimed to be a failure to prove that Denny has not paid the interest due on his stock, and had not secured the payment of his dues thereon. If these facts could be a valid defense

Day. Sept. 24th A.D. 1861. Tuesday

against the immediate collection of any portion of said subscription, by the provisions of the Charter of the Plaintiff, the same offering them we think lay upon the defendant.

It is therefore considered by this Court that the judgment of the Court below in the above entitled cause be in all things affirmed with 5 per cent damages, at the cost of the appellant to be certified to said Court. And it is further considered by this Court, that the appellee recover of the Plaintiff appellant the sum of for his Costs and charges
in this behalf expended, and also dollars and cents for his damages herein.

Date of Indiana, Supreme Court:

I John P. Jones, Clerk of the Supreme Court of the state of Indiana do certify the above and foregoing to be a full, true and complete copy of the opinion and judgment of said Court in the above entitled cause

In witness whereof, I hereunto set my hand and affix the seal of said Court, at the City of Indianapolis, this 5th day of August 1861

John P. Jones C.S.C.

Agistrew C. Nav and
John Wetherow

ss. Z Appeal. No 114.

Cyrus Hunt. Come the plaintiffs and appellees and on their motion the Defendant and appellant is called and comes not and Whalley fails to prosecute his above appeal, and in his absence this cause is submitted to the Court (as plffs motion) for trial upon the issue joined and the evidence adduced being heard and due deliberation had the Court find for the plaintiffs and assesses their Damages at \$ 10.00

This Court therefore Considered that the Plaintiff recover of the Defendant said sum of Twenty Dollars Damages aforesaid assessed and also Costs of suit in this and the Court below expended.

Day. Tuesday. Sept 24th A.D 1861.

Mary. Hicks

ss.

Divorce No 116.

William Hicks

Come the Plaintiff and on her motion appearing from the return of the Sheriff upon the Summons issued herein "that said Defendant cannot be found." This Order is that said Defendant be made fit of the commencement and pendency of this suit by publication affixed thereof for three weeks successively as the Statute requires in the Hendricks County and yes a weekly newspaper of general circulation printed and published in our County of Hendricks and that the same will stand for trial on the 2^d day of our next term to begin and held at the Court House in Danville on the 3^d Monday of January A.D 1862. and on motion in this cause is continued Done.

Blackley & Simpson

ss.

Complaint No 117.

William Mondy et al

On motion of the plffs the Defendant Alfred Mondy is ruled to answer the plffs Complaint and Interrogatories

Joseph Sharpe

ss.

Complaint No 119. N.Y. 11
Defl. & Judg't \$ 123.55 "W.R"

Henry Pitt

Come the Plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the Plaintiff on account of the allegations contained in his Complaint the sum of One Hundred and twenty two Dollars and fifty five cents. This therefore On motion Considered that the Plaintiff recover of the Defendant said sum of One hundred and twenty two dollars and fifty five cents. and Costs afftis. On motion Ordered that this Judgment be collected without any relief from the valuation being done also we do signify and transfer all my right title and Interest in and to the above Judg'd and Interest to William Dinsler of my 13.1.1862 and Interest to William Dinsler of my 13.1.1862

John G. R. Parker D.C.

Joseph Sharpe

I^o. Day. Tuesday Sept 24th A.D. 1861

Adam Gotts

vs. Complainant No 123. Irons P.Y.
Deft Sharpe called Deflt Judgt. \$138.75 W.R.
Dismissed as to Anderson.

Comes the plaintiff and proves to the Court that a summons has been issued out
of this Court in this cause and duly executed by the Sheriff upon the Defendants ^{at least ten days}
before the first day of our present term and said Defendants being called come not and in his absence on plaintiff's motion this cause is submitted to the Court which
finds there is due the plaintiff from the Defendant Sharpe on account of the allegations
contained in the Complaint the sum of \$138.75 It is therefore on motion
considered that the plaintiff recover of the defendant Joshua Sharpe said sum of One
hundred and thirty eight $\frac{7}{10}$ per Dollar and Costs of suit. On motion Ordered that
this judgment be collected without any relief from the valuation laws, and that this suit as to
the Defendant Anderson be dismissed. I James L. Byte swear that I am worth \$100.00
over and above my just debts and property except from Execution. And I acknowledge myself
defender's bill for the above defendant for the payment of the above Judgment together with
the interest and costs accrued and to accrue thereon James L. Byte Seal
Summons and Submittal before me Oct 3. 1861. Test. Law Office C.R.

Emnoch Weekly

vs. Complainant No 128 A.Y.W.
Deflt. & Judgt \$132.89 W.R.

Joseph H. Craig
Goodlow Walker

Comes the plaintiff and proves to the Court that a summons has been issued out
of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days
before the first day of our present term and said Defendants being called come not and in their
absence on plaintiff's motion this cause is submitted to the Court which finds that there is due
the plaintiff on account of the allegations contained in their Complaint the sum of One hun-
dred and thirty two Dollars and Eighty nine cents.

It is therefore on motion Considered that the plaintiff recover of the Defendants said sum
of One hundred and thirty two Dollars & Eighty nine Cents and Costs of suit. On motion
Ordered that this Judgment be collected without any relief from the valuation laws.

I^o. Day. Tuesday Sept 24th A.D. 1861

Wander and Child

vs. Complainant No 131.

Jordan and Jordan

Come the parties and the Defendants file their joint answer
to which on their motion the plaintiffs are ruled to reply.

Benjamin H. Yards and
Jonathan C. Child

vs. Complainant No 132. Wallace & S.
Deflt & Judgt. \$80.50 W.R.

Asa White and
John Ray Patterson

Come the parties that is to say the plaintiffs and prove to the
Court that a summons has been issued out of this Court in this cause and duly
executed by the Sheriff upon the Defendants at least ten days before the first day of
our present term and said Defendants being called come not and in their absence on plaintiff's
motion this cause is submitted to the Court which finds there is due the plaintiff on
account of the allegations contained in their Complaint the sum of Eighty Dollars and
fifty Cents. It is therefore on motion Considered that the plaintiff recover
of the Defendants said sum of Eighty $\frac{50}{100}$ Dollars and Costs of suit. On motion it is
Ordered that this Judgment be collected without any relief from the valuation laws.

1st Day Tuesday Sept 24th A.D 1861

1st Day Tuesday Sept 24th 1861.

Benjamin H. Warden
Jonathan C. Child

15.

Complaint No 133. W.R.
Deft & Judg \$118.38 W.R.

Sumey Hood and
Alfred J. Hood.

Came the plaintiffs and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days before the first day of our present term, and said Defendants being called Committed and on their absence on plaintiffs motion this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his said complaint the sum of \$118.38 It is therefore Considered that the plaintiff recover of the Defendants the sum of \$118.38) Sixty eight Dollars and Thirty eight cents and Costs of suit. Our motion Ordered that this Judgment be levied without any relief from the valuation laws. I Now H. Gorsetto acknowledge myself responsible for the above defendants for the payment of the above Judgment together with the Interest and Costs accrued and to come thereon Oct 7. 1861. At the S. Rocker D.C A. W. Gorsett (seal)

Jacob S. Miller and
Wendover Ferron & child
of John D. Miller Decd

15.

Complaint No 134. W.R.
Dismissed as to R.

Danij. Mills and
Joseph Richart of
Deft & Judg of a/cst Mills \$216.40 W.R.

Came the plaintiffs and on their motion this court sets the Defendant Richart is dismissed and the plaintiffs prove that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant Mills at least ten days before the first day of our present term, and said Defendant Mills being called Committed and on his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in their Complaint the sum of \$216.40

It is therefore on motion Considered that the plaintiffs recover of the Defendant Miles said sum of Two Hundred & Sixteen & $\frac{40}{100}$ Dollars and Costs of suit. Our motion Ordered that this Judgment be collected without any relief from the valuation or appraisement laws.

Solomon Blair Guardian of
Benjamin Owens Heirs

15.

Compl. N^o 136.

Gale Easterling

Came the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term and said Defendant being called Comes not and on his absence this cause is submitted to the Court which finds that there is now due the plaintiff on the notes and Mortgaged sue upon and in Complaint mentioned the sum of \$1019.00 and that there is of \$2443.27 with Interest from 1st January 1861. Not yet due \$1000.00 of which Comes due Nov 15. 1861. with Interest from Jan 1. 1861. and \$751.63 in 25. Dec 1862. with Interest from Jan 1. 1861. and \$751.64 on 25 Dec 1863 with Interest from 1st Jan 1861. And the Court finds that the lands in said Complaint described as subject to the payment of the aforesaid several sums. and that said lands cannot be sold in parcels.

It is therefore Considered and decreed by the Court that the plaintiff recover of the Defendant said sum of Ten hundred and Nineteen Dollars the sum Now due from defendant to plaintiff and Costs of suit. without relief from Valuation or appraisement laws. And it is further Considered and decreed. that upon default to satisfy or pay said sum of \$1019.00 and Costs that a Certified Copy of this Judgment and Decr shall duly issue which shall be sufficient authority for the Sheriff to advertise and sell as Lands are sold under Execution all of the lands in Mortgage and Complaint described for all the sum East Quarter of Section 2. Township 14 North of Range One East in the County of Hendricks. And Our Motion. It is Ordered that said Sheriff apply the proceeds accruing from such sale. 1st to payment of said sum of \$1019.00 Interest thereon and Costs. and then to the payment of the other aforesaid sums not yet due. leaving out of consideration of expenses and costs and all without relief from valuation or appraisement laws.

S^r Day. Tuesday Sept 24th 1861

State Court of Vanuickle

vs.

Complaint No 137

Osborn and Osborn

On plaintiffs Motion the defendants are ruled and file
and file their answer to which the plaintiffs are ruled to reply.

Simon J. Hadley

vs.

Complaint No 141.

Deflt & Judg \$442.00 WR.

Jeremiah Hellec.

Jacob H. Hellec and
Vesse Martin

Came the plaintiff and proves to the Court that no summons has been
issued out of this Court in this cause and duly received by the Sheriff when the Defendants at least
ten days before the first day of our present term and said Defendants being called come not and
in their absence this cause is admitted to the Court which finds there is due the plaintiff on
account of the allegations contained in his Complaint the sum of \$442.00

It is therefore ordered and directed that the plaintiff recover of the Defendants
said sum of Four Hundred and forty two Dollars and Costs of suit

On motion Ordered that this Judgment be collected without any relief from the
Execution or appearance laws.

William Glenn et al

vs.

Complaint No 143

Homer G. Burger. On motion of plaintiff this cause is dismissed
Ordered that Court adjourn until Summoning at 9 O'clock Joseph Miller Judge.

S^r Day. Wednesday Sept 25th 1861.

Wednesday Morning at 8 O'Clock Sept 25th 1861 and 3^d full day of the Term Court
met. Present. The Hon^r J^r S^r Miller Judge Pro Temp.

Thomas Evans

vs.

Transcript

Action to Recover \$59.45.

Madison Osborn.

Be it known that on the 6th day of August by the
plaintiff by his attorney Thomas B. Sawhead filed his cause of action and the
Bill of items being too large to insert the amount is herewith filed - Sundry visits
and medicines for the defendant and family amounting to fifty nine dollars
and forty five cents, as set forth up on Bill. Writs process issued against
said defendant summoning him to appear before me, at my office in Griswold
Township and County aforesaid, on the 13th day of August 1861, at ten O'clock
in the forenoon and delivered the same to Amos Easterly, Constable.

Now comes the plaintiff and orders subpoena for Thomas Evans and
Thomas B. Harvey, and the same was delivered to Amos Easterly Constable

August 27th 1861. Summons returned endorsed served by reading to Mad-
ison Osborn August 6th 1861. Fees for services 25 Cents, return 10 cents Mileage 5,
attending trial 25 Cents, subpoena returned endorsed, served by reading to
Thomas B. Harvey and Thomas Evans, Fees for serving 40 Cents, return 10 Cents
Mileage 10 Cents.

August 13th 1861. Subpoena ordered by the defendant for Wm. J. Harvey
and Eli Johnson and delivered to Amos Easterly Constable, Subpoena returned
endorsed served, Service 60 Cents Mileage 10 Cents, return 10 Cents.

The day and hour set for trial, tenth August 13th 1861, ten O'clock A.M.

The parties appeared by their attorneys, Thomas B. Sawhead for
the plaintiff and T. H. Hales for the defense, Defendant filed his offset the
items being too numerous for insertion, the amount for harness and amounts
paid for order of plaintiff to the amount of seventeen Dollars and forty
cents, as set forth in bill of items. And after hearing the testimony in the
case the allegations of the attorney, is considered by me after deducting the amou-
of defendants claim \$17.00. And two dollars and twenty five cents for hired
help, that the plaintiff have judgment against said defendant
Madison Osborn for the remainder of plaintiffs claim, which is thirty eight
dollars and thirty five cents, Cost taxed at four dollars and twenty cents
and costs that may accrue and that he have execution for the same.
Given under my hand and seal

Isaac M. Shidler J. P.

August 28 1861 Execution issued against Madison Osborn and deli-
vered the same to Amos Easterly Constable

I. Babt Easterly hereby acknowledges myself repaying bail for
the stay of execution on the above judgment for One hundred and twenty days

S^r Day Wednesday Sept 20th A.D 1861.

From the rendition hereof, with costs that have and may accrue, and undertake the payment when due. August 30 1861
Atto Isaac M. Shidler Jr. P. C. Caleb Easterly.

I Isaac M. Shidler, a justice of the peace of Guilford Township
County of Hendricks State of Indiana, do hereby certify the above transcript to be true and
correct copy of the proceedings as had before me and on my docket in the case above,
Isaac M. Shidler Justice P.
(The foregoing transcript filed and Recorded Sept 25 1861. Witney Lewis Ritter Clerk)

William H. Cord

vs

Complaint No 11.

Eli Mylton and
Harrison Wilson.

Come the parties by Counsel and on their motion
and agreement this cause is submitted to the Court for trial without the intervention
of a jury upon the issue joined in the premises and the evidence adduced
being seen and heard the Court takes day to consider of

Aaron Nomenc

vs

Complaint No 12.

Seth Gwynn

Come now the parties and the Defendant moves the
Court to tax the plaintiff with all costs herein up to the commission of the first
error in this Court, and the Court takes day to determine said motion. And
on motion and by agreement of parties this cause is submitted to the Court for
trial upon the issue joined without the intervention of a jury, and the evidence
adduced being seen and heard the Court takes day to

S^r Day Wednesday Sept 25th A.D 1861.

William H. Hamstead

vs

Complaint 3^d Day No 110

Mathias C. Hall Amr
of Jonathan W. Kerns.

Come the parties and the Defendant files his Answer
hereto, and on motion and by agreement a jury is waived and the trial of this
cause is submitted to the Court upon the issue joined and the evidence adduced
being seen and heard and due deliberation had the Court finds for the plaintiff
that said W^m Kerns did execute the note mentioned in the Complaint, that the
same is due and unpaid, that the same was executed in part payment of
the following described real estate situated in our County of Hendricks Twp.
Lots No^o 3 & 4 in Block No^o 9. Lots No^o 3 & 4 in Block No^o 3. Lots No^o
1, 2, 3, & 4 in Block No^o 5. and Blocks 6 & 7 in the Town of New Haven in the
said Co. security whatever was taken upon said note. That plaintiff causes said
real estate to be Conveyed to said Decedent in his lifetime, pursuant to the Con-
tract of sale thereof, that said note is a lien upon said Real Estate, that said
Administrator has by regular proceedings in this Court obtained an order there-
to sell said Real Estate, to pay claims against said Decedent's estate, and that
by virtue of the premises said Note ought by said Administrator to be first paid
in full out of the proceeds of the sale of said Real Estate as a specific lien there-
on, and that there is due on said Note the sum of \$152. & 67cts.

It is therefore on motion Considered that the plaintiff recover of the
Defendant the said sum of One hundred and fifty two dollars and sixty seven
cents. On motion Ordered to be levied of the goods and chattels of said Dece-
dent in his hands to be administered. And on motion It is Ordered that said
Defendant pay said sum recovered as aforesaid, in full out of the proceeds ac-
cruing from the sale of the Real Estate of said Decedent herinafter set
forth, the same being declared to be a specific lien upon the fund arising
from said sale, and On motion It is Considered that the plaintiff recover of
the Defendant his Costs and charges herein expended.

5th Day. Wednesday Sept. 25th A. D 1861.

Verse S. Mattock

v.s.

Complaint No 38.

Henry G. Todd.

On motion of the Defendant the Depositions of
on file in this cause are ordered published

Joseph J. Coffin

v.s.

Partition No 39.

William J. Cook. Benjamin
Beringer. Hammel Beringer
Richard Stevens. Esther Stevens
John Knobley. Elizabeth Knobley
Benjamin Rock and Ann Rock.

Comes the plaintiff and files the affidavit of S. O. Thompson
Foreman of the Hendricks County Ledger a weekly newspaper of general
circulation printed and published in our County of Hendricks by which it is
proven to the Court that said defendants have all been duly notified of
the commencement and pendency of this suit by publication of Notice there
of for three weeks successively in said newspaper the first of which publica
tions was made on the 6th and the last on the 20th day of April 1861.

And the plaintiff noticed said defendants are called and come not and
wholly make default and in their absence or notice this cause is submitted
to the Court for trial and the evidence adduced being seen and heard and
due deliberation had the Court finds that Joseph J. Coffin the plaintiff
is the owner in fee simple by purchase from Simon J. Hadley, Nicholas J.
Hadley and James Rogers. of the Undivided one half part of the following
described tract of land in Hendricks County Indiana Sodit The North West
quarter of the SE Quarter and the North East quarter of the South West
quarter of Section 22 in Township 19 N Range 1 West Containing 80 acres.
That the other half of said tract of lands belongs to the said above named debtors
and that what proportion of said half belongs to each of said debtors cannot now
be determined, and that the prayer of the plaintiff herein ought to be granted

On motion It is therefore Considered and decreed that Cyrus
Rogers, Willis Taltot and Eli Walter their good and lawful men
be and they are hereby appointed Commissioners and Ordered and directed
to agree and set apart to the plaintiff One equal half of the above described
tract of land for him to have and hold in severalty in fee simple forever. And on
Motion said Commissioners are Ordered to report their proceedings in the premises
to this Court at our next term, and Cause stands Continued

Wm. H. Jr. Jno.

5th Day. Wednesday Sept 25th 1861.

Jacob Jordan
Jane E. Jordan &
Mary A. Todd.

v.s.

Complaint No 49

Verse S. Mattock

Come the parties and on their motion and agreement
this Cause is submitted to the Court without the intervention of a Jury for trial
upon the issue joined and the evidence adduced being seen and heard and
due deliberation had the Court finds for the plaintiffs and assesses their Dam
ages at \$ 68.70

On Motion,
His therefore Considered that the plaintiff recover of the
Defendant said sum of Sixty Eight Dollars and Seventy Cents and Costs
of suit.

Delilah Thatcher

v.s.

Divorce No 109.

William Thatcher

Comes the plaintiff and files the affidavit of S.
O. Thompson foreman of the "Hendricks County Ledger" a weekly news
paper of general circulation printed and published in our County of Hendricks by
which it is proven to the Court that said defendant has been duly notified of the
commencement and pendency of this suit by publication of Notice thereof for
three weeks successively in said newspaper the first of which publications was
on the 27th July 1861 and the last on the 10th August 1861. And on motion
said defendant is called and comes not and in his absence this cause is
submitted to the Court for trial and the evidence adduced being heard and
due deliberation had the Court finds that the plaintiff has proven all the
material allegations contained in her Complaint and that she is the innocent
and injured party. On motion. It is therefore Considered
and decreed that the plaintiff be and she is hereby divorced from the de
fendant and that the marriage Contract heretofore entered into and existing betw
ent and that the marriage Contract heretofore entered into and existing betw

Day. Wednesday Sept 25th A.D. 1861.

The parties to be named, annulled and foreworn held, and it is further considered that the Plaintiff recover of the Defendant the Costs of this Suit.

Leander M. Campbell

vs. Appeal. No 113.

Augustus G. Shirts

Come now the parties and upon their motion and agreement. It is Considered by the Court that this Cause be dismissed and that the Defendant pay Five Dollars of the Costs and the Plaintiff the remainder if any.

Blackley & Simpson

vs. Complaint No 117

William Monday et al

Come the plaintiffs and defendant Alfred Monday and said defendant Alfred filed his Answer to the Complaint and also his answer to the plaintiffs interrogatories. On motion of plaintiff they have leave and file the undertaking of William A. M. Kenzie to pay Costs herein, and on plaintiffs Motion they have leave to take the Depositions of the Defendants Wm Monday and Eliha Rogers. On motion of the plaintiffs this cause is continued for process against said Defendants William Monday and Eliha Rogers.

James M. Leathers

vs. Appeal. No 118.

Hoyan and Herring

into the parties and on motion of plaintiff the Defendants to file herein are published

Day. Wednesday Sept 25th 1861

Mahlon Thompson

vs. Appeal. No 121

William Tont and John Tont

Comes the plaintiff and appellee and on his motion the Defendants and appellants are called and come not and shall fail to prosecute their above appeal, and in their absence the plaintiff waives a Jury and submits this Cause to the Court for trial and the evidence brought in heard and due deliberation had the Court finds for plaintiff and assesses his Damages to \$5100. Our Motion

It is therefore Considered that the plaintiff recover of the Defendants said sum of Fifty One Dollars Damages so as aforesaid assessed, and Costs of suit in this cause the Court below expended. And Our motion It is Ordered that this Judgment be collected without any relief from the Valuation or Appraisement laws. W.C. O'Neil H. Payne Acknowledges myself Replevin Recd for the above Defendants for the payment of the above Judgment together with the Interest and Costs accrued and to receive thereon and hereon that I am worth \$100.00 less and above my indebtedness property except for Execution. O.H. Payne C.R. Porter Deputy Clerk
Signed and returned and delivered to me Oct 24, 1861 C.R. Porter Deputy Clerk.

Jacob Komblieth
Morris Komblieth &
Moses Newburg

vs. Complaint No 124.
Deflt & Judg. \$690.66 W.W.

William J. Hazlett and
Samuel Hazlett

Come the plaintiffs and present to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days before the first day of our present Term and said Defendants being called came not and in their absence this cause is submitted to the Court which finds that there is due the plaintiff on account of the allegations contained in their Complaint the sum of Six hundred and forty five dollars. It is therefore Our motion Considered that the plaintiff recover of the Defendants

Day. Wednesday Sept. 25th 1861.

Sum of Six hundred and Twenty and ⁰⁰ Dollars. and Costs of Suit. On Motion
It is Ordered that this Judgment be collected without any deduction from the valuation or
approximate leave.

Nancy Pinnon

vs Complaint No 136.

William Little

Come the parties and the deft files his answer.

Warder & Child

vs Complaint No 131

Jordan & Jordan

By agreement Continued

Solomon Blair Guardian
of Benjamin Owens Heirs

vs Complaint No 136

Caleb Ecsterling Defl. Trial & finding \$783.75 Damages Judg'd.

Comes the plaintiff and serves to the Court that a summons has been issued out of this Court
in this cause and duly executed by the Sheriff upon the Defendant at least ten days before
the first day of our present term, and said Defendant being called comes not and in his absence
this cause is submitted to the Court which finds there is due the plaintiff and assesses his
Damages at Seven hundred and Eighty three Dollars and Eighty five cents.

It is therefore Considered that the plaintiff recover of the Defendant said sum of
Seven hundred and Eighty three Dollars and Eighty five ^{cts} Damages so as aforesaid
found and assessed. And also the Costs of this suit.

Day. Wednesday Sept 25th 1861.

State of Indiana Exrel

vs Complaint No 137

Osborn and Osborn

By agreement Continued

Ordered that this Court adjourn until Friday morning next at
8 O'clock. Signed Sept. 27. 1861.

Joseph S. Miller Judge.

Friday morning at 8 O'clock Sept 27. 1861. and 5th full day of the Term Court met.

On Day Sept. 27th A.D. 1861. Friday

Past the Hr.

Joseph S. Miller Judge.

The State of Indiana

vs.

Mal trespass. No 18.

Joseph Hollingsworth

Comes now the attorney for the State and the Defendant in person and by Counsel also comes, and the defendant moves the Court to quash the above Information and the Court being duly advised overrules the said motion, and the Defendant being examined before the above Information for plea thereof saith he is not guilty and on motion of the attorney for the State a Jury Come namely, L. A. Rose Wm. Hunt, Isaac Hawcutt, O. H. Payne, Wm. C. Brownfield, Joseph Walker, Isaac S. Long, James Thompson, Ezekiel Moore, Anderson Leech, Alfred Wiley and George Chaplin in all twelve good and lawful men who being duly elected tried and sworn the truth to speak upon the issue joined between the parties after hearing the evidence adduced and arguments of Counsel and having received the charge of the Court as per their oaths aforesaid say and find as follows. "We the Jury find the Defendant not guilty
Wm. C. Brownfield Foreman"

It is therefore Considered that the Defendant is not guilty as charged that he go hence henceforth discharge and fully acquit.

James M. Leathers

vs.

Appeal. No 118.

Martin Hogan and Michael Hessian

Come the parties by Counsel, and the Defendants move the Court to suppress the Depositions of on file in this cause and the Court being well advised in the premises overrules said motion to which ruling the Defendants except, and this cause now coming on for trial upon the issue joined on motion of the plaintiff and by Order of the Court a Jury Come namely, Wm. Hunt, Isaac Hawcutt, Lewis A. Rose, O. H. Payne, Willis Colbott, Joseph Walker, Zeno Hadley, William Barnell, Peter Leek, William Maclay, Anderson Leech and Alfred Wiley in all twelve good and lawful men who are duly elected tried and sworn the truth to speak upon the issue joined in the premises. And thereupon the Defendants move the Court to dismiss this cause for want of jurisdiction of the Court below, and the plaintiff moves the Court to grant

his leave to amend by reducing his demand to \$10,000 and the Court being well advised sustains the first motion to which the plaintiff excepts and overrules the second motion to which the plaintiff excepts. It is therefore Considered that the defendant recover of the plaintiff the Costs and charges by them about their defense herein his this and the Court below expend and from the above judgment the plaintiff and is granted an appeal to the Supreme upon his filing Bond in a penalty of \$100.00 in 30 days with S. M. Campbell Surety therein

State of Indiana

vs.

Mal trespass. No 19.

Joseph Hollingsworth

Come the parties by their attorneys and the defendant moves the Court to dismiss the above Information and the Court being well advised overrules said motion to which ruling the Defendant excepts.

John Knightly

vs.

Complaint No. 144

Daniel O. Conner

Comes the plaintiff and files his complaint herein and on his motion summons is awarded issued and delivered to the Sheriff against said Defendant, and cause stands continued

Charlotte Tolley

vs.

Complaint No 145

John Lingeman Jr.

Come the plaintiff and files her complaint herein and on her motion summons is awarded issued and delivered to the Sheriff against said Defendant and cause stands continued

Ordered that Court adjourn until tomorrow morning at 72 past 8 O'clock
Joseph S. Miller
Judge

Saturday morning at half past 8 o'clock A.M. 1861, and a judicial day of the Term

Court met. Plaintiff. H. W. How. J. S. Miller Judge

State of Indiana

vs.
Mal Shadders No 19

Joseph Hollingsworth
On motion of the District Atty this cause is dismissed

State of Indiana Ex parte

vs.
Complainant No 55

Scarce and Sheddaway

On motion of the plaintiff the Defendants are ordered to answer, and the Defendant Scarce comes and pays into Court the sum of One hundred and fifty dollars, and on motion of the plaintiff the Defendants are ordered to file their answer herein or before the first day of next term until which time this cause is continued.

6, 6, above done this day of Sept 1861,

Stephen S. Shields and
Malinda Shields

vs.
Partition No 187

Ephraim Corner et al.

Come now Nathan Harvey and Caleb Hunt two of the Commissioners herein appointed to make partition and make to the Court and duly acknowledge in open Court a Report of their proceedings in the premises and where bring no objections to the same. On motion the court ordered that said Report stand in all things approved and confirmed, and on motion and by Order of the Court said Report is now here recorded in the words and figures following:—

"State of Indiana Hendricks County. Court of Common Pleas. September Term 1861 To the Honorable Judge of said Court. The Nathan Harvey and Caleb Hunt two of the Commissioners appointed at the last term of this Court to survey and set off to Malinda Shields One ninth part of the North East quarter of Section 14 in Township 14 North of Range 9 West except 60 acres off the West side thereof, after being duly qualified and on actual view of the premises are invited and agreed upon the following partition. Said assign

10th Day. Saturday Sept 28th A.D. 1861.

and set off to the said Malinda Shields in severalty in fee simple forever for her to have and hold as her full and equal one sixth part of the third or ninth part of said land the following lot or parcels of land. Beginning at the North East corner of said Section 14 in Township fourteen North of Range two (2) West from West with the Section line thirty three poles to westward where a wood 15 inches in diameter bears South 37° degrees East 65 links distant thence South into section bearing fifty three and one third poles to a stake (where a Beech 12 inches bears N 87° & 1/2 links distant) thence east 33 poles to a stake (where a sugar-juniper bears E 80, N 25 links) thence North into the Section line 53 1/3 poles to the place of beginning containing 11 acres as shown on the annexed plat. [Plat] and designated as lot No 1. All of which we submit to the Court.

Nathan Harvey
Caleb Hunt.

Court "

It is therefore Considered and decreted by the Court that the plaintiff Malinda Shields have and hold in severalty in fee simple forever the premises above assigned and set apart to her by said Commissioners, and On motion it is Ordered that said Commissioners Harvey & Hunt be each allowed the sum of \$3.00 for their services herein, and that Job Sheddaway be allowed 3/- for his services as Surveyor & Clerk, and that Caleb Hunt be allowed 25 Cents for Justices fees by him paid herein, and that these allowances be taxed & collected as Other Costs of the Cause. On motion it is Considered that the Costs and charges herein expended be paid as follows:—The whole of the costs to be paid by the plaintiff.

(Copied and also Recorded in Party Record)

James H. Days

vs.
Complainant No 187.

Michael Long.

Come the parties by Counsel and the Defendant filed his Answer to which on his motion the plaintiff is order to file his Re-

Saturday Sept 23rd A. D. 1861.

James Anderson Jr
William M. McColm
John W. Anderson
George W. Anderson
Walter G. Anderson
Alexander H. Donohue

vs.

Complaint No 142.

Dfct. & Judg \$464.75 M.R.

George Wright

Came the plaintiff and shows to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff in account the allegations contained in their complaint the sum of Four hundred and sixty four Dollars and Seventy five Cents.

It is therefore On motion Considered that the plaintiff recover of the Defendant said sum of Four Hundred and Sixty four Dollars and Seventy five Cents, and Costs of suit. On motion Ordered that this Judgment be collected without any relief whatever from the valuation or appraiser leaving.

Monday morning at 8 O'Clock Sep 30th 1861. and 7th judicial day of

the Term Court met. Present. The Hon.

Judge.

Ann Moran

vs.

No 12.

Seth Guyon

Come now the parties and the plaintiff moves the Court to strike out the 2 & 3 paragraphs of the Defendants answer and the Court being well advised & considers said motion to which ruling the plaintiff excepts and now here the Court being duly advised in the premises find for the Defendant. It is therefore Considered that the plaintiff take nothing by his suit that defendant go hence thereof without day and recover of the plaintiff the Costs by him about his defense herein expended.

William N. Ord

vs.

No 11.

Elo Myton and
Harrison Wilson

Come now the parties and the Court being duly advised in the premises find for the Defendants. It is therefore Considered that the plaintiff take nothing by his suit. That defendants go hence thereof without day and recover of the plaintiff the Costs by them about their defense herein expended.

Ordered that Court adjourn until Monday morning next at 8 O'clock
Signed

Joseph L Miller Judge

1st Day Monday Sept 30th A.D 1861.

Lucius Barbour
Charles G. Shaw &
Goodrich H. Barbour
vs.

Complaint No 140

George Kriegh and
Isaac Rodgers

Come the plaintiffs by Peter S. Kennedy their attorney and prove to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant George Kriegh at least ten days before the first day of our present term, and said Defendant George Kriegh being called Comes not, and in his absence this cause is submitted to the Court which finds there is due the plaintiffs on account of the allegations contained in their Complaint the sum of \$ 516.50

It is therefore Considered that the plaintiff recover of the Defendant George Kriegh the said sum of Five hundred and sixteen Dollars and fifty Cents and Costs of suit. Owmotion. Ordered that this Judgment be collected without any relief from the valuation or appraismment laws. Owmotion of the plaintiffs that suit as to the Defendant Isaac Rodgers is dismissed

Lucius Barbour
Charles G. Shaw &
Goodrich H. Barbour

vs.

Complaint No 141

Benjamin F. Thomas

Come now the plaintiffs by Peter S. Kennedy their attorney and prove to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant John W. L. Matlock at least ten days before the first day of our present term, and said Defendant Matlock being called Comes not. Whereas Owmotion is Considered that the plaintiff Complain and the matters and things wherein stated be taken for confessed and true against said Defendant Matlock.

2nd Day Monday Sept 30th A.D 1861

recover of the Defendant Benjamin F. Thomas said sum of Five hundred and Seventy One Dollars and Eleven Cents and Costs of suit. Owmotion Ordered that this Judgment be collected without any relief from the valuation or appraismment laws.

Vincent Hamblin

vs

Complaint No 138

Augustus Stellwag

Come the parties and upon their motion and agreement this cause is Continued

Valentine Lingenfelter

vs

Complaint No 57

John W. L. Matlock &
David G. Wilson Implicated

Come now the plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant John W. L. Matlock at least ten days before the first day of our present term, and said Defendant Matlock being called Comes not. Whereas Owmotion is Considered that the plaintiff Complain and the matters and things wherein stated be taken for confessed and true against said Defendant Matlock.

1st Day Monday Sept 30th A.D. 1861

Sept 30th Mattock

" Complain't No 38.

Henry G. Todd.

By agreement this cause is continued

Aaron Roman

" From Supr Court. No 12.

Seth Guyon.

Come the parties and the Court being duly advised
in the premises sustain the Defendants motion to tax the Plaintiff with all
the Costs in this cause from the commencement of the suit up to the commis-
sion of the first error in this Court, to which ruling the Plaintiff excepts.

It is therefore Considered that the Defendant recover of the Plaintiff the Costs
accrued herin from the Commencement of the suit up to the commission of the
first error in this Court.

On motion. Ordered That Levi Ritter be allowed the sum of \$36.30
for services as Clerk during our present term, and that this allowance be taxed
and collected certified to the County Auditor and paid out of any funds in
the County Treasury not otherwise appropriated.

(Signed)

Franklin Kendall

" Complain't No 444

William S. Roots appeared &c

On motion of the Plaintiff this cause as to the Defendant
William S. Roots is dismissed

Nancy Pierson

" Complain't No 125

Moses Keeny. Come^r the Plaintiff and agrees to

7th Day Monday Sept 30th A.D 1861.

the Court that a summons has been issued out of this Court in this cause and
duly executed by the Sheriff upon the Defendant at least ten days before the
first day of our present term, and said Defendant being called comes not and in
his absence this cause is submitted to the Court which finds there is due the plain-
tiff on account of the allegations contained in his complaint the sum of Two hundred
and Ninety One dollars and Ninety five cents, Wherefore, It is Considered
that the Plaintiff recover of the Defendant said sum of Two hundred and
Ninety One $\frac{1}{2}$ Dollars (\$291.95) and Costs of suit

Nancy Pierson

" Complain't No 126.

William Little

Come Now the parties are on motion and by agreement
this cause is submitted to the Court for trial upon the issues joined and the evidence
adduced being seen and heard and due deliberation had the Court finds for
the Plaintiff and that the Costs of suit mentioned in the Plaintiff's Complaint be
taxed against the Defendant as also the Costs of this suit.

It is therefore Considered that the Plaintiff recover of the Defendant the
sum of Eleven Dollars and Seventy five Cents Costs of
said suit in Complaint mentioned and also the sum of
Dollars and Cents her Costs of this suit.

James H. Hayes

" Complain't No 127

Michael Long By agreement Continued.

Day. Sept 20th 1861. Monday.

On motion. Ordered that the following allowances be made for services rendered at this term, and that the same be certified to the County Auditor and paid out of the County Treasury. *Sentis*

Mr. Thomas Nichols

	Slip.	7 Days.	
" E. W. Strougher		For hauling Books of County House	17 50
" Lewis Wm. Baileff			1 10
" Riddig Baileff			17 50
" Davis Doty			7 50
" E. Nichols			7 50
" J. Nichols Jr.			7 50
" Jas. Matlock			2 50
" William H. Hunt			5 00
" Isaac Gandy		Regular Juror.	4 30
" Louis A. Rose			4 15
" O. H. Payne			4 55
" Wm. E. Stanfield			4 47
" Willis Calott			4 55
" Jas. Walker			4 15
" James E. Levy			4 95
" James Thompson	Called		1 25
" Ezekiel Morris Jr.			1 25
" Anderson Leach			1 25
" Alfred Wiley			1 25
" Geo Chapman	Dismissed		1 25

Ordered that all Informations. Prosecutions. Complaints. Suits. Petitions Motions. Rules. and Claims and all other matters and things whatsoever that have been disposed of at this stand continued until our next term,

And there being no further business Ordered that Court adjourn until Court in Concourse.

Signed Sept 20. 1861

Joseph S. Miller Judge.

In Vacation, Court of Common Pleas.

John W. Holland
John S. Welshans

Complaint. Note. \$63.60.

Sept 21. 1861. Plaintiff filed his complaint in the following tract: Indianapolis July 2nd 1861. One day after date I promise to pay John W. Holland or order sixty three dollars and sixty cents, negotiable and payable at Harrison's Bank. Indianapolis Indiana, for value received, without any relief whatever from valuation or appraisal laws. *(Signed)* J. S. Welshans.

Former Justices Cost.	65	Same day, tract: Sept 21. 1861. Summons issued returnable the 26th inclusive at 10 O'clock P.M. and was handed to James Mills Constable.
Const.	35	Sept 26th Two o'clock P.M. defendant appeared and made application for change of venue, supported by affidavit. It is therefore adjudged that the defendant pay or reply cost of said change taxed at 65 cents and that this cause be sent to C. S. Stanley Justice of the peace of Clay Township Hendricks County Ind
Other Justices "	35	for trial on the 3rd day of Oct 1861 at One O'clock P.M. on said day.
Docketing	25	Given under my hand and seal. Sept. 26. 1861.
Indgt.	25	Amiel Hunt Justice
Making up doct	25	I certify the foregoing is a complete transcript of the proceedings had before me in the above entitled cause.
Bail	25	Given under my hand and seal Sept 26. 1861. Amiel Hunt Justice
	\$ 2 10	Oct 3rd 1861. One O'clock P.M. the parties appeared and the proof being had. It is therefore adjudged that the plaintiff recover of the defendant the sum of sixty four dollars and fifty five cents, with interest from this date, together with his costs and attorney costs and that he have execution without relief to said defendant from valuation laws, this Oct 3rd 1861.

C. S. Stanley Justice *Read*

I Peter Demos acknowledge myself repaid bail for the stay of execution on the above judgment for the space of one hundred and fifty days from the rendition thereof.

Witness my hand this Oct 5. 1861.

Peter Demos

Jur. J. S. Welshans.

I the undersigned a justice of the peace of Clay Township in Hendricks County Ind. Certify that the foregoing is a true and complete transcript of the proceedings and judgment in the above entitled cause taken from my docket this Oct 9. 1861.

C. S. Stanley Justice *Read*

Filed and Recorded Oct 16. 1861. Witness Jas. Pitts Clerk.

John W. Holland,
vs.
John S. Welshans

Complaint Note \$72.00

Sept 21. 1861, the plaintiff filed his complaint, in the
following form:

Indianapolis July 2nd 1861.

One day after date I promise to pay to the order of John W. Holland
seventy two dollars and twenty five cents, negotiable and payable at Harrison's Bank
Indianapolis Indiana for value received without any relief whatever from valuation
or appraisement laws.

Signed J. S. Welshans.

Dated Aug 30. 1861. Received on this within three dollars \$3.00 and also
Sept 2nd Received seventy five cents, 75. same day, towns Sept 2nd 1861.
Summons issued returnable the 26th inclusive at Two O'clock P.M. and was
handed to James Wills Constable

Sept 26. 1861 two O'clock P.M. Defendant appeared and made application
for change of venue supported by affidavits. It is therefore adjudged that the
defendant pay or reply cost of suit changes based at 66 cents. And that this
cause be sent to C. S. Stanley Justice of the peace of Clay township, Hendricks
County, Ind., for trial on the 3rd day of October 1861 at 2 O'clock P.M. on said
day. this Sept 26. 1861

Amiel Hunt Justice

I certify that the foregoing is a complete transcript of the proceedings had
before me in the above entitled cause. Given under my hand and seal
Sept 26. 1861.

Amiel Hunt Justice

Oct 3rd 1861. Two O'clock P.M. Parties appeared and the
proof being had of the justness of the plaintiff's claim.

It is therefore adjudged that the plaintiff recover of the
defendant the sum of sixty nine dollars and fifty seven cents, with interest
from this date, together with his costs and accruing costs, and that he
have execution without any relief to said defendant from valuation laws,
this Oct 3rd 1861

C. S. Stanley Justice Seal

Same Justice Costs

65.

Addt. "

"

Docketing

35

Judg.

"

Making up Docket

25

Bail

"

Const. Cost.

35

\$2.10

I the undersigned justice of the peace of Clay
township in Hendricks County, Ind., Certify
that the foregoing is a true and complete transcript of the proceedings
and judgment in the above entitled cause
Taken from my docket this 9th Oct 1861

C. S. Stanley Justice Seal
Filed Oct 16. 1861 & Recorded Witness Levi Ritter \$2.00

John W. Holland

vs.
John S. Welshans

Complaint Note \$50.00

Sept 21. 1861 Plaintiff filed his complaint in the following
form:

Indianapolis July 2nd 1861

One day after date I promised to pay to the order of John W. Holland
fifty dollars and fifty cents, negotiable and payable at Harrison's Bank, Indiana-
polis Ind., for value received without any relief whatever from valuation or ap-
praisement laws.

Signed J. S. Welshans.

Same day, Sept 21st, 1861 at request of plaintiff summons issued
returnable the 26th inclusive, returnable at 11 O'clock in the forenoon and
was handed to J. Wills Const. of liberty Township. Sept. 26. 1861. Eleven
O'clock A.M. defendant appeared and filed his affidavit for change of venue
which was granted provided the defendant pay or replied cost of said
change taxed at 66 cents. And that this cause be sent to C. S. Stanley a
justice of Clay township Hendricks County Indiana for trial on the 3rd day
of October 1861 at 12 O'clock noon of said day. Given under my
hand and seal this Sept 26. 1861 Amiel Hunt Justice

I certify the foregoing is a complete transcript of the proceedings
had before me in the above entitled cause.

Given under my hand and seal Sept 26. 1861. Amiel Hunt Justice.

Oct 3 1861. 12 M. Parties appeared and the proof being had.

It is adjudged that the plaintiff recover of the defendant the sum of Fifty one
dollars and twenty five cents, with interest from this date, together with his
cost and accruing cost, and that he have execution without any relief to
said defendant from valuation laws, this 3rd Oct 1861.

C. S. Stanley Justice Seal

Harmes Justice Rate	65
Addt. " "	35
Docketing	25
Judg.	25
Making up Docket	25
Bail	25
Const. Cost	40
	\$2.10

I Peter Demos acknowledge myself reflexive bail
for the stay of execution on the above judgment
for the space of One hundred and fifty days from the
rendition thereof. Witness my hand this
5th Oct 1861. Peter Demos
Jno J. Welshans.

I the undersigned a justice of the peace of
Clay township Hendricks County Ind., Certify that the foregoing is a true
and complete transcript of the proceedings and judgment in the above en-
titled cause. Taken from my docket this 9th Oct 1861.

C. S. Stanley Justice Seal
Filed and Recorded Oct 16. 1861. Witness Levi Ritter Clerk,

J. G. W. Gibson
vs.
Joseph H. Craig

Complaint on note.

Demand	\$169.57
Interest	2.07
	\$171.64

April 30th 1861. Plaintiff filed three notes for collection in the following words and figures. To wit \$53.97 January 1st 1861. One day after date I promise to pay J. G. W. Gibson or order fifty three Dollars, value received without any relief whatever from valuation or appraisement laws. Joseph H. Craig \$10.00 October 10 1859. Three months after date for value received I promise to pay to J. G. W. Gibson Ten dollars, without any relief whatever from the valuation or appraisement laws. Joseph H. Craig

March 12th 1860. One day after date I promise to pay William A. Hedges or order six dollars and Sixty Cents, for value received without any relief whatever from the valuation or appraisement laws. Joseph H. Craig

At the same time by order of the plaintiff a summons was issued against defendant made returnable the 10th day of May 1861, at 12 O'clock noon of said day "Come to hand May 1st 1861. Served same day by reading to defendant.

G. D. Doughty Constable.

May the 12th 12 O'clock noon of said day, time set for trial, defendant comes not but makes default. It is therefore, adjudged that the plaintiff recover off of said defendant the sum of Seventy one dollars and Sixty four Cents, with interest and costs and all accruing costs, waiving all benefit of valuation or appraisement laws.

Cost of suit paid at 90 cents.

Given under my hand May the 14. 1861.

P Pennington Jr.

Justices Cost. \$1.00. Const Cost. 70¢.

Execution issued Oct 10 1861. Came to hand Oct 10 1861, returned Oct 23rd, 1861, no property found to make the debt or any part thereof,

G. D. Doughty Constable.

State of Indiana
Mendricks County Jct. I, Preston Pennington, a justice of the peace, within and for Eel River Township of said County, do hereby certify that the foregoing is a true and correct transcript from my docket of the proceedings and judgment in the above case.

Given under my hand and seal October 23rd 1861.

P Pennington Seal
Justice of the Peace.

Filed and recorded October 24, 1861.

Witness Sevi Petter Clerk

James M. Proctor for the use of Note of 20.00 last 10 - \$20.10 May 25 1860 Wm Jones. The plaintiff files his complaint against the defendant in words and figures as follows. Complainant Valentine Blanton. One day after date I promise to pay to the order of James M. Proctor Twenty Dollars value received waiving the benefit of the valuation and appraisement laws of Indiana this April 28th Summons 25 1860. Judgment 25. Summons was issued to P. J. Duckworth Const and made returnable Execution 25 on the 4 day of June 1860 at one o'clock in the afternoon. Summon Transcript 25 Let, Come to hand May the 28. 1860 served May 29th before me returned 1,00 June 2^d P. J. Duckworth the Const.

Court fees. June the 4th 1860 the time of day is fully convenient and the plaintiff being then dependent Comes not but makes default. This witness Considered that Mileage \$0 the plaintiff recover of the defendant the sum of Twenty Dollars and Return 10 two cents with Interest until paid together with all Costs and Accruing during Execution 25 Costs, without any relief from valuation or appraisement laws.

Returning Ex 10 Given under my hand and seal this 4th day of June 1860 90 C. B. Pennington Jr. P. (Seal)

December 13th 1860 Execution issued to P. J. Duckworth Const. Execution returned there being no property found this Execution is returned not satisfied Jan 14, 1861 P. J. Duckworth Const. I the undersigned a Justice of the peace of Eel River Township in Hendricks County Ind certify that the foregoing is a true and complete transcript of the foregoing proceedings and Judgment is the above entered Cases taken from my docket this 13th day of December 1860.

C. B. Pennington Jr. P. (Seal)

Filed and recorded November 16. 1861. Witness

Sevi Petter Clerk.

In Vacacion of the Hendricks Cr Common Pleas.

The State of Indiana
Hendricks County 1861
Simon E. Hadley, Allen Hess,
Henry G. Gold, Geno Hadley
& Miller Plaintiffs
James Dyer, Defendant

November 14th 1861 plaintiffs filed in my
Office their Cause of action as follows
viz. January 20th 1859 One day after
date I promised to pay Hadley Hess & Co
or order Thirty two 90/100 dollars with
interest value received without any relief
whatever from valuation or appraisement laws

James Dyer,
Thereupon issued a summons and delivered to Const. estimable November 19th 1861
at 10 O'clock A.M. Summons returned serv'd personally by me to defendant the
16th 1861.
Duly const fees \$5

November 19th 1861. Now comes the plaintiffs & the defendant. Proof heard and after
the Court being sufficiently advised in the premises - It is considered that the plaintiffs
recover of the defendant the sum of Thirty Eight 50/100 Dollars together with the
Costs herein taxed at one 00/100 Dollars and attorney Costs without any relief
from valuation or appraisement laws.

The State of Indiana
Hendricks County I, Emmon Singer a Justice of the peace in & for said
County do hereby certify that the foregoing is a full and true Transcript from
my Docket of the proceedings had before me in said cause.

Gives under my hand & seal this 19th day of
November 1861. E. Singer J.P. Seal
Filed November 19th 1861
Witness Levi Ritter Clerk

In Vacacion of the Hendricks Cr Common Pleas

Lewis C. Cash & William H. Cash
(Plaintiffs)
Darrel Person (Defendant)

December 9th 1861. Now comes the plaintiffs and the defendant.
Whereupon defendant waived the services of process, entered his appearance
and upon oath says the he is justly indebted to the plaintiffs in the
sum of fifty four 00 dollars, being a balance due on a note dated Jan
uary 7th 1861 for \$124.00 given by defendant to the plaintiffs and that
this confession is not made to demand or delay creditors.
It is therefore considered by the court that the plaintiff recover of
the defendant the sum Fifty four 00 dollars, together with the costs
herein taxed at one dollar, without any relief from valuation or
appraisement

E. Singer J.P.

State of Indiana
Hendricks County

I, Emmon Singer a Justice of the peace in and
for said County do hereby certify that the above is a true trans-
cript from my docket of the proceedings had by and before me in
said cause. Given under my hand and seal this 9th day of Dec-
ember 1861.

E. Singer J.P. Seal

Filed December 9th 1861

Witness Levi Ritter Clerk

In Vacacion of the Hendrick Cr Common Pleas

Be it Remembered. That heretofore to-wit at a Court of Common Pleas of the County of Marion, in the State of Indiana begun, holden and continued at the Court House in the City of Indianapolis, on the Seventeenth day of June 1861 the same being the 13th judicial day of the month of June A.D. 1861 of the said Court of Common Pleas in which is the County of Marion, in the State of Indiana, the following proceedings were had in the cause of Calvil Fletcher and Thomas H. Sharpe vs David Mills.

No 2930 Cognovit Come the plaintiffs by their Attorneys and file their Complaint Note and warrant of Attorney duly executed by the defendant according to law herein, together with the affidavit of the defendant that the debt is just and owing and that this Confession is not made for the purpose of defrauding his Creditors the executors of all of which and duly proven to the satisfaction of the Court. And here now comes Frederick Rand Esq and Attorney at law at this Court and by virtue of the said warrant of Attorney waives the issuing and service of process herein and enters an appearance for the defendant and waives all error and benefit of appeal and says that he cannot gainsay or deny the plaintiffs action herein nor but that the said defendant did assume and promise in manner and form as said plaintiffs have alleged against him and confesses that said plaintiffs have sustained damages by reason of the premises to the sum of six hundred and two dollars and conveys that judgment be now rendered for the said sum and all costs without any relief whatever from valuation or appraisal law.

Therefore it is considered that the plaintiffs do recover of the said defendant the said sum of six hundred and two dollars their damages as confessed as aforesaid, and also their Costs and charges about the recovery thereof in their behalf expended taxed at dollars all without any relief whatever from valuation or appraisal law.

I William Wallace Clerk of the Court of Common Pleas of Marion, in the State of Indiana, do hereby certify that the foregoing is a true and compleat copy of the proceedings and judgment of said Court, in the above entitled cause, on the day and year first aforesaid as appear of Record in my office.

In Testimony Whereof, I hereto subscribe my name and hereto affix the seal of the said Court of Common Pleas at my office in the City of Indianapolis, this Seventeenth day of December 1861

Wallace Wallace
Clark Marion Co Ind

Filed December 12th 1861 Test Levi Ritter Clerk

In Vacacion of the Hendrick Cr Common Pleas

Be it Remembered. That heretofore to-wit at a Court of Common Pleas of the County of Marion, in the State of Indiana, begun, holden and continued at the Court House in the City of Indianapolis, on the Seventeenth day of June 1861 the same being the 13th judicial day of the month of June 1861 of the said Court of Common Pleas before the Honorable John Coburn sole Judge of the District of the Court of Common Pleas in which is the County of Marion, in the State of Indiana, the following proceedings were had in the cause of Colvin Fletcher and Thomas H. Sharpe vs David Mills No 2929 Cognovit. Come the plaintiffs by their Attorney and file their Complaint Note and Warrant of the Attorney duly executed by the defendant according to law herein together with the affidavit of the defendant that the debt is just and owing and that this Confession is not made for the purpose of defrauding their Creditors the executors of all of which are duly proven to the satisfaction of the Court. And here now comes Frederick Rand Esq an Attorney at law and by virtue of the said Warrant of Attorney waives issuing and service of process herein and waives all error and benefit of appeal and says that he cannot gainsay or deny the plaintiffs action herein, but that said defendant did assume and promise in the manner and form as said plaintiffs have alleged against him and enters an appearance for said defendant herein and confesses that said plaintiffs have sustained damages by reason of the premises to the sum of thirty one dollars and conveys that judgment be now rendered for the said sum and all costs without any relief from valuation or appraisal law. Therefore it is considered that said plaintiffs do recover of the said defendant the said sum of Thirty one dollars their damages as computed and confessed as aforesaid and also their Costs and charges about the recovery thereof in their behalf expended taxed at dollars all without any relief whatever from valuation or appraisal law.

I William Wallace Clerk of the Court of Common Pleas of the County of Marion, in the State of Indiana do hereby certify that the foregoing is a true and complete copy of the proceedings and judgment of said Court in the above entitle cause, on the day and year first aforesaid as appear of Record in my office

In Testimony Whereof, I hereto subscribe my name and hereto affix the seal of the said Court of Common Pleas, at my office in the City of Indianapolis, this Seventh day of December 1861

William Wallace
Clerk of Marion Co Ind

Filed December 12th 1861

Test Levi Ritter Clerk

Be It Remembred That heretofore to-wit at a Court of Common Pleas of the County of Marion in the State of Indiana begun, holden, and continued at the Court House in the City of Indianapolis, on the Seventeenth day of June 1861 the same being the 13th judicial day of the June Term 1861 of the said Court of Common Pleas, before the honorable John Collier sole judge of the District of the Court of Common Pleas in which is the County of Marion, in the Stat of Indiana, the following proceedings were had in the cause of Calvin Fletcher & Thomas H. Sharpe vs David Mill. No 2931 Cognovit. Come the plaintiffs by their Attorney and file their complaint Note and Warrant of Attorney duly executed by the defendant according to law herein together with the affidavit of the defendant the debt is just and owing and that they Confession is not made for the purpos of disbanding his Creditors the execution of all of which are duly proven to the satisfaction of the Court and here now comes Frederick Rand Esq an Attorney at law of this Court and by virtue of the said Warrant of Attorney enter an appearance for the defendant herein and waive the issuing and service of process herein and waive all error and benefit of appeal and says that he cannot gainsay or deny the plaintiffs action herein nor but that said defendant did examine and prosecute in manner and form as said plaintiffs have alledged against him and confess that said plaintiffs have sustained damages by reason of the process the sum of Four Hundred and Ninety Eight dollars and conseyt that judgment be now rendered for the said sum and all costs without any relief from valuation or appraismant law.

Therefore it is Coordened that the said plaintiffs do recover of the said defendant the said sum of Four Hundred and Ninety Eight dollars their damages as confessed as aforesaid and also their costs and charges about the recovery therefore in their in their behalfe expended taxed at — dollar all without any relief from whatever from valuation or appraismant law.

I William Wallace Clerk of the Court of Common Pleas of the County of Marion, in the State of Indiana, do hereby certify that the foregoing is a true and compleat copy of the proceedings and judgment of said Court, in the above entitld cause, on the day and year first, aforesaid as appear of Record in my office.

In Testimony Whereof, I hereunto subscribe my name and hereto affix the seal of the said Court of Common Pleas, at my office in the City of Indianapolis, this Seventeenth day of December 1861.

William Wallace

Clerk C. C. P. Marion Co. Ind

Filed December 12th 1861.

Seal Lewis Pittier Clerk

December 16th 1861 Plaintiff filed his complaint in the words and figures followind to-wit State of Indiana Hendrick County John Lassance vs Amos C. Compton, Before Eli Johnson a Justice of the Peace John Lassance complains of Amos C. Compton defendant in this action and sayz that the said defendant is indebted to the said Plaintiff in the sum of One Hundred and Seventy nine and $\frac{4}{5}$ Dollars on a promissory Note here with filed, and the sum of three and $\frac{3}{4}$ dollars on an order drawn by Thomas J. Lay on the said defendant, and accepted by the said defendant which order is herewith filed making an indebtedness in the sum of One Hundred and Eighty Three dollars and Thirty three cents, wherefore he askz a judgment against the said defendant for the said sum of money without relief from valuation or appraismant law.

Sol. Blair Attorney for Plaintiff

Copy of Note April 2d 1861 One day after date I promised to pay to the order of John Lassance One Hundred and Ninety seven dollars 45 cents with interest, for value received without any relief from valuation or appraismant law.

Amos C. Compton

Copy of Order. Indorsed with a credit of Fifty dollars dated from the 8th 1861. August 27th 1860 Mr Amos C. Compton please pay John Lassance Thre Dollars ninety three cents, and this shall be your receipt for the same. Thomas J. Lay.

December 16th 1861 Summons issued and there being no Constable to do the business of the Township I appointed Joseph A. Cox to serve process in this case and administered the Oath of Constable to him, thereupon I handed the same to him returnable December 20th 1861 at one O'clock in the afternoon.

December the 20th 1861 Summons returned, indorsed, served the within writ by reading to, and within hearing of the within named defendant. Joseph A. Cox Special Constable.

December the 20th 1861 the day set and hour set for trial the parties appeared for trial. The Plaintiff withdrew the aforesaid order filed in this case calling for Three dollars and ninety three cents signed by Thomas J. Lay. The parties being ready for trial the Defendant confessed to the Plaintiff's demand on the Note filed in the above entitl cause, and says that he do justly owe the above mentioned debt of One Hundred and Seventy nine Dollars and forty cents. It is therefore considered and adjudged that the Plaintiff recover of the Defendant the sum of One Hundred and Seventy nine dollars and forty cents with his Cost taxed at One and $\frac{1}{2}$ Dollar, and accuring costs, and that he have

Execution without relief from valuation or appraisement lawz;
Witness my hand seal this 20th day of December 1861.

Eli Johnson J.P. Seal

I the undersigned a Justice of the Peace of Guilford Township in Hendricks County Indiana certify that the foregoing is a true and complete transcript of the foregoing proceedings and judgment of in the above entitle cause, taken from my Docket this 20th day of December 1861.

Eli Johnson J.P. Seal
Justices fees 1.75 Constables fees 85cts

Filed December 21st 1861

Test Levi Ritter Clerk

I the undersigned a Justice of the Peace of Guilford Township Hendricks County Indiana, certify that on the judgment rendered before me on the 20th of December 1861, in which John Lassance was Plaintiff and Amos C Compton was Defendant for \$179.40 8cts an Execution has been by me issued to the proper constable and has been by him duly returned endorsed no property goods or chattles could be found to satisfy said judgment or any part thereof. Given under my hand and seal this the 20th day of January 1862 Eli Johnson J.P. Seal

The said John Lassance affirms that he obtained the judgment in the above entitled cause before Eli Johnson a Justice of the Peace of Guilford Township in said County on the 20th day of December 1861, that said judgment is wholly unpaid and that there is due thereon the principal sum of \$158.00 with interest from the rendition thereof and the further sum of \$3.50 the costs thereon as I verily believe. John Lassance. Subscribed and sworn affirms to before me this the 20th day of January 1862 Eli Johnson J.P. Seal

I the undersigned a Justice of the Peace of Guilford Township Hendricks County Indiana, certify that on the judgment rendered before me on the 20th of December 1861 in which John Lassance was Plaintiff and Amos C Compton defendant for \$179.40 8cts an Execution has been by me issued to the proper constable and has been by him duly returned endorsed no goods or chattles could be found to satisfy said judgment or any part thereof, Given under my hand and seal this the 20th day of January 1862 Eli Johnson J.P. Seal

The said John Lassance affirms that he obtained the judgment in the above entitled cause before Eli Johnson a Justice of the Peace of Guilford Township in said County on the 20th day of December 1861, that said judgment is wholly unpaid and that there is due thereon the principal sum \$179.40 with interest from the rendition thereof and the further sum of \$3.70 the costs thereon, John Lassance

Subscribed and affirmed to before me this 20th day of January 1862 Eli Johnson J.P. Seal

Attest Levi Ritter Clerk

John Lassance 3
Amos C. Compton 3 complaint on Note for \$158.45

December the 21st 1861 Plaintiff filed his Complaint to-wit Summons the 23d 1860; One day after date I promise

To pay to the order of John Lassance at Plainfield One hundred and forty Two dollars, Value Received, Without any Relief from valuation or Appraisement lawz. Amos C. Compton.

December 21st 1861 Summons Issued, and their being no Constable of the Township to do the business of the Township I Appointed Joseph A. Cox Special Constable to see process in case this upon I administered the Oath of Constable to him, and handed the same to him, Returnable December the fifth 1861 at One O'clock in the Afternoon.

December the 25th 1861, Summons Returned endorsed served by certified Copy left at the Defendant's last place of Residence December 20th 1861 Joseph A. Cox Special Constable

December 25th 1861, the day and hour set for Trial, the Plaintiff by Sol Blair his Attorney Appeared, the Defendant the three times called came not but made default, it appearing from the Return of the Summons the same had been duly served, and from the evidence before me that the Plaintiff ought to have Judgment by Default against the Defendant for One hundred and fifty Eight Dollars and forty five cents. It is therefore Considered that the Plaintiff recover of the Defendant One hundred and fifty Eight dollars and forty five cents, with his Costs and Accounting costs taxed at 41.35 cents on said day and to have Execution without any Relief from valuation or Appraisement Lawz; witness my hand the 25th day of December 1861.

Eli Johnson J.P. Seal

I the undersigned Justice of the Peace of Guilford Township in Hendricks County Indiana Certify that the foregoing is a true and correct Transcript of the Proceedings and Judgment in the above intitled cause taken from my docket this the 31st day of December 1861

Eli Johnson J.P. Seal

Justices fees \$1.05 Constable fees 65cts
Filed January 1st 1862

Test Levi Ritter Clerk

See certificate of no property found & of debt on opposite page 674

John W. Hawkins

David Mahoney }
 James Mahoney }
 David Mahoney } Complaint for \$61.26 on the following three notes
 James Mahoney } and accounts filed December 1st 1860.

\$20.00 Danville May 16 1860

One month after date we promise to pay to John W. Hawkins or order the sum of twenty dollars, value received without any relief whatever from valuation or appraisal law.

David Mahoney
James Mahoney

\$20.00 Danville May 16th 1860

Two months after date we promise to pay to John W. Hawkins or order the sum of twenty dollars, value received, without any relief whatever from valuation or appraisal law.

David Mahoney
James Mahoney

\$15.00 Danville May 16. 1860

Three months after date we promised to pay to John W. Hawkins or order the sum of fifteen dollars, value received without any relief whatever from valuation or appraisal law.

David Mahoney
James Mahoney

Dr David Mahoney & James Mahoney.

to John W. Hawkins. Dr to five dollars in horse trade December 1st 1860
 Summons filed for defendant to Bradley Constable Returnable on the 10th day of December 1860 at 10 O'clock A.M. Summons returned Served by reading to David Mahoney and on James Mahoney, by copy left at his last usual place of residence December 1st 1860 cost 70 cents.

Sept 1st 1861 Constable

Sept 1st W. Bradley Constable

December 10th 1860 comes the plaintiff by his agent E. Clark, the defendants although thrice loudly called, come & not but make default and it appearing from the return of the Summons, that the same had been served on the 1st day of December 1860, and the plaintiff having made proof of his complaint, it is adjudged that the plaintiff recover of the defendant the sum of Sixty one dollars and twenty six cents with interest together with the costs and accruing costs and that he have execution thereon without relief to said defendant from valuation law, on the sum of fifty six dollars and twenty six cents and with relief on the sum of five dollars.

Charles Fisher J.P. Seal

December 21st 1861 issued fifa to Bradley Constable Executed returned Served and returned no property found in my county subject to my execution April 30-1861 cost \$115

J.W. Bradley Constable

Transcript taken by plaintiff January 25th 1862 also on the 1st of May 1862 issued certificate of the issue and return of execution and affidavit.

The State of Indiana Marion County S.S. I Charles Fisher a Justice of the peace in and for Center Township of said County do hereby certify that the foregoing is true, correct, and complete transcript from my docket of the proceedings and judgment, in the above case. I further certify that on said Judgment in the 1st day of December 1861 I issued an execution on said Judgment in due form of law and

delivered the same to Sept W. Bradley Constable, which said execution was returned by said constable endorsed as above set out no property found in my county subject to my execution.

Given under my hand and Seal this 2d day of January 1862

Charles Fisher J.P. Seal
Costs \$3.90

Filed January 4th 1862. Test. Levi Ritter Clerk

In the Hendricks Common Pleas Court
January Term 1862.

Valentino Lingenfelter

No 40

John W. L. Mattock et al

The plaintiff in vacation comes and hereby dismisses the above entitled cause at his own costs January 16. 1862.

J. M. Gregg Ppp atty
Levi Ritter clk.

Filed unrecorded January 16. 1862.

Jeremiah Depew,iff

vs

David Doty &

Robert Curn, Defendant January 15th 1862 The plaintiff Jeremiah Depew this day filed in my Office the following cause of action. Viz, "Danville January 15th 1862 One day after date we promised to pay the order of Jeremiah Depew Seventy nine \$81.00 dollars, without any relief whatever from valuation or appraisal law with interest at ten per cent value received."

Doty & Curn

January 15th 1862 Now comes the defendants David Doty & Robert Curn after the appearance, waive the service of process and being severally sworn upon their oath say, that they are jointly indebted to the plaintiff in the sum of Seventy nine \$81.00 dollars and that this confession is not made for the purpose of to defraud or delay creditors.

It is therefore considered and adjudged by the court that the Plaintiff recover of the defendants the sum of Seventy nine \$81.00 dollars together with the costs herein taxed at \$1.00 and accruing costs, without any relief from valuation or appraisal law.

E. Singer J.P.

The State of Indiana Hendricks County I Emison Singer

a Justice of the peace in & for said County do hereby certify that the foregoing is a true & full transcript from my docket of the proceedings had by & before me in said action.

Given under my

In the Hendricks County Court of Common Pleas.

Hand and Seal this 17th day of January A. D. 1862.

E. Singer Seal
Justice of the Peace
Costs \$1.75

Filed January 17th 1862.

Seal Levi Ritter Clerk

Jeremiah Defew
vs

David Doty Deft January 14th 1862. The plaintiff this day filed in my office, the following cause of action viz, Davierville January 1st 1862 One day after date I Jeremiah Defew promised to pay to the order of Jeremiah Defew Seventy nine 53/100 dollars, without any relief from valuation or appraisement law, received. David Doty.

Now on the same day comes the defendant David Doty enters his appearance, waives the service of process and upon his oath says says that he is justly indebted to the plaintiff in the sum of Seventy nine 94/100 dollars and that this complaint is not made for the purpose of to defraud or delay creditors. It is therefore considered & adjudged by the Court that the plaintiff recover of the defendant the sum of Seventy nine 94/100 dollars together with the costs herein taxed at \$1.00 & attorney costs, without any relief from valuation or appraisement law. E. Singer Justice of the Peace.

The State of Indiana
Hendricks County

I Union Singer a justice of the peace of in & for the County aforesaid do hereby certify that the foregoing is a full & true transcript from my docket of the proceedings had by & before me in said action.

Given under my hand and seal this 17th day of January A. D. 1862.

E. Singer Seal Justice of the Peace
Costs \$1.75

Filed January 17th 1862.

Seal Levi Ritter Clerk

Monday January 20th 1862. and 1st Day of the Term.

Be it remembered That ~~comes~~ at a Term of the Court of Common Pleas within and for the County of Hendricks and State of Indiana begun and held at the Court House in Danville on Monday the 20th day of January A.D. 1862 Before The Honorable Sole Judge of said Court, the following proceedings were had:

John A Shirley & William Merable
vs.
Reed Dickerson

MM

Monday January 20th 1862 and 1st Day of the Term.

State of Indiana

vs. Selling Liquor to be drunk on premises No 2.

Peter Ritter

Comes John C. Buffkin attorney for the State and the Defendant Comes not. And on motion of the Dist Atty the Defendant is three times called to come into Court in discharge of his recognizance or the same will be forfeited and comes not and wholly makes default and on motion of the District Attorney Job Osborn the Cognizor of the said Defendant is three times called to come into Court and bring with him the body of the Defendant in discharge of his recognizance or the same will be forfeited and comes not and wholly makes default and feels to comply with the terms and conditions of the Defendants recognizance which is now exhibited to the Court and recorded as follows:

State of Indiana vs. We Peter Ritter and Job Osborn acknowledge ourselves to own and Hendricks County Court be indebted to the State of Indiana, in the sum of fifty Dollars, to be levied of our respective property; but to avoid upon condition that said Ritter shall make his personal appearance before the judge of the Hendricks Common Pleas Court, on the first day of the next term thereof, and answer the state of Indiana, upon an information of selling liquor to be drunk on the premises, and not depart the Court &

Peter Ritter *SD*

Job Osborn *SD*

Taken and approved by me this 24th day of Dec 1861
Thomas Nichols Sheriff N.C.
By E.W. Strangham Dpty.

And here now on motion of the Dist Atty. It is Considered that the above Recognizance of the said Peter Ritter as principal and Job Osborn as his Cognizor be and the same is hereby forfeited. And It is further Considered that the State of Indiana recover of and have her execution against the said Defendant Peter Ritter the sum of Fifty Dollars the amount of said Recognizance and also the costs of this forfeiture

State of Indiana

vs. Selling Liquor to be drunk on premises No 3

Madame Ritter

Comes now John C. Buffkin attorney for the State & the Defendant Comes not. And said Defendant being three times called to come into Court in discharge of her recognizance comes not. and Job Osborn the Cognizor of the said Defendant bring three times called

Monday January 20th 1862 and 1st Day of the Term.

to come into Court and bring with him the body of the Defendant in his charge of his recognizance or the same will be forfeited. Comes not and wholly fails to comply with the terms and conditions of the Defendants Recognizance which is now exhibited to the Court and recorded as follows:

State of Indiana, Hendricks County, Court:

We Madam Ritter and Job Osborn, acknowledge ourselves to own and be indebted to the State of Indiana, in the sum of fifty Dollars, to be levied of our respective property; but to avoid upon condition that said Mrs Ritter shall make his personal appearance before the judge of the Common Pleas Court, on the first day of the next term thereof, and answer the state of Indiana upon an information of selling liquor to be drunk on the premises, and not depart the Court &

Mr Ritter *SD*

Job Osborn *SD*

Taken and approved by me this 24th day of Dec 1861

Thomas Nichols Sheriff N.C.

By E.W. Strangham Dpty

And now here on motion of the Dist Atty. It is Considered that the above recognizance of the said Madame Ritter as principal and Job Osborn as her Cognizor be and the same is hereby forfeited. And It is further Considered that the State of Indiana recover of and have her execution against the Defendant Madame Ritter for the sum of Fifty Dollars the amount of said recognizance and also the costs of this forfeiture &

State of Indiana

vs.

Selling Liquor to be drunk on premises No 6

Gazaway Sullivan

Come now John C. Buffkin attorney for the State and the Defendant in person and by Counsel also comes. and the Defendant moves to the Court to quash the above Information and the Court being duly advised in the premises overrules said Motion to which ruling the Defendant excepts.

State of Indiana

vs.

Selling Liquor to be drunk on premises No 7

Gazaway Sullivan

Come now John C. Buffkin attorney for the State and the Defendant in person and by Counsel also comes and said Defendant moves the Court to quash the above Information, and

Monday January 10th 1860 & 1st Day of the Term.

the Court being duly advised overrules said Motion to which ruling the Defendant excepts, and said defendant bring arraigned upon the above Information for pleas thereto saith he is not guilty and for trial thereof he puts himself upon the Court and the attorney prosecuting doth the like, and the evidence adduced bring heard and due deliberation had the Court finds the Defendant not guilty.

It is therefore Considered that the Defendant is not guilty as charged and that as to the above Information he go hence without being and stand thereof fully exonerated.

State of Indiana

3

Selling Liquor to be drunk on premises No 8

George W Brown

Comes now John C. Buffkin attorney for the State and the Defendant in his own proper person and by Counsel also comes and the Defendant moves the Court to quash the above Information and the Court being duly advised in the premises overrules said motion to which ruling the Defendant excepts, and said defendant bring arraigned upon the above Information for pleas thereto saith he is not guilty and for trial thereof he puts himself upon the Court and the attorney prosecuting doth the like, and the evidence adduced bring heard and due deliberation had the Court finds the Defendant guilty as charged and assesses his punishment to a fine of five Dollars and the Defendant moves the Court to grant him a new trial which motion the Court overrules.

It is therefore On motion Considered that the Defendant is guilty as charged and that for the offence by him above committed he make his fine to the State of Indiana in the sum of Five Dollars and pay the Costs of this prosecution. On motion Ordered that said Defendant stand committed into the custody of the Sheriff until said fine & costs are paid or resplied.

I acknowledge myself Replevin Bail for the above Defendant for the payment of the above Judgment together with the Interest & Costs accrued and to receive thereon M I Green Recd

J.W.C. Rooker D.S.

Monday January 10th 1860, and 1st Day of the Term.

State of Indiana

PD 452

1

Selling Liquor to be drunk on premises No 9

George W Brown

Comes now John C. Buffkin attorney for the State and the Defendant in person and by Counsel also comes and the Defendant bring arraigned upon the above Information for pleas thereto saith he is guilty as charged and the Court having examined the premises finds that said defendant is guilty as charged and assesses his punishment to a fine of Five Dollars.

It is therefore On Motion Considered that said Defendant is guilty as charged and that he make his fine to the State of Indiana in the sum of Five Dollars and pay the Costs of this prosecution. On motion Ordered that said Defendant stand committed into the custody of the Sheriff until said fine and Costs are paid or resplied.

I acknowledge myself Replevin Bail for the above defendant for the payment of the above Judgment together with the Interest and Costs accrued and to receive thereon M I Green Seal

J.W.C. Rooker D.S.

State of Indiana

PD 452

ns.

George W Brown

Comes now John C. Buffkin attorney for the State and the Defendant in person and by Counsel also comes and said Defendant bring arraigned upon the above Information for pleas thereto saith he is guilty as charged. and the Court having examined the premises finds the Defendant guilty as charged and assesses his punishment to a fine of five dollars. On Motion therefore Considered that the Defendant is guilty as charged and assessed and that he make his fine to the State of Indiana in the sum of Five Dollars and pay the Costs of this prosecution. On Motion Ordered that said Defendant stand committed into the custody of the Sheriff until said fine and Costs are paid or resplied.

I acknowledge myself Replevin Bail for the above Defendant for the payment of the above Judgment together with the Interest and Costs accrued and to receive thereon M I Green Seal

J.W.C. Rooker D.S.

Monday January 20th 1863 and 1st Day of the Term

State of Indiana

vs. Selling liquor to be drunk on premises

George W. Brown { No. 11. 13. and 13.

Information of the District Attorney the above causes are dismissed

State of Indiana

vs. A.B. No. 17

Charles Rouch.

Comes now the District Attorney John C. Buffin and the Defendant in person and by Counsel also Comes and said defendant being arraigned upon the above Information for pleas thereto which he is guilty as therein charged and the Court being duly advised in the premises finds that the Defendant is guilty as charged and awards his punishment to a fine of One Dollar.

It is therefore the Motion Considered that the Defendant is guilty as charged and imposed and that he make his fine to the State of Indiana in the sum of one dollar and pay the Costs of this prosecution. On Motion Ordered that said Defendant stand Committed into the Custody of the Sheriff unto said fine and Costs aforesaid paid or performed.

James Deaver

vs. Partition No. 4.

Edmund Stephenson et al

Comes now John Mathews Commissioner herein and makes and files his final Report showing among other things that he has collected the whole amount of the purchase Money for the land sold herein from the Esq^r J. M^r (except \$3.00 off the said item) and the wife S. G^r (except \$3.00 off the said thereof) all in the sum of \$15.00 D.M. estimated to contain 94 acres more or less. That the whole amount of purchase money by him received is \$100.00 That out of that amount he has disbursed as per vouchers here filed of \$97.60 leaving for distribution among the parties entitled thereto the sum of \$2.40. That he has paid out said last named sum as herein before ordered by this Court.

Monday January 20th 1863, and 1st Day of the Term.

as follows First. To James Deaver 416 ft 1601.60. To Jas Deaver Guard of John W. Deaver \$400.00 To McMorrow Son of Ed Stephen \$400.00. 60 - nothing where and paid out to parties \$2402.40. And the Court having examined said Report few motion the same is rejected. and the motion said Commissioner is Ordered to execute to the purchaser James Deaver a good and sufficient Deed of Conveyance for the lands above described and here now said Commissioner reports to the Court and duly acknowledge is before Court the Deed so ordered as aforesaid, and the Court On motion executes and approves the same and the facts of such examination and approval is endorsed thereon by the Court. And said Commissioner having completed the duties assigned him herein On motion he is released and discharged from any further trust in the premises.

Christina L. Neve and
John Mathews

vs. Complaint No. 92

John W. L. Mathews and
David G. Wilson

Comes now the parties by Counsel and the Defendants file their affidavits upon which end upon their motion it is Ordered that a change of venue be made the same is hereby granted them in this cause from this to the Court of Common Pleas of Boone County.

On motion it is Ordered that upon payment of costs of such change by the Defendants the Clerk of this Court shall forthwith make out a Transcript of the proceedings had herein and transmit the same together with all the papers of the cause to the Clerk of the Court of Common Pleas of Boone County.

Ordered that Court adjourn until tomorrow morning at 9 o'clock
Signed January 21. 1863

John Ray. Judge.

Wednesday morning at half past 8 o'clock January 21, 1863 and D. judicial

day after the New Contract. Point as on yesterday

The Hon. Chas A. Ray, late Judge,

State of Andhra

6

Attachment

Thomas Mahoney

comes now the Defendant who being examined under Oath and
the Court being duly advised in the premises, it is Ordered and Considered by the
Court that the Defendant be discharged from the above attachment but that he pay the
costs of the same.

State of Decline

Ms

A. A. B. № 1.

Joseph Murphy

Motion of the District Attorney this cause is dismissed.

State of Indiana

Mia

No 6.

Bazaway Sullivan

On Motion of the District Attorney this cause is dismissed

State of Oklahoma

110

Arrow. No. 15

Joseph Piley

comes now the District Attorney and produces to the Court
an Information herein against said Defendant, and said Defendant being confined
as our County jail upon the charge contained in said Information and desiring
and electing to be tried by this Court. On motion and by Order of the Court said
Defendant is brought within the Bar of this Court and being examined under oath

Tuesday Jan'y 21. 1862. and 2^d Day of the Term.

the Court finds he is a poor person and unable to employ Counsel. and
on his motion the Court assigns him C C Hale Esq to conduct his defense
in this behalf. and said Defendant being arraigned upon the above
Information for felonies stands saith he is not guilty and for trial thereof
sets himself upon the Country and the attorney for the State doth the like
whereupon a Jury came namely. William D. Readings. John W. Hawkins
Harvey H. Bunting. George Hunt. Martin Gregory. Lewis S. Pounds. John
Thompson. John Brown. A. P. Burks. H. C. Perkins. J. S. Long and
William Barnett in all twelve good and lawful men resident of our Co-
unty of Hendricks who being elected tried and found the truth to speak
upon the issue joined in the premises after hearing the evidence adduced
and arguments of Counsel. and having received the charge of the Court
do upon their Oaths aforesaid say and find as follows. That

"The the Jury find the Defendant Not guilty. Martin Gregg. Norman
It is therefore Considered that said Defendant is not guilty, as
charged that he go hence hereaf without delay and stand fully exonerated.

State of Uncertainty

19454

Disturbing Meeting Nov 16.

William Rose and
Charles Rose.

Charles Rouch.

Charles Roach. Come now the parties and the Defendants move
the Court to quash the above Information and
the Court being duly advised in the premises overrules said Motion to
which ruling the Defendants except and on motion of Defendants they
are granted separate Trials herein. and the Defendant Charles Roach
being arraigned upon the above Information for plea thereof saith he
is not guilty and for trial thereof he puts himself upon the law and
the Plaintiff doth the like and the evidence adduced being heard & re-
and due deliberation had the Court finds said Defendant Charles
Roach not guilty as charged.

and the said Defendant William Roach being arraigned upon
the above Information for sake thereof saith he is not guilty and for
which thereof he puts himself before the Court and the Plaintiff doth
likewise call the evidence adduce & bring heard and doth deliberation
till the Court finds the Defendant guilty as charged and assesses his
fine at Five Dollars. This therefore Considered that said De-
fendant William Roach is guilty as charged and that he make his fine
to the State of Indiana in the sum of Five Dollars, and pay the Costs
of this prosecution. On motion Ordered that said Defendant stand committed

Tuesday January 1st 1862 and 1st Day of the Term

John Phares &
and A. Phares

C. Taylor

vs.

Complaint No 94.

Gustavus C. Waterous Dft. & Judg \$428.40 W.R.

Come the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff from the defendant Gustavus Waterous the sum of \$428.40 W.R.

It is therefore motion Considered that the plaintiff recover of the Defendant said sum of Four hundred and twenty eight dollars and forty cents and costs of suit. Motion Ordered that this Judgment be collected without any relief from the valuation or appraisement laws

Jacob Burnett Jr.

vs

Complaint No 113. Dft. & Judg \$60.25 W.R.

Buford Scott.

Comes the plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff from the defendant the sum of \$60.25

It is therefore motion Considered that the plaintiff recover of the defendant said sum of Sixty Dollars and twenty five cents and his costs of suit. Motion Ordered that this Judgment be collected without any relief from valuation or appraisement laws.

Tuesday January 1st 1862 and 1st Day of the Term

David Records

No 456

vs

Quincy Davis,
Jeremiah Fleese &
George Fleese.

Complaint No 114.

Dft. & Judg \$154.50 W.R.
Costs as to Geo.

Come the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants Quincy Davis & Jeremiah Fleese at least ten days before the first day of our present term and said Defendants being called comes not and in their absence this cause is submitted to the Court which finds there is due the plaintiff from the defendants Quincy Davis & Jeremiah Fleese the sum of \$154.50 It is therefore motion Considered that the plaintiff recover of the Defendants Quincy Davis and Jeremiah Fleese said sum of One hundred and fifty four Dollars and fifty cents and costs of suit. On Motion Ordered that this judgment be collected without any relief from the valuation or appraisement laws. On motion Ordered that this cause as to the Defendant George Fleese be continued

Joseph Williams

vs

Complaint No 118. Dft. & Judg \$150.75 W.R.

Henry Hills

Comes the plaintiff and proves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his complaint the sum of \$150.75 It is therefore motion Considered that the plaintiff recover of the Defendant said sum of One hundred and fifty dollars and seventy five cents and costs of suit. On motion Ordered that this judgment be collected without any relief from the valuation or appraisement laws.

Tuesday January 21. 1862 and 2^d Day of the Month.

Joseph Williams

vs. Complainant No 119. Deft. Judg't \$72.10 WR.

Thomas Kendall W. Williams Finken Comes the Plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days before the first day of our present term, and said Defendants being called come out and in their absence this cause is submitted to the Court which finds there is due the Plaintiff from the Defendants the sum of \$72.10 It is therefore on motion Considered that the Plaintiff recover of the Defendants said sum of Seventy Two Dollars and Two cents and Costs of suit On Motion Ordered that this Judgment be collected without any relief from the valuation or apperment laws.

I Simon T Hadley hereby acknowledge myself & self responsible for the payment of the above judgment interest & costs accrued & to accrue at or before the time allowed by law for the stay of Execution thereon
S. T. Hadley

Asst P. Strong

vs. Complainant Deft. Judg't \$106.40 WR.
No 130

Vincent Gambhir and Alfred P. Riley Comes the Plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least two days before the first day of our present term, and said Defendants being called come out and in their absence this cause is submitted to the Court which finds there is due the Plaintiff from the Defendants the sum of One hundred and six Dollars and forty cents.

It is therefore Considered that the Plaintiff recover of the Defendants said sum of One hundred and six dollars and forty cents and Costs of suit. On Motion Ordered that this Judgment be collected without any relief from the valuation laws.

I Charles Rocke acknowledge myself responsible for the payment of the above judgment interest and Costs accrued and to accrue, at or before the time allowed by law for the stay of execution upon said judgment

Witness my hand Feb 28. 1862

Charles D. Rocke

Tuesday January 21. 1862. and 2^d Day of the Month.

Henry H. Hobbs and Joseph W. Parker

458.

vs.

Complainant No 120. Deft. Judg't \$107.32 WR.

Benjamin J. Bolan

Come now the Plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term, and said Defendant being called comes not and in his absence in Plaintiff's motion this cause is submitted to the Court which finds there is due the Plaintiff from the Defendant the sum of One hundred and seven dollars and thirty two cents. It is therefore on Motion Considered that the Plaintiff recover of the Defendant said sum of One hundred and seven Dollars and thirty two cents and Costs of suit On Motion Ordered that this Judgment be collected without any relief from the valuation laws.

I Joseph Bolan hereby acknowledge myself Responsible for the payment of the above judgment interest & costs accrued and to accrue at or before the time allowed by law for the stay of Execution thereon
Joseph Bolan
mark

Benjamin Kilns George S. Bell.
And William Neumann

458

vs. No 125

Complainant Deft. Judg't \$60.47 WR
Dismised as to Pennington

Alfred Briggs and Preston Pennington Adm'r of Henry G. Wright Dec'd.

Come now the Plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days before the first day of our present term and said Defendants being called come out and in their absence on Plaintiff's motion this cause is submitted to the Court which finds there is due the Plaintiff from the Defendant Alfred Briggs the sum of \$60.47 It is therefore Considered that the Plaintiff recover of the Defendant Alfred Briggs the said sum of Sixty Dollars and forty seven cents & Costs of suit

Tuesday January 21st 1862 and 2d Day of the Term.

Ordered that this judgment be collected without any relief from the valuation or appraisement laws. And on motion of the plaintiff his further Order is that this suit as to the defendant Fanning be dismissed.

Francis Gobett acknowledge myself upbore my bond for the payment of the above judgment together with the interest and costs accrued and to accrue thereon. and I swear that I am worth \$100.00 over and above my indebtedness and property exempt from Execution. So help me God
Test C. D. Roster Decr etc.

Francis Gobett *Seal*

Subscribed and sworn to before me today 20. 1862.

Geo. Ritter et al.

Henry H. Bunting Adm'r
of Benjamin Robbins Decd

vs.

Complaint No 129.

Defl. as to Moses Dooley \$67.15 & Costs as to

Ann S. Dooley and Ann S.
Moses Dooley.

Owes now the Plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant Moses Dooley at least two days before the first day of our present term, and said Defendant Moses Dooley being called does not come in his absence this cause is submitted to the Court which finds that there is due the plaintiff from the Defendant Moses Dooley on account of the allegations contained in the Complaint the sum of ~~sixty seven~~ ¹⁵ Two Dollars.

It is therefore Ordered Considered by the Court that the plaintiff recover of the Defendant Moses Dooley the sum of Sixty Seven Dollars and Fifteen Cents and Costs of suit.

On Motion

Ordered that this judgment be collected without any relief from the valuation or appraisement laws of the State of Indiana and on Motion

Ordered that this suit as to the Defendant Ann S.

Dooley be continued

I Archibald West hereby acknowledge myself Reborin Bond for the payment of the above judgment interest & costs, accrued & to accrue on or before the time allowed by law for the stay of execution thereon

Archibald *his X* West

Taken and affirmed by me this the 27th day of January ¹⁸⁶² Geo. Ritter did

Tuesday January 21st 1862 and 2d Day of the Term.

Henry H. Bunting Adm'r of Benjamin Robbins Decd

458

vs

Complaint No 129.

Defl. Judg \$77.10 WR.

Mostraville G. Parker and
James Sharpe.

Owes the plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least two days before the first day of our present term and said defendants being called does not come in their absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his Complaint the sum of \$77.10

It is therefore On motion Considered that the plaintiff recover of the Defendant unto the said sum of Twenty Seven Dollars and Seven Cents and also his Costs of this suit

On Motion

Ordered that this judgment be collected without any relief from the valuation or appraisement laws of the State of Indiana and acknowledge myself Reborin Bond for the above defendant for the payment of the above judgment together with the interest and costs accrued and to accrue thereon Jan 28. 1862
Test C. D. Roster & S.

Paines Sum

Elijah Osborn

460

vs

Complaint No 133

Defl. Judg \$15.50 WR.

The Trustees of the Danville Academy

Owes the Plaintiff and proves to the Court that a Summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least two days before the first day of our present term and said defendant being called does not come in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his Complaint the sum of \$15.50

It is therefore Considered that the Plaintiff recover of the defendant and the said sum of Three hundred and fifteen dollars and fifty cents and Costs of suit. On motion Ordered that this judgment be collected without any relief whether from the valuation or appraisement laws.

Tuesday January 21. 1862 and 2^d Day of the Month.

William J. Hazlett

vs

Complaint No 134.
Deft. Judy \$83.00 W.R.

Zachariah S. Recagow

Comes the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegation contained in his complaint the sum of \$83.00
It is therefore On motion Considered that the plaintiff recover of the Defendant the said sum of Eighty Three Dollars and his Costs of suit. On motion Ordered that this Judgment must be collected without any relief from the valuation or appraisement laws.

For value recd I assign over and transfer all my right title and interest in and to the sum of \$83.00 and interest of the above Judgment to Andrew W. Campbell. July 14. 1862
W.H.C. Rooker D.C.

W H C Rooker

For value received I assign the above judgment to Francis R Grapson
February 21. 1862 -
W.H.C. Rooker D.C.

Francis R Grapson

Lm Campbell

Martin Bare and
Henry G. West

vs

Complaint No 135.

Deft. Judy \$144.95 W.R.

Jefftha G. Banta

Comes the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in their Complaint the sum of \$144.95

It is therefore On motion Considered that the plaintiff recover of the Defendant the said sum of One Hundred and forty four & 95/100 Dollars plus also their Costs of this suit. On motion Ordered that this Judgment be collected without any relief from the valuation or appraisement laws.

I Milton Lindley
do hereby acknowledge myself Replin Bail for the payment of the above judgment, interest & costs, accrued & to accrue, at or before the time allowed by law for the stay of Execution thereon. And I also swear that I am worth three hundred Dollars above my undutiedup and property exempt from execution, so help me God
Subscribed and sworn to this 20th day of February 1862

Milton Lindley

Tuesday January 21. 1862 and 2^d Day of the Month.

James Osho

460

vs

Complaint No 136.

Deft. Judy \$353.20 W.R.

Moses Vice Jr.

Comes the plaintiff and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his Complaint the sum of \$353.20

It is therefore Considered that the plaintiff recover of the Defendant the sum of Three hundred and fifty three dollars and twenty cents and Costs of suit. On motion Ordered that this Judgment be collected without any relief from the valuation or appraisement laws.

I acknowledge myself Replin Bail for the above defendant for the payment of the above judgment together with the Interest and Costs accrued & to accrue thereon. I swear that I am worth \$150.00 over & above my undutiedup & property except from Execution
W.H.C. Rooker D.C.

Thomas J. Davis

Seal

Subscribed and sworn to before me July 11. 1862. Levi Pitts C.R.

John W Murphy and Allicia J Holliday

462

vs

Complaint No 139.

Deft. Judy \$85.45 W.R.

Thomas Nichols and William Nichols

Comes the plaintiffs and prove to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in their absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in their Complaint the sum of Eighty five dollars and forty five cents. It is therefore On motion Considered that the plaintiff recover of the Defendant the said sum of Eighty five Dollars and forty five cents and Costs of suit. On motion Ordered that this Judgment be collected without any relief from the valuation or appraisement laws.

Ex i^d Jan'y 21. 1862

Shiffs fees 60⁰ Clerks \$5.60 Court fees 1.00

Tuesday January 21. 1862 and 2nd Day of the Term.

John W. Murphy and
William J. Holliday

vs Complainant No. 140
Default. Judg \$125.61 W.R.

John P. McCormick

Come the plaintiffs and prove to the Court that a Summons has been issued out of this Court in this cause and executed by the Sheriff upon the Defendant at least two days before the first day of our present term and said Defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiffs on account of the allegations contained in their Complaint the sum of \$125.61

It is therefore On motion Considered that the plaintiff recover of the Defendant such sum as One hundred and twenty five Dollars and Sixty Cents and Costs affinid

On motion Ordered that this judgment be collected without any relief whatever from the volunteer laws

Replevin Bail

I Isaac O' Riley hereby acknowledge myself Replevin Bail for the payment of the above judgment, interest & costs, accrued and to accrue at or before the time allowed by law for the stay of Execution thereon

I. O' Riley

Taken and approved by me this the 1st day of February 1862 in the Clerk's office

James W. Dwyer.

vs

Complaint No. 79.

Michael Long.

On motion the Defendant is ruled to file his answer herein

Nichols and Pennington

vs

Complaint No. 81

Cliftor & Paleman vs Plaintiff

On motion of the Plaintiff the Defendant is ruled to answer the Complaint herein.

John Knightly

vs

Complaint No. 85

Daniel O'Connor

On motion of Plaintiff the Defendant is ruled to answer herein

Tuesday January 21. 1862. and 2nd Day of the Term.

The State vs

vs

Complaint No. 97.

David Doty et al.

On motion of the Plaintiff the Defendant is ruled to answer herein

Friedman & Stern

vs

Complaint No. 98.

Benjamin G. Thomas

On motion of Plaintiff the Defendant is ruled to answer herein.

James G. Jones

vs

Complaint No. 103

William Bowman

On motion of the Plaintiff the Defendant is ruled to answer herein.

William Mercer

vs

Complaint

esse G. Mullock

On motion of the Plaintiff the Defendant is ruled to answer herein.

Ordered that Court adjourn until Tomorrow morning at 12 o'clock A.M.
Signed James D. 1862.

Charl Ray

Judge

Wednesday Morning at 9th Inst. 8. O'clock. January 2d. 1863 and

3^d Day of the Term Court met. Present The Hon. Chas A. Ray
Sole Judge.

The State of Indiana

vs

No. 4.

Al. Owens and Others

On motion of the District attorney this cause is dismissed

The State of Indiana

vs

No. 5 App.

William Gidale

On motion of the Dist attorney this cause is dismissed

The North Western

Christian University

vs

Garnished No. 2.

John Robbins

vs

On motion of the parties this cause is dismissed

It is therefore Considered that the plaintiff recover of the defendant the costs by him about his suit, one hundred expended.

Stephen Housey

vs

Partition No. 6.

William Housey et al.

On motion of the Order made the Commissioner here in pay over to the plaintiff his full distribution share of the proceeds of sale of land herein. And on motion of said Commissioner this cause is continued.

Wednesday January 2d. 1863. and 3^d Day of the Term

Verse S. Mallock

Henry G. Gidale.

Complaint No. 31.

Come the parties by Counsel and on the plaintiff's motion he has leave and withdraws the 2^d paragraph of his Complaint and the plaintiff files his Reply to the Defendant's answer. and this cause now coming on for trial upon the issue joined on motion of the Defendant and by Order of the Court a Jury come namely. William D. Rawlings John W. Peckins Henry H. Burtt Cyrus Hunt Martin Gregg Lewis Fonda Cyrus Thompson John Brown A. P. Burks Henry C. Perkins George S. Long and William Bonett in all twelve good and lawful men resident of our County of Hendricks who being duly elected tried and sworn the trial to speak upon the issue joined in the premises and having heard the evidence adduced and arguments of Counsel and having received the instructions of the Court retired to their room to consider upon their verdict attended by Lindsey Jeffries their own bailiff

Joseph J. Coffin

Partition No. 30.

William J. Cook et al.

Come now Willis Talbott and Cyrus Rogers two of the Commissioners appointed to make partition herein and make to the Court and duly acknowledge in open Court a Report of their proceedings in the premises which being seen and examined by the Court no objections been made to the same in all things approved and confirmed and on motion of the plaintiff and Report is here now recorded in the words and figures following First the State of Indiana Hendricks County Indiana County of Common Pleas January Term 1863. At the undesignated Commissioners Willis Talbott Eli Mullen and Cyrus Rogers appointed at the last day of said term to make partition of the land described in the Case of Joseph J. Coffin vs William Cook et al between the parties aforesaid in the copy of four Orders of appointment herein returned after being lawfully qualified and reported as follows First I assign and set off unto Joseph J. Coffin the full and equal one half thereof as follows The North east quarter of the fourth West Quarter and five rods in width off and across the West side of the North West Quarter of the South East quarter of Section Twenty two in Township seventeen North of Range One West containing forty two and a half acres more or less.

Given under our hands this day of January 1863

Willis Talbott

Cyrus Rogers

Commissioner

It is therefore Considered by the Court that the said Plaintiff for

Wednesday January 22 1862 and Day of the Term

Wednesday January 22 1862 and Day of the Term

Coffin have and hold in severally in fee simple forever the premises above assigned and set apart to him by said Commissioners (7) And motion this Order is that the following allowances be and the same were hereby made, and that the same be taxed and collected with the other Costs herein. Costs.

To Willis Galbott for services as Commissioner	\$3.00
" Eli Walters " "	1.50
" Cyrus Rogers " " Surveyor.	8.00
" J. Persons. " " Pioneer	1.50

And on motion. This Considered by the Court that the Costs and charges in this behalf be paid as follows $\frac{1}{2}$ by the plaintiff and $\frac{1}{2}$ by the Defendants, and on motion Ordered that in default thereof Executives may issue

Joseph J. Coffin.
William Nichols and
Luzena Nichols

vs

Partition No. 33

James Newman et al

Come now the parties and also Come
Willis Galbott and Cyrus Rogers two of the Commissioners appointed
to make Partition herein and make to the Court and their Acknowledges
in open Court a Report of their proceedings in the premises and no other
evidence being needed to the same on motion said Report is in all things
approved and confirmed by the Court and on motion of the parties said
Report is now here recorded as follows. Court of State of Indiana Hendricks
County in the Hindricks Court of Common Pleas, January Term 1862. We the undersigned
Commissioners Willis Galbott, Eli Walters and Cyrus Rogers appointed at the last June Term
of said Court to make partition of the land described in the Case of Joseph J. Coffin et al vs James
Newman et al between the parties as set forth in the Copy of the Order of Appointment hereto returned
after being lawfully qualified and reported as follows. Now We assign and set off unto Joseph J.
Coffin the full $\frac{1}{2}$ equal one fifth part as follows The South East Quarter of the South East Quarter of
the North East Quarter of Section twenty two in Township seventeen North of Range One West containing
forty four acres more or less. We assign and set off unto Luzena Nichols the full and equal one
fifth part as follows A part of the East half of the South East Quarter of Section twenty two Township
seventeen North of Range One West Commencing at the North East corner of said Eps and running West 80 rods to
N.W. corner thence South about 84 rods to 4 rods South of Center of said Eps thence East 80 rods
bearing thence North to the beginning Containing forty two acres more or less.
We assign and set off unto James Newman the one fifth part as follows

A part of the East half of the South East Quarter of Section twenty two in Township seventeen
North of Range One West Commencing at the South East corner of said Eps thence West
Eighty rods thence North about Twenty six rods thence East eighty rods to E line
thence South about Seventy six rods to the beginning Containing thirty eight acres
more or less. We assign and set off unto Elizabeth Newman the full and
equal one fifth part as follows The South West quarter of the South East
Quarters of Section twenty two in Township seventeen North of Range One West
Containing forty acres more or less.

We assign and set off unto Jane Newman the full and equal one fifth
part as follows the North
West Quarter of the North
East Quarter of Section twenty
two in Township seventeen
North of Range One West
except rods in width
off of and across the
middle of said P.W. 1/4
of N.E. 1/4 aforesaid Containing thirty six
acres more or less. Given under our hands this day of January
1862.

Willis Galbott
Cyrus Rogers

Commissioners

Wherefore on motion Considered that the plaintiff Luzena Nichols have
and hold in severally in fee simple forever the premises above
assigned and set apart to her by said Commissioners

her by said Commissioners

It is therefore on motion Considered that the plaintiff Joseph J. Coffin
have and hold in severally in fee simple forever the premises above
assigned and set apart to him by said Commissioners

That the Defendant James Newman have and hold in
severally in fee simple forever the premises above assigned and set
apart to him by said Commissioners

That the Defendant Elizabeth Newman have and hold in
severally in fee simple forever the premises above assigned and set apart to
her by said Commissioners. And That

The Defendant Jane Newman have and hold in severally
in fee simple forever the premises above assigned and set apart to
her by said Commissioners.

And on motion This Order is that the following allowances be paid
the same are hereby made - and that the same be collected as other
Costs in this Case. Costs

To. Willis Galbott for services as Commissioner	\$4.50
" Eli Walters " " " " " Surveyor.	3.00

" Cyrus Rogers " " " " " Surveyor.	15.00
And on motion. It is finally Considered that the Costs of this	100.00

Wednesday January 22, 1869. And 7th Day of the Month

proceeding to proceed as follows. One ^{to} by the plff. J. S. Caffin two ^{to} by
the plaintiff Lucence Nichols. One ^{to} by the Dft. James Newman. one
by the defendant Elizabeth Newman and one ^{to} by the defendant
John Newman. and that no default there of Execution may issue agt
said parties severally.

Ralph H. Rock et al { Complaint No. 36
vs Erasmus Heelam implead {
On motion of the plaintiff this cause is dismissed

The State v. Cyrus H. {
vs Frances Nichols et al { Complaint No. 37

On motion of the plaintiff this cause is struck from the Docket

Valentine Lingenfelter {
John W. L. Matlock et al { Complaint No. 40

On motion of the plaintiff this cause is dismissed and
as regards the defendants they have leave and withdraw their answer herein
It is therefore Considered that the Defendants recover of the Plaintiff the
Costs by them about their defense herein expended

Commodore P. Williams {
John Ross { Appeal No. 41

Concurv the parties by counsel and this cause coming
on trial upon the issues joined the same is submitted as noted and by
agreement to the Court without the intervention of a Jury and the court
hereafter bring before the Court takes day of

William Alexander {
Lewis Orth. { Complaint No. 73

On motion of the plaintiff

Wednesday January 22, 1869. And 7th Day of the Month

this cause is dismissed at his costs. It is therefore Considered that the
Defendants recover of the plaintiff the costs of his defense herein expended

Miller S. Robinson {
John P. Vertes et al { Complaint No. 78

Concurv the parties by counsel and the Defendants
file their answer and also their interrogatories to the plaintiff and on their
Motion the plaintiff is ruled to reply to said answer and to answer said
Interrogatories and the plaintiff files his Reply to the Defendants answer.

Harr and Matthews {
James H. & Joseph Adams { Complaint No. 77

Concurv the parties by counsel and on motion of the plff.
the defendants are ruled to answer and the Defendants file their app-
ropriate answer which and upon their motion this cause is continued
It is therefore Considered that the Plaintiff recover of the Defendants
the costs of this continuance.

Joseph W. Blackley & {
John A. Simpson & {
William Morley et al. { Complaint No. 76.

Concurv the plaintiff and Defendant Alfred Morley by
counsel and the plaintiff file their Reply to the first paragraph of the
said Defendants answer and on motion of the plaintiff this cause
is continued. It is therefore Considered that the Defendants recover of
the plaintiff the costs of this continuance

Mary Hicks {
William Hicks { Divorce No. 75

On motion of the plaintiff this cause is dismissed

Wednesday January 1st 1862 and 2nd Day of the Term.

Nichols and Pennington

vs
Complaint No 80

Bateman & Donnelly
Defendants file a Demurrer to
Come now the parties and the plaintiff's complaint and
the Court being duly advised in the premises sustains said Demurrer, and the
plaintiff has leave and amends their Complaint and strike out of the same
the name of the plaintiff Pennington.

Nichols and Pennington

vs
Complaint No 81.

Clester and Bateman

Come the parties and the defendants file their answer to which
in their motion the plaintiffs are ruled to reply, and the plaintiffs file their
Demurrer to the answer of defendants and the Court being duly advised in
the premises and the Court being duly advised in the premises sustains
Demurrer to which ruling of the Court the defendants except.

Warder and Child

vs
Complaint No 82

Jordan and Jordan

On motion of the Plaintiff the Depositions af-
filed herein are ordered published.

State Esq of Vanneck

vs
Complaint No 83

Richard Oberwetzel

On motion of the Plaintiff Come the parties and the plaintiff to file
their Reply to the 2nd paragraph of the answer of the Defendants.

Vincent Hamlin

vs
Complaint No 84

Stetton and Stetton

Come the parties and the Defendants file their answer
to which on their motion the plaintiff is ruled to reply.

Wednesday January 2nd 1862. and 3rd Day of the Term

John Knightly

vs
Complaint No 85

Daniel O'Conor

Come the parties and the Defendant files his counter claim
and the plaintiff files his answer thereto.

Charlotte Tully

vs
Complaint No 86

John Lingemar

Come the parties and the Defendant files his affidavit
upon which and upon his motion this cause is continued at his Cost.
It is therefore Considered that the plaintiff recover of the Defendant the
Costs of this Continuance.

George Knight

vs
Complaint No 87. R. to S.

Lucius Barburetzel

The Estate ex rel of

vs
Complaint No 87. (After R. to S.)

David Doty et al

Simeon Homeeley Alburz

vs
Complaint No 89. (After R. to S.)

Abraham Petty

John C. Wright Harvey Bates &

vs
Complaint No 100

Douglas Maguire

vs
Complaint No 100

Horatio P. Smith &

James M. Baxter

On motion of the Plaintiff this cause is dismissed
at their Cost.

Wednesday January 22, 1862. and 3rd Day of the Term.

Emma Hadley

vs

Partition No. 106.

Eugene H. Hadley

Comes now the plaintiff by Counsel and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term and said defendant being called comes not, and on motion of the plaintiff Christian C. Nero an attorney at the Bar of this Court is appointed ^{an infant} Guardian ad litem for said defendant being within the age of twenty one years.

And hereto now comes said Christian C. Nero who accepts the said appointment and files the answer of said infant defendant. And hereto now on motion of the plaintiff this cause is submitted to the Court for trial upon complaint. Answer of infant defendant by his Guardian ad litem and proofs of title and heirship record and oral introduced and the court being duly advised in the premises finds that the plaintiff has proven all the material allegations contained in her complaint. That on the ²² day of ¹⁸⁶¹ our John O'Hadley departed this life in our County of Hendricks leaving the plaintiff and defendant his widow and child and heirs and only heirs at law. That said John O'Hadley did die of the following lands situated in our County of Hendricks Court. The West half of the North East quarter of Section Seven in Township fifteen Range One West Containing 80 acres. Also the following tract Commencing at the North East corner of the North West fractional Quarter of said Section Township and Range aforesaid. Thence West on Section line 8 rods as far West as John Concord's land running thence South 53 1/3 rods to the line aforesaid from O'Hadley thence East 8 rods to the East line aforesaid North West corner thence North 53 1/3 rods to the beginning. Containing 2 Acres & 106 2/3 rods. Also the West half of the South East quarter of Section Seven Township 15 Range One West Containing 80 acres. Also the West half of the North East quarter of Section 18 in Township 15 North Range One West 80 acres. Also the North West fractional quarter Section 18 Township 15 Range One West 90 acres. Also a part of the North West quarter of Section 7 in Township 15 North of Range One West and bounded as follows. First Commencing at the half mile stone in the West side of said Section thence North with said Section line 106 poles and 16 links thence East with Section line 98 poles and 16 links. Thence South with Section line 106 poles and 16 links thence West with the same aforesaid 98 poles and 16 links to the place of beginning. Thereupon the death of the said John O'Hadley the plaintiff and defendant became ex parte possessed in fee simple of the undivided one half of the aforesaid lands.

Wednesday January 23, 1862. and 3rd Day of the Term.

In Materia. It is therefore Considered and decided by the Court that Buckner W. Carter, William Merrill and George Spies their good and lawful men resident of our County of Hendricks because they are hereby appointed Commissioners to assess and set apart to the plaintiff Emma Hadley and to the defendant Eugene H. Hadley each one equal half of the above described lands for them to have and hold in fee simple forever.

And in Materia

It is Ordered that said Commissioners make upon of their proceeding in the premises to this Court during our present term and day is given off,

William Mercer

vs

Complaint No. 107

Jesse J. Matlock

Come the parties and the defendant files his Answer herein.

Wednesday January 22, 1862, and 9th Day of the Term.

William Mercer

vs

Complaint No 108

Deflt. July 1st \$144.00 W.R.

Nathaniel Christie

Comes now the plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant at least ten days before the first day of our present term and said defendant being called comes not and in his absence this cause is submitted to the Court which finds there is due the plaintiff on account of the allegations contained in his Complaint the sum of \$144.00 This therefore On motion Considered that the plaintiff recover of the Defendant said sum of One hundred and forty four Dollars & also his Costs of this suit. On motion Ordered that this Judgment be collected without prejudice from the execution laws.

Seth Guyon

vs

Complaint No. 111

Deflt. of \$4.50 Judgt W.R.
Decree for sale & foreclosure.

Aaron Hart and
Margaret Stark.

Comes the plaintiff and serves to the Court that a summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendants at least ten days before the first day of our present term and said Defendants being called comes not and in their absence this cause is submitted to the Court which finds there is due the plaintiff the sum of \$4.50 from the Defendant Aaron Hart and that to secure the payment of that sum of money the Defendants executed the Mortage mentioned in and filed with the Plaintiff and that the same is an equitable Lien upon the property therein described First. Commencing 100 feet South of the South line of the Town of Danville opposite the South East corner of Lot One in Block 33 in the said Town at the South West corner of a Lot of land conveyed by

Wednesday Jan 22, 1862, and 9th Day of the Term.)

King and wife to Aaron Hart and running thence South 60 feet thence East 128 feet thence North 60 feet thence West 138 feet to the beginning in our County of Hendricks. It is therefore motioned Considered that said plaintiff recover of said Defendant said sum of Eighty four Dollars and fifty cents and Costs of suit. On motion Ordered that this Judgment be collected without prejudice from the execution or attachment laws. It is further Considered & Ordered that upon failure of the Defendants to pay the above Judgment Interest thereon and Costs for the purpose of satisfying the same the above described Mortgaged property be sold by the Sheriff as other lands are sold under Execution and should said property fail to sell for a sum sufficient to satisfy said Judgment Interest thereon and Costs then that the plaintiff have his Execution for any residue that may remain to be levied without the relief aforesaid. and On motion this is further Considered and Ordered that just and after the sale of said Mortgaged property the equity of redemption of said Defendants is and to the same be forever barred and foreclosed.

For value received I hereby assign the above judgment to Bob Reynolds, and authorized him to collect and receipt for the same. March 22, 1862
Attest Lewis Ritter Clerk.

Seth Guyon
A. J. Smith Atty

Henry H. Painter Attorney

vs

No. 113. Filed R to reply.

Carter and Sharpe.

Lewis Robinson

vs

No. 123.

Emanuel Masten

Came the parties by counsel and the Defendant files his Demurrer to the Complaint and on motion of plaintiff he demurred his suit and has leave to withdraw the papers. It is therefore Considered that the Defendant recover of the plaintiff the Costs of his defense herein expended.

Wednesday January 25. 1862. and S. Day of New Year.

James H. Martin

10

No 134

Benjamin F. Bolin

By agreement of the parties
It is Considered that the Plaintiff recover of the Defendant the sum
of Three hundred and Eleven Dollars and seventy One cents as and
for the amount due him on account of the allegations contained in his
Complaint and also his Costs affixed

On Motion Ordered that this judgment be collected without
any relief from the valuation laws. Forwrits and Process \$301.71 of the
above Judgment to go Rennard Jan'y 25. 1862. J. H. Martin

Test. c. A. Parker, D.C. The balance of the above judgment entered satisfied in consideration of an
evidence of satisfaction of a judgment rendered at this term for same amount against said James H. and one
John H. Martin in favor of Benjamin F. Bolin Jan. 31st 1862. James H. Martin by John Martin his attorney
I Joseph Bolin hereby acknowledge myself Responsible for the payment of the above judgment
Interest & costs agreed to accrue on or before the time allowed by law for the stay of execution

Almon Somadecy
thereon

Joseph X. Bolin
mark

10 No 133. On Act. Defl. July 1860

Rock Haynes

Comes now the plaintiff and sues to the Court that as Commoner has
been issued out of this Court in this cause and duly executed by the Sheriff upon the Defendant
at least ten days before the first day of our present term, and no motion being
Defendant being called over and in his absence on plaintiff's motion this cause
is submitted to the Court without the intervention of a Jury, and the evidence adduced
being heard and duly deliberated has the Court found for the plaintiff and assessed his
Damages to One hundred and thirty eight Dollars and fifty cents.

This day it is Considered that the plaintiff recover of the Defendant the
sum of One hundred and thirty eight dollars and fifty cents Damages to be as
agreed assessed and also the Costs of this suit.

Ordered

That Court adjourn until tomorrow morning after part of Octo. 10.

Chas A. Ray

Judge

Monday morning about 8 O'Clock January 25. 1862 and 4th

Day of the New Court met. Present. The Hon. Chas A. Ray sole Judge,

James H. Martin

10

(complaint) No 31

Henry G. Dodge

One of the parties by Counsel, and the
Jury of the Jury aforesaid upon their Oath aforesaid return into
open Court the following Verdict Find "We the Jury find for the
Defendant and assess his Damages at One hundred Dollars.

James H. Martin

And the plaintiff moves the Court to grant him a new trial herein
and on his motion day is granted him to file his reasons therefor.

John Clifford and
Michael Clifford and
Lucinda Clifford by
John Clifford their next friend

10

Complaint No 84

Abraham Blanch Actur of
Lucinda Clifford

One of the parties by Counsel and by
their agreement this cause is submitted to the Court for trial without
the intervention of a Jury, and the Court after hearing the proofs and delib-
eration of the parties and their attorneys. This Order is and decreed
that the Decree to follow rendered in this Court at the April Term 1859
thereof in these words. Smith

Monday January 20. 1862. And 4th Day of the Term.

Tuesday January 21. 1862. And 4th Day of the Term

William Wheeler

vs 3 Complaint No. 39

Lewis Orth

On plaintiffs Motion this cause is dismissed
It is therefore Considered that the Defendant recover of the plaintiff his
Costs herein expended.

William S. Robinson

vs 3 Complaint No. 78

John N. Vestal et al

Come the parties and the plaintiff files an Affidavit
herein upon which and on his motion the Rule against him to answer
the Defendants Interrogatories is Continued until our next term

Benjamin H. Wheeler Jr.
Jonathan C. Child

466 vs 3 Complaint No. 82.

John Jordan & James Jordan

Come the parties and the Defendants withdrew their ap-
pearance herein and the plaintiff prays to the Court that a summons has
been issued out of this Court in this cause and duly executed by the
Sheriff upon the Defendants at least ten days before the first day of
our present term and said Defendants being called come not and in
their absence this cause is submitted to the Court which finds there is
due the plaintiff on account of the allegations contained in their Com-
plaint the sum of \$280.13 It is therefore on motion Considered
that the plaintiff recover of the Defendants said sum of Two hundred
and eighty Dollars and Thirteen Cents and Costs of suit.

On motion Ordered that this Judgment be paid into the hands
of the Sheriff a copy of the same Collected without any relief whatever
from the valuation laws.

and the causes in all things received and committed and a new trial
granted thereto to the said John Clifford Michael Clifford & Lucinda
Clifford. Whereupon the said Abraham Bland Administrator of Lucinda
Clifford Dec'd the plaintiff in the aforesaid suit of Abraham Bland Administrator
of Lucinda Clifford Dec'd against the said John Clifford Michael
Clifford and Lucinda Clifford now here by leave of the Court dismisses
said suit of Abraham Bland Administrator of Lucinda Clifford and against
John Clifford Michael Clifford and Lucinda Clifford

This therefore Considered that the said John Michael and Lucinda
Clifford recover Dollars and Cents
the Costs by them laid out and expended in the above application for a new
trial and in the suit of Abraham Bland Administrator as aforesaid against
said John Michael and Lucinda Clifford all of which is ordered and
referred and decreed.

Charles H. Root William H. Bennett Jr.
James B. Root

vs 3 No. 35

Harrison Mynett Janurk
of Lewis Orth On motion of the plaintiff this cause
is dismissed at their Costs. It is therefore Considered that the defendant
recover of the plaintiff his Costs herein expended

Monday January 10, 1869 And 4th Day of the Term

State of Indiana Ex rel
of Joseph Vanickle

3

Complaint No. 88

Richard Oberweiter

By agreement this cause is continued at
the plaintiff's costs. It is therefore considered that the Defendants recover
of the said Relator Joseph Vanickle the costs of this continuance

John Knightly

vs

Complaint No. 85

Daniel O'Conor

Come now the parties and this cause now coming
on for trial upon the issue joined, on motion of the parties and by
Order of the Court & Jury come namely, John W. Hawkins, Cyrus
Hunt, Martin Gregg, Lewis J. Penick, Salmon Thompson, John
Brown, A. P. Banks, William Barnett, Jacob Sharp, John
Harding, Elias Brown, and Adam Donarall in all twelve good and
lawful men who being duly elected tried and sworn the truth to speak
upon the issue joined in this premises after hearing the evidence adduced
adduced, and arguments of counsel and having received the instructions
of the Court do upon their oaths aforesaid say and find as follows
Jury "We the Jury find for the plaintiff and assess the damages at
Two Dollars.

This therefore Considered that the plaintiff recover of the
Defendant the sum of Two Dollars and for his Damages in the
premises by the Jury aforesaid assessed. (and each party pays his own
costs)

John W. Hawkins

John W. Hawkins
Deft. & Judg'd \$ 2.00

Monday January 10, 1869 And 4th Day of the Term

State of Indiana Ex rel H. S.

vs

Complaint No. 97

David Doty et al.

Come the parties and the plaintiff move the Court
for a rule upon the Defendants to furnish a bill of particulars under the
paragraph of their answer herein and the Court being duly advised
in the premises overrules said motion to which ruling the plaintiff excepts
and the plaintiff files a Demurrer to the Paragraphs of Defendants answer.

Morris H. Oliver

466

vs

Complaint No. 95

Henry Hiltz

Deflt & Judg'd \$ 127.70 WR

Comes now the plaintiff and moves to the Court that a sum
mons has been issued out of this Court in this cause and duly executed by
the Sheriff upon the Defendant at least ten days before the first day of our
present term and said Defendant being called comes not and in his absence
this cause is submitted to the Court which finds there is due the plaintiff from
the Defendant the sum of \$ 127.70 It is therefore Considered that the plain-
tiff recover of the Defendant the sum of One hundred and twenty seven
Dollars and Seventy Cents and Costs of his suit. On motion of Plaintiff
that this judgment be collected without any relief from the execution laws

Levi Friedman and
Samuel Stern

468

vs

Complaint No. 98

Benjamin G. Thomas

Deflt & Judg'd \$ 347.95 WR

Comes the plaintiff and moves to the Court that a sum
mons has been issued out of this Court in this cause and duly executed
by the Sheriff upon the Defendant at least ten days before the first day

Monday January 23. 1862. and 4th Day of the Term

of our present term and said Defendant being called comes not into his absence this Cause is submitted to this Court which finds there is due the plaintiff on account of the allegations contained in their Complaint the sum of \$197.75. It is therefore Ordered Considered that the plaintiff recover of the Defendant said sum of Three hundred and Ninety seven Dollars and Twenty five Cents and Costs of suit. On motion Ordered that this Judgment be collected without any relief from the valuation or appearance fees.

I Joshua D. Parker acknowledge myself responsible for the payment of the above judgment interest, and Costs accrued and to accrue at ~~or before~~ the time allowed by law for the stay of execution upon said judgment.

Witness my hand this 28th day of February 1862

J. H. Parker

Sir John Hancock Attorney
for Plaintiff in Error
vs. Abraham Petty

Complaint No. 99

Abraham Petty

By agreement of parties this Cause is Continued at the plaintiff's Costs. It is therefore Considered that the Defendant recover of the plaintiff the Costs of this Continuance.

Leave and Writervor

or

Complaint No. 109

William Stephenson

Come the parties and on motion of the plaintiff the Defendant is sued and files his answer to which on his motion the plaintiff is ruled to reply.

Monday January 23. 1862 and 4th Day of the Term

Leave and Writervor

or

Complaint No 110

Auderson Bryant et al

Come the parties and on motion of the Defendants are ruled to and file their answer to which on their motion the plaintiff is ruled to file their Reply to.

Carey Reagan

468

or

Complaint No 110.

John L. M^o Connick

Julie A. M^o Connick

John Beidle and Alfred B. Riley

Come now the plaintiff and Defendants Mc Connick and the said Defendants M^o Connicks are and on motion of the plaintiff rule to Answer and the Defendants M^o Connicks move the Court to grant them for continuance of this cause and the Court being duly advised in the premises overrules said Motion to which ruling the Defendants Mc Connick except. And thereupon the Defendants M^o Connicks file their Demurrer to Plaintiff's Complaint and the Court being duly advised in the premises overrules said Demurrer to which ruling the Defendants Mc Connick except. And said Defendants Mc Connick refusing to answer over the plaintiff leaves to the Court that a summon has been issued out of this Court in this cause and duly executed by the Sheriff upon all of the Defendants John L. Mc Connick, Julie A. M^o Connick, John Beidle and Alfred B. Riley about two days before the first day of our present term and said Defendants all being called come not and wholly make default and in their absence on Plaintiff's Motion this cause is submitted to the Court for trial and the Court being duly advised in the premises finds there is now due the Plaintiff on the date and money mentioned above in Complaint mentioned the sum of \$100.00 and Eighty one dollars and fifty five cents. That the sum in said Complaint mentioned as also in said money described are subject to the payment of the expenses of the same and that said sum is to be paid in parcels. This therefore Countermands and directs that the plaintiff never al the defendant John L. Mc Connick the said sum of One hundred and Eighty One dollars and fifty five cents and his Costs of this suit.

Due. On Motion of the plaintiff this further Considered and deemed that upon default to pay the said sum of One hundred and Eighty One dollars and fifty five cents and Costs. That a Certified Copy of this Judgment and decree shall duly issue which shall be sufficient

Monday January 23. 1862. and 4th Day of the Term.

Authority to the Sheriff to advertise and sell as lands are sold under Execution all of the lands in the Complaint and Montgomery described To wit the South East quarter of the South East Quarter of Section 26. in Township 15 North of Range One West, and the Northeast quarter of the South West Quarter of Section 25 as included in the following bounds. From Commencing at the Section line between said Sections 25. and 26. 10th 16th poles North of the South side of said Section at a corner of Reubin A. Coverdale's three N 8^o E 3^o 16th 18th poles with said Coverdale's line to another corner of said Coverdale's three West to the NW corner of the said SW quarter of the SW Quarter of Sec 25 three South with the Section line about 29 poles to the beginning estimated to contain in the whole 4¹/₂ acres. More or less in the County of Herkimer. On Motion Ordered that the above judgment be collected without any relief from the valuation laws.

The Amos McCormick & John McCormick acknowledge ourselves
Plaintiff's for the ^{payment} of the above judgment interest & costs accrued
& to accrue at or before the time allowed by Law for the stay of execution
thereon, and we swear that we are each worth the sum five hundred dollars
over and above our indebtedness & property exempt from execution, so
help us God

Amos D. McCormick
John P. McCormick

Approved by me & sworn to before me this the 3rd day of March 1862
Levi Ritter Clark

Henry W. Bryant Clerk

Complaint No. 139.

David P. Carter

I now the parties and on motion of the plaintiff the defendant
is ruled to and files his answer to which on his motion the plaintiff is ruled to reply
and the defendant files his affidavit upon which the court to grant him
a continuance of the cause.

Benjamin F. Bolen

Complaint No. 139

James D. Martin and John G. Martin

I now the parties and on motion of the plaintiff the defendants
are ruled to and file their answer to which on their motion the plaintiff is ruled to
and file his reply. on this cause being adjourned on Motion and by agreement
of parties the trial of the same is submitted to the court and the evidence adduced

Monday January 23. 1862. and 4th Day of the Term.

King knew and heard and due deliberation had in the premises the Court
finds for the plaintiff and assesses his Damages at One hundred and
One Dollars.

It is therefore Considered by the Court that said plaintiff
recover of said Defendants One hundred and One Dollars.
Damages so as aforesaid assessed. And also his Costs of this
suit.

On Motion Ordered that this judgment be collected without any
relief from the valuation laws.

January 31st 1862. The above judgment entered satisfied in consideration
of the entry of satisfaction by Plaintiff of ^{the same amount Due} ~~judgment rendered at this term in favor~~
of James D. Martin against Benjamin F. Bolen

B. F. Bolen
By L. M. Campbell

Ordered the Court adjourn until tomorrow morning at 10 o'clock
Signed January 24. 1862.

Chas. Ray.

3d July.

Sunday Morning at 12 past 8 O'clock January 14, 1865 and the day
of the Genl Court met. Present the Hon. Chas Ray. Sole Judge.

Nichols & Pennington

vs Complainant No. 80

Plaintiffs and Defendants
Come the parties and the motion of the
plaintiff Nichols the Defendants are ruled to answer, and the
Defendants file their Demurrer to the Complaint and the Court being duly
advised in the premises overrules said Demurrer to which ruling the Defendants
except, and the Defendants file their Answer to which on their Motion
the plaintiff Nichols is ruled to reply.

John Pusey and
Agatha Pusey vs Complainant No. 87

Judah Pusey et al
On motion of the plaintiffs this cause is continued for
process,

George. Knipe vs Complainant No. 89

Lucius Barbouretal
Come the parties and the Defendants file their Answer.

Christopher C.
Harr and John Withrow vs Complainant No. 93

James M. Proctor
Come now the plaintiffs and prove to the Court
that a summons has been issued out of this County to this Cause and duly
executed by the Sheriff upon the Defendant at least ten days before
the first day of our present term, and said Defendant on motion being

May January 14, 1865. and the day of the Term.

Called Comes now, whereupon On Motion it is Considered that the plaintiff's
Complaint and the matters and things therein contained be taken for Confessed
and true against said Defendants

The State ex rel H. vs Complainant No. 97

David Doty et al
Come the parties and the Court being duly advised
in the premises overrules the plaintiff's Demurrer to the Paragraphs of
the Defendants Answer to which ruling the plaintiff excepts, and the
plaintiff moves to strike out the Paragraphs of the Defendants Answer
and the Court being duly advised in the premises overrules said
Motion, to which ruling the plaintiff excepts, and on Motion of the Defendants
they have leave and amend the Paragraphs of their answer,
and the plaintiff files her Demurrer to said amended Paragraphs.

Nave & Withrow vs Complainant No. 110

Anderson Bryant et al
Come the plaintiffs and file their Reply to the
Defendants Answer.

William H. Clinton vs Complainant No. 117

Robert Curry et al
Come the parties and the Defendants file their
Affidavit upon which they move the Court to rule the plaintiff to file
Bond for payment of Costs, and the Court being duly advised in
the premises Orders said plaintiff to file the undertaking of some
responsible person to pay Costs herein, and on motion of the plaintiff
this cause is dismissed. It is therefore Considered that the Defendants
re recover of the plaintiff the Costs of their defense herein upon

Friday January 14th 1862. and 5th Day of the Term.

James P. Root etab

vs.

Complaint No 129.

Joseph H. Jordan

Come now the Defendant and files his affidavit upon which and on his motion this cause is continued the costs of the continuance to abide the event of the suit.

William Little

vs

Complaint No 130

Davis Doty

Come the parties and the Defendant on Jeffs Motion is ruled to and files his answer to which on his motion the Plaintiff is ruled to file his reply. and the Plaintiff files his Demurrer to the Sparrows graph of the Defendants answer. and on Jeffs Motion he has leave & authority to Demurr and on motion & agreement of parties this cause is submitted to the Court for trial without the intervention of a Jury.

William Little

vs

Complaint No 131

Hylton & Gardner

Come the parties and the Defendants file their answer to which on their Motion the Plaintiff is ruled to reply.

Alfred P. Riley

vs

Complaint No 138

Campbell & Johnson

On motion of the Plaintiff this cause is dismissed at his Costs &c

Friday January 14th 1862. and 5th Day of the Term.

Christian C. Hayes and

John Williams

vs

William Stephenson

Come the parties by Counsel and the Plaintiff file their Reply to the Defendants Answer. and this cause coming on for trial upon the issue joined on motion of the Defendant a Jury is impanelled and Come Nameless. William D Rawlings. John W Hawkins. Cyrus Hunt. Martin Gregory. Lewis T. Powell. Isaac Thompson. John Brown. A. P. Burks. W. C. Perkins. & Slavy. William Barnett and John Hardin no all true good and lawful men resident of our County of Mecklenburg who being duly elected meet and know the truth to speak upon the issue joined in the premises after hearing the evidence adduced and arguments of Counsel and having received the instructions of the Court retire to their Room to consider upon their verdict attended by Lindsey Jeffries their own Bailiff and said jurors failing to agree upon a verdict by agreement of parties they are discharged.

Board of Commissioners

vs

William W. Miller etab

Come now the Plaintiff and the Defendants Miller & Curry file their Demurrer to the Complaint

Ordered that Court adjourn until Common morning at 10th A.M. O'clock
Signed January 15th 1862

Char A Ray Judge

Saturday January 2nd 1862 and the Day of the Term

Homan and Gibble

vs Complainant No 104

William Nichols

On motion of the plaintiff the Defendant is need to answer

Joseph B. Homan

vs Complainant No 105

Mrs Thos Nichols Jr.

On motion of the plaintiff the Defendants are need to answer

Nave & Witherow

vs Complainant No 109

William Stephenson

By agreement Continued

Nave & Witherow

vs Complainant No 110

Auderson Bryant et al

By agreement Continued

Henry H. Brister

vs Complainant No 113

Carter and Sharpe

Comes now the plaintiff and files his Demurrer to the
Defendants Answer and time is given of

Saturday January 2nd 1862 and the Day of the Term.

State of Indiana Ex rel of
Mary Jones et al

vs Complainant No 79.

Jonathan Owen et al

Come now the parties and the Defendants file an
affidavits upon which and on their motions this cause is Continued
It is therefore on motion Considered that the plaintiff recover of the
Defendants the Costs of this Continued

State of Indiana Ex rel of
Mary Jones et al

vs Complainant No 80

Jonathan Owen et al

Come now the parties and the Defendants file an affir-
mation upon which and on their motions this cause is Continued
It is therefore on motion Considered that the plaintiff recover of the Def-
endants the Costs of this Continued.

James H. Keay

vs Complainant No 79.

Michael Long

Comes now said Plaintiff by Counsel and said
Defendant having wholly failed to answer as ruled by the Court the
Plaintiff moves to the Court that a summons has been issued out
of this Court and duly executed by the Sheriff upon the Defendant at
least ten days before the first day of our present term. and on motion
of Plaintiff said Defendant is called and comes not and in his absence
It is Considered by the Court that the Plaintiff's Complaint and the
Matters and things therein contained be taken for confessed and that
against said Defendant and decree is given the Plaintiff

Darwicay January 25th 1869. and 6th Day of the Term.

Nichols & Pennington

vs.

Complaint No 80

Patman of Grobridge Comes the parties and the Plaintiff Nichols files his Summons to the Defendants of the Defendants Answer.

Christian C. Hare and
John Wetherow

vs.

Complaint No 93

James M. Proctor

Comes now the Plaintiff and on their Motion this cause is submitted to the Court for trial upon Complaint default of defendant and proofs introduced by the Plaintiff and the Court being duly advised in the premises finds for the Plaintiff and assesses their Damages at One Hundred and fifteen dollars.

It is therefore on motion Considered that the Plaintiff recover of the Defendant said sum of One Hundred and fifteen dollars damages so as aforesaid assessed and also the Costs of this suit.

James G. Jones

vs.

Complaint No 103.

William Bonman

Comes now the Plaintiff by Counsel and proves to this Court that he summons has been issued out of this Court in this cause and duly executed by the Sheriff upon the defendant at least ten days before the first day of our present term. and on motion of said Plaintiff said defendant is called and comes not. and in his absence on Plaintiff's motion this cause is submitted to the Court for trial and the

Darwicay January 25th 1869. and 6th Day of the Term.

Court having heard the proofs and being duly advised in the premises finds there is due the Plaintiff on account of the allegations contained in his Complaint the sum of Nine hundred and twenty two Dollars and Sixty nine Cents. and that to receive the payment of the foregoing Notes well and the Plaintiff executed the Mortage & filed suits and mentioned in the Complaint and that the same is an equitable lien on the property herein described to wit The North East Quarter of the North East Quarter of Section 36 in Township 16. North of Range 2 West. and the undivided one fourth part of 95 acres of ground app of and a crop the South end of the West half of the North west Quarter of Section 36 and the East half of the North east Quarter of Section 37 in Township 16. North of Range 2 West subject to the Dower right of Lucinda Shannon widow of Samuel R. Shannon, Dec'd. Also one other tract of land containing 3 acres including the steam saw mill now owned by said Bonman about 5 miles East of Darwicay on the South West fractional quarter of Section 15 in Township 15 North of Range One East the said 3 Acres bounded on the South by the Plank Road on the East by the County Road on the North by the Rail Road line and to extend West far enough to contain 3 acres. Also the said Bonmans Steam Mill at Neelmoor that is the Engine. Boiler and all the Machinery pertaining to said Mill also the two log wagons chains and teams including two oxen being the same that the said Bonman then had in use. And the Court also finds that said land cannot be sold in parcels.

It is therefore on motion Considered and decreed that the Plaintiff recover of the Defendant the said sum of Nine hundred and twenty two dollars and Sixty nine Cents and Costs of suit. and on motion of this Court that this Judgment be collected without any relief from the valuation or appraisement laws.

On Motion this further Considered and decreed that upon failure to satisfy or pay the above Judgment or decree. that the Clerk of this Court issue a Certified Copy of this Judgment and Decree directed to the Sheriff of our County which shall be sufficient authority for him to advertise and sell the above described property as other property is advertised and sold under Execution and apply the proceeds of sale to the payment first of the Costs and expenses of this suit and secondly to the payment of the principal and interest of this Judgment and Decree. And should said property fail to sell for sum sufficient to satisfy this Judgment interest thereon and Costs it is on motion Considered and decreed that any residue thereof be levied of any other property of the Defendant subject to Execution to be levied without any relief from the valuation laws aforesaid.

And on Motion this finally Considered and decreed that prior and after the sale of said Mortgaged property the equity of redemption of the said Defendant therein shall be fully buried and foreclosed. To George Gibbs and George B. Thompson acknowledge ourselves before us this 25th day of January 1869. for the above Defendant for the payment of the above Judgment together with the Interest & Costs accrued unto them on the 25th day of January 1869.

George Gibbs
George B. Thompson

Saturday January 15th 1869 and 6th Day of the Term.

Saturday January 15th 1869 and 6th Day of the Term.

Commodore Williams

vs
Appeal No 41

John Ross.

Come now the parties by Counsel and the Court
being duly advised in the premises finds for the Plaintiff and assesses
suit Damages at Twenty five Dollars.

This therefore Ov'mateis Considered that the Plaintiff recover of
the Defendants the said sum of Twenty five Dollars damages and
also the Costs and charges by him about his suit herein in this and
the Court below expended.

Emma Hadley

vs
Partition No 106

Eugene F. Hadley

Commodore Tucker W. Carter, George H.
Sibley and Milesius Merritt Commissioners appointed by this Court at
their present time to make partition herein and make to the Court and duly
acknowledged in open Court a Report of their proceedings in the premises
And here now Comes James G. Hadley as the next friend of said Infant
defendant and files his written Counsel to appear as such next friend
and to pay Costs and therupon said Infant defendant by James G.
Hadley his next friend as aforesaid Comes and files his written exceptions
to the report aforesaid Commissioners herein.

Henry D. Bunting

os

Complaint No 112.

Daniel E. Carter and
James Sharpe.

Come now the parties by Counsel and the Court being
duly advised in the premises Ov'mateis the Plaintiff to the
Defendants Answer and therepon Ov'mateis of the Plaintiff this suit is
Dismissed at his Costs. It is therefore Ov'mateis Considered that the
Defendants recover of the Plaintiff the Costs by them about their defense herein
expended. On motion Ov'mateis that said Costs be paid out of the
assets of the Estate of George Rogers which has been left to administer his papers
filed herein.

Isaac M. Burgess

470 vs
Complaint No 115.

Joseph L. Coffin
David Dobson
Lewis Pearcey, John S. Burgess and John Long

Come now the Plaintiff by Counsel and
juries to the Court that a summons has been issued out of this Court in
this cause and duly executed by the Sheriff upon the Defendants
at least two days before the first day of our present term and said
Defendants all being called Come not and in their absence this cause
is submitted to the Court which finds there is due the Plaintiff on
account of the allegations contained in his Complaint the sum of
Five hundred and Thirteen Dollars and seventy five Cents.

This therefore Ov'mateis Considered that the Plaintiff recover
of the Defendants the said sum of Five hundred and Thirteen Dollars
and seventy five Cents and Costs aff'd.

Tuesday January 28th A.D. 1862 and 2nd Day of the Term.

William Little

os

Complaint No 130

David Doty

Came now the parties by Counsel and the plaintiff
writain has leave and withdraws his Demand to the 5th Paragraph
of Defendants Answer and files his Reply to the Defendants answer and
writain and by agreement of parties a Jury is waived and this
cause submitted to the Court final upon the issues joined in the premises
and the evidence adduced being heard the Court takes time to consider

Tuesday Evening at 8 O'clock January 28th A.D. 1862 and 2d Day
of the Term Court met. Present the Hon. Chas. Ray sole Judge.

Vincent Hamblin

470

os

Complaint No 84

Augustus Stetton vs
Malinda J. Stetton

Came now the plaintiff and proves to the Court that
writain has been ejected out of this Court in this cause and duly executed
by the Sheriff upon the defendant Malinda J. Stetton at least two days before
the first day of our present term and sued Defendant Malinda J. Stetton him
called comes not and here again come the plaintiff as also the Defendant
Augustus Stetton and the plaintiff files his Reply to the answer of the
Defendant Augustus Stetton and thereupon writain of the plaintiff
and Defendant Augustus Stetton this cause is submitted to the Court
for trial upon the pleadings, default of defendant Malinda J. and proofs
introduced, and the Court being duly advised in the premises finds
that the Defendant Augustus Stetton is indebted to the plaintiff in the sum of
Four hundred and seventy three Dollars, on the several promissory Notes
mentioned in Complaint. That to secure the payment of said sum the Defendants
executed to the plaintiff a mortgage on the following described land in
Hendricks County Court: The North East Quarter of the North West Quarter
of Section 13 in Township 15 North Range One West containing 40 Acres,
and also five acres out of the South West Corner of the North half of the North
East Quarter of Section 13 in Township 15 North of Range One West
being 40 rods from East to West and 80 rods from North to South. Subject
to a Mortgage on said 40 acres made by said Stetton and wife for
\$163.50 to the school fund.

It is therefore Considered
that the plaintiff recover of the Defendant Augustus Stetton the sum
of Four hundred and seventy three Dollars, and costs of suit. And it is
Ordered that this Judgment be Collected without any delay from the value of
land. His attorney further Considered that the Defendants right of redemption
to said Mortgaged premises be forever barred and foreclosed and the same
is hereby Ordered to be sold as other lands are sold under execution
to satisfy this Judgment Interest and Costs thereon &c.

I Alfred Wiley acknowledge myself Replevin Bond for the above defendant
for the payment of the above Judgment together with the Interest and
Costs accrued and to receive thereon February 1st 1862
Suble Dr. Roder D.C.

Alfred Wiley

Ordered that Court adjourn until Tuesday evening next at 8
O'clock. Signed January 28th 1862.

Chas. Ray. Judge

Wednesday January 29th 1862 and 9th day

of the Term

William Mercer

vs

Complaint No. 107

Jesse S. Matlock

Comes now the Plaintiff and on his Motion this cause is dismissed at his Costs. His therefore on motion considered that the Defendant recover of the Plaintiff the Costs by him about his defense herein expended.

Wednesday Morning at 1/2 past 8 O'clock January 29th 1862 and 9th day

of the Term Court met. Present the Hon.

Charl A Ray sole Judge.

Jesse S. Matlock

vs

No. 31

Henry G. Godle.

Come the parties and the Plaintiff files his motion recross and affiant for a new trial Plaintiff and Defendant files the Affiant of Juror in existence of said Motion

The State of Indiana in
the relation of Christian C.
Steve Delur & Louis Nowak
James Connelly Decd.

472

vs

No. 42

Ezra W Scarce and Andrew B. Shillalegg

Come now the parties by counsel and file their written agreement herein. In pursuance to which and on motion of said parties It is Considered by the Court that the Plaintiff recover of the Defendants the sum of Three hundred and seventy five Dollars. and also the Costs & charges by him herein specially laid out and expended and on motion of no party to said agreement It is Ordered that this Judgment be collected without any relief from the volunteer or appearance laws. and further that the Defendants whether of them have time from now until the 1st day of our next term to prove and show by competent evidence that the Defendant Ezra W Scarce does not at the date of the death of said James Connally indebted to her in the sum of \$495.60 (and Costs of suit) evidenced by two promissory Notes as follows First One dated August 30 1855 for \$350.00 and the other for \$143. dated Jan 25. 1856 but only in the sum of \$350.00 as evidenced by the first mentioned Note (In this case Contd.) Disposed of.

Ordered that Court adjourn until tomorrow morning at half past 8 O'clock
Signed January 29. 1862

Charl A Ray Judge

Millie J. Robinson

vs

No. 78

John R Vestal, Wm L. Vestal and Fabir Vestal

On motion of the Plaintiff this cause is dismissed at his Costs. It is therefore Considered that the Defendants recover all

Wednesday January 29. 1863. and 9th Day of the Term.

the plaintiff the Costs by them about their Defence having expended \$¹⁰ and plaintiff has leave to withdraw the papers filed by him herein.

James H. Hayes

vs

Complaint No. 79

Michael Long

Come now the parties by counsel and on motion of the Defendant the Rule to answer and Default recorded against him on auto pages 596. and 627 of this Order Book are set aside & cancelled and the Defendant having thereto duly filed his answer herein on his motion the plaintiff is ruled and files his Reply to said answer which places this cause at issue the trial of which on motion and by agreement of parties is submitted to the Court without the intervention of a jury and the evidence adduced being heard and due deliberation had the Court finds that said Defendant is justly indebted unto the plaintiff in the sum of (\$159.84) Two hundred and fifty nine Dollars and Eighty four cents for work and labor done and performed and materials furnished on a certain Building or Dwelling House situate in the S. E. corner of Lots numbered 5. & 6 in Block number one in Wares delivered to the Town of Danville in our County of Hendricks

It is therefore on motion Considered that the plaintiff recover of the Defendant such sum of Two hundred and fifty nine Dollars and Eighty four cents and his Costs of this suit.

And upon failing to satisfy or pay this judgment on motion this further Considered that said Building or Dwelling House or House and out buildings situated on said Lots 5 & 6 be appraised & sold for the satisfaction of this judgment Interest thereon and Costs.

No. 3. 1863 Recd For value received I assign over and transfer to John M. Whiting the above judgment, without recourse, and order and direct that the same when collected be paid over to him.

Witness my hand and seal the date above

Attest: Sevitt Pitts Clerk
By J. S. Hadley D.P.

Serves H. Hayes Seal

Thomas Nichols No. 80

vs

Complaint No. 80

John Collett

Petitioner No. 81

Come now the parties by Counsel

Wednesday January 29. 1863. and 9th Day of the Term

and the Court being duly advised in the premises sustains the Demurrer to the 2^d paragraph of the Defendants answer to which ruling of the Court the Defendants except. And on motion of the Defendants they have leave and file their amended answer to the 2^d paragraph of which the plaintiff files his Reply and to the 2^d paragraph his Demurrer and the Court being duly advised in the premises sustains said Demurrer to which ruling of the Court the Defendants except. And thereupon on motion and by agreement of parties a jury is waived and the trial of this cause submitted to the Court upon the issue joined in the premises. and the evidence adduced being heard and due deliberation had the Court finds for the plaintiff Nichols and assesses his Damages at Two hundred and Seventy five dollars. It is therefore On Motion Considered that the plaintiff recover of the Defendants such sum of Two hundred and Seventy five Dollars and Costs of suit.

Thomas Nichols and
Preston Pennington

vs

Complaint No. 81

Nancy Clefton and
John Pateman

Come now the parties and on their motion this cause is submitted to the Court for trial without the intervention of a jury upon the issue joined and the evidence adduced being heard and due deliberation had the Court finds for the plaintiffs and assesses their Damages at Two hundred and thirty eight Dollars and sixteen cents

It is therefore Considered that the plaintiffs recover of the Defendants the said sum of Two hundred and thirty eight Dollars & sixteen cents and Costs of suit.

(\$18.16 of the above Judgment is Costs on G.B. in case of Clefton vs Nichols & Pennington)

Wednesday January 9th 1863. and 9th Day of the Term.

Wednesday January 29th 1869. and 9th Day of the Year.

George Knight Esq

105.

Complaint No. 89.

Lucius Barlow.
Charles G. Shewell

Charles G. Shaw & Gorrie H. Barker
D. T. & Co.

On motion and by agreement of the parties. It is ordered
and Considered by the Court that the Judgment rendered and entered
by this Court in the cause of Lucius Barber et al plaintiffs against
George Kreyh Defendant on the 30th Sept 1861 see ante page 558
be and the same is hereby set aside annulled and for want thereof
that the plaintiff George Kreyh recover of the Defendants Barber
Shaw & Parlor the Costs of this proceeding.

And on motion of His Counsel that the said Cause of Lucius
Barbour et al. vs. George Wright & Isaac Rogers be reinstated upon
the Docket and set down for trial on the 1st Day of our next term,
until which time that Cause is Contined.

Elinor Govey

85

Divorce No. 90

Sarah Doney.

ey. Continued for process

The State of Indeince
An election of Vincent Hamblew

15

Complevit N° 97

David Doty
Lawrence S. Shuler and
Elo Mylton.

Ele Wyllow. Now now the Plaintiff and the Defendants file their amended answer to the 3.3 & 4 paragraphs of which the Plaintiff files separate Demurrers and this cause being now tried by the Court upon the issues joined in said Demurrers and the Court being duly advised in the premises finds said issues for the Plaintiff and sustains said Demurrers to which finding and order suspending said Demurrers the Defendants except and no motion of Defendants they have leave and file their amended paragraphs of their answer to which the Plaintiff files her Demurrer

and cause being tried upon the issues joined in said Demurrer the Court finds
well issues for the Defendants and overrules said Demurrer to which finding
and ruling the plaintiff excepts. and the plaintiff files her Reply to said
amended ³particulars of Defendants answer. and on motion and by
agreement of parties the trial of this cause is submitted to the Court upon
the issues joined without the intervention of a Jury. and the evidence adduced
being seen and heard the Court takes time to consider of.

Joseph B. Homer and
John S. Pebble

N

Complink N° 101

Williams Nichols

Leave now the plaintiffs and on their Motion this cause is dismissed at their costs.

Joseph B. Homer

10

Complaint. No. 10:

William & Thomas Nichols

On Motion of the plaintiff this Cause is dismissed at his Costs.

Emma Maule

474 e 0

Eugene F. Kelley.

Come now the Plaintiff and James G. Hadley the next
friend of the Defendant as aforesaid and on motion the said James
G. Hadley has leave and withdraws his ^{Defendant's} Objections or exceptions to the
Report of the Commissioners herein and thereupon on motion it is ordered
that the Report of said Commissioners herein be and the same is in all
things approved and confirmed, and on motion of the parties said
Report is now here recorded in the words and figures following: To wit,
"Title of Indiana Hendricks County In the Hendricks County Common Pleas January
Term 1863. We the aforesigned Commissioners Alcimus Remond, Wm Carter and George
Sipes appointed at the present term of said Court to make partition in the case of

Wednesday January 29. 1863. and 9th Day of the Term

Emma Hadley vs Eugene F. Hadley as plaintiff and set forth in the copy of warrant of appointment herewith returned after being lawfully qualified until upon us follows suit. We assign and set off unto Eugene F. Hadley the full undivided interest as follows: First The North half of the North East Quarter and part of the North West fractional quarter Commencing at the South East corner of said North West Quarter and running West Ninety eight rods & 15 links thence North One hundred & six rods & 16 links thence East Ninety rods & 10 links thence North fifty two rods & 16 links to the North line of said Quarter thence East Eight rods thence South 100 rods to the beginning containing 68 acres & 3 square rods. And also a part of the West half of the South East Quarter Commencing at the North West corner of said W^{1/2} and running South One hundred and eight rods thence N¹⁶E to East line of said West half of said South East Quarter thence North eighty eight rods and thence West Eighty rods to the beginning containing 49 acres more or less all in section seven (7) in Township 15 North of Range One West containing in all 197 acres and 33 square rods more or less.

We assign and set off unto Emma Hadley the full undivided & one half as follows: First The North West fractional Quarter and the West half of the North East Quarter of Section Eighteen and part of the West half of the South East Quarter of Section Seven (7) Commencing at the South East corner of said West half and running West eighty rods thence North fifty two rods thence N¹⁶E to east line of said W^{1/2} thence South Seventy two rods to the beginning containing 81 acres more or less all in Township fifteen (15) North of Range One West containing in the whole 201 acres more or less.

Given under our hands this

24th day of

January

1863

R. Carter,
George H. Sibley,
W. Merritt,

It is therefore ordered and decreed that the said Emma Hadley plaintiff have and hold in severally in fee simple forever the premises above assigned and set apart to her by said Commissioners assigned and decreed

It is ordered further that the Defendant Eugene F. Hadley have and hold in severally in fee simple forever the premises above assigned and set apart to him by said Commissioners

And on Motion it is ordered that the following allowances be and the same are hereby made and ordered to be taxed and collected into the other costs in this cause: First

To Rucker R. Carter for services as Commissioner

\$4.50

" William Merritt " " "

4.50

" George Sibley " " "

4.50

" Cyrus Rogers " " Surveyor

4.00

And on motion it is finally ordered and decreed that the plaintiff & defendant each pay one half of the costs and charges herein expended

William Little

474

vs

474

Complaint No 180

David Doty.

Come now the parties and the plaintiff file his Reply to the Defendants answer and on motion and by expressing his particular objection and the trial of this cause submitted to the Court to my duly advised in the premises finds for the plaintiff and assesses his Damages to Two hundred and sixty seven Dollars and sixteen cents.

This therefore On motion Considered that the plaintiff recover of the Defendant Said sum of Two hundred and sixty seven dollars and sixteen cents Damages so as aforesaid assessed and adds his Costs of this suit. On Motion Ordered that this Judgment be collected without any relief from the valuation or appurtenant laws.

I George H. Sibley hereby acknowledge myself Replevin Bail for the payment of the above judgment, interest, and costs, accrued and to accrue at or before the time allowed by law for the stay of execution thereon, and I also swear that I am worth three hundred dollars over and above my indebtedness and property exempt from execution, so help me God George H. Sibley

Taken, and sworn to before me this the 7th day of March 1863
Levi Ritter clerk

William Little

474

vs

474

Complaint No 131.

Eli Hyatt and John W. Gardner

Come now the parties and file their written agreement hereon. In pursuance to which and on motion. It is Considered that the plaintiff recover of the Defendants the sum of Twelve hundred and forty Three dollars, and One half of the costs of this suit. and that the Defendants recover of the plaintiff the Other half of the costs of this suit. That Defendants have leave to withdraw their cause, and that the issue of Execution herein against the Defendants be stayed until the 29th day of January 1863.

Ordered that Court adjourn until tomorrow morning at 8. O'clock A.M. Signed Jan 30. 1863
John R. Ray

Monday morning at 8 O'clock January 30, 1862 and 10th day of the Term

Court met. Present. The Hon.

Chas Raey late Judge.

On motion ordered that Levi Pitts be allowed the sum of \$54.35 for his services as Clerk (Extra) during our present term and that this allowance be duly certified to the County Auditor and paid out of any money in the County Treasury not otherwise appropriated.

State

vs

Frespass.

John Lucy et al.
This cause is ordered

On motion of the District Atty

Damised

Jesse S. Matlock

vs.

Complaint No 31.

Henry G. Todd

Come the parties by counsel and the Court being duly advised in the premises overrules the Plaintiff's motion for a new trial to which only the Plaintiff excepts and on his motion he has 30 days from now to file his Bill of Exceptions.

And here now on motion this Considered by the Court that the Defendant recover of the Plaintiff the said sum of One hundred Dollars as and for his Damages in the premises by the Jury aforesaid assessed and also his Costs of this suit.

For value received, I assign the above judgment to George M. Campbell and hereby authorize and direct him to collect and receipt for the same.

Given under my hand Feb 1, 1863,

Attest, Levi Pitts Clerk.

The State of Indiana Exrel
of Vincent Hamblin

vs

Complaint No 97

David Doty

Lawrence S. Shuler

Eli Hylton

Come now the parties by counsel and

Monday January 30th 1862. and 10th Day of the Term.

the Court being duly advised in the premises finds for the Plaintiff and assesses her Damages at Twenty Dollars and even cents and that the Defendants recover of the said Relator Vincent Hamblin the Costs of this suit. and thereupon said Relator Vincent Hamblin excepts to the statement of Costs against him because this suit is founded in Tort. And here now on motion this Considered by the Court that the Relator Vincent Hamblin recover of the Defendants the said sum of Twenty Dollars and even cents aforesaid assessed. and this further Considered that the Defendants recover of the Relator Vincent Hamblin the Costs of this suit.

Emminger Guardians
of the Minor Heirs of
David Curtis Dec'd

476.

vs.

Confession

James M. Gregg.

Comes now the Plaintiff and files his Complaint and Cease of actions herein against the Defendant and here now comes the Defendant in his own proper person. and enters his appearance - waives the issuing and service of process. waives all errors. waives all right and benefit of appeal herein and confesses that he is justly indebted to the Plaintiff in the sum of six hundred and twenty six Dollars and twenty five cents. This therefore Considered that the Plaintiff recover of the Defendant said sum of six hundred and twenty six Dollars and twenty five cents and Costs of suit to be levied without any relief from valuation or appraisement fees.

Sunday January 5th 1862. and 10th Day of the Month.

Thursday January 30th 1862. and 10th Day of the Term.

Our motions Ordered that the following Allowances be and the same are
hereby made and Ordered to be certified to the County Auditor and
paid out of any Money in the County Treasury not otherwise ap-
propriated for it.

1	William Paulings	Services as Pettib. Javor.	8 14
2.	John Newkirk	" " "	7 62
3	H. W. Bunting	" " "	8 14
4	Cyrus Hunt	" " "	8 16
5	Martin Gray	" " "	7 66
6	Lewis Pounds	" " "	7 74
7	Jackson Thompson	" " "	7 82
8	John Brown	" " "	7 82
9	A. P. Burks	" " "	7 66
10.	H. C. Perkins	" " "	7 50
11.	J. S. Long	" " "	7 00
12.	Wm Burnell	" " "	7 74
	John Harlin	" " "	2 50
	Jacob Ellings	" " "	1 25
	Elijah Brown	" " "	1 25
	A. daye Dommard	" " "	1 25
	Smith Herrers.	" " "	10 00
	James Mattick	" " "	7 50
	Erasmus Nichols	" " "	7 50
	William Hutchings	" " "	1 00
6.	H. Stuegham	Sawing Wood	24 50
7.	W. Jeffries	as Wm. Baileiff & Co	9.00
	Honors Nichols	Jury Baileiff	24 50
		Sheriff	

Murphy & Holliday

118

188 Complainant No 139

Thos Willeem Nicholz

On Motion Ordered that an Execution issue in favor of the Plaintiffs and against the Defendants on the Judgment rendered herein.

Wednesday January 8th 1862. and 10th Day of the Term.

Thursday January 9th 1862. and 10th Day of the Term

Henry H. Brewster Esqur

vs
No 198.

David E. Carter

Came the parties and the Court sustains the
defendant's Motion for Continuance and Orders this Cause Continued
at his Costs. It is therefore Considered that the Plaintiff recover
of the Defendant the Costs of this Continuance

(Signed) That Thomas Lawhead be and he is hereby admitted as
an attorney and Counsellor at Law at the Bar of this Court. and here
now Comes the said Lawhead who takes up a place in the Court the Oath re-
quired by law for the faithful discharge of his duties as such Attorney &c

Wednesday January 10th 1865. And 10th Day of the Term.

Ordered that all suits, Prosecutions, Motions, Rules, Demurrers, Complaints, Petitions & all other matters and things whatever may otherwise disposed of at the present Session
Continued until our next term.

On there being no further business Ordered that Court adjourn until Court in Council
Signed Jan'y 10. 1865.

Chas A. Ray