Circuit Court

1839

Circuit Court Docket

Commencing March Term A.D. 1839

James M. Gregg Clerk

Circuit Co. A.

William W. Wick
atto at. law

Wm W Wick
M.C.

Hon. Wm W. Wick
M Congress

J. Thomson 1840

1840.
Docket.

Docket

Hendricks Circuit Court Docket

Commencing 4th Monday of March A.D. 1839

Hendricks Circuit Court
Docket
April Term
1840
J. Morrison

O. A. Term 1840

Judges

William W Wick President {Transferred to Congress. —

Gideon Wilson Associate

James McCown do

Sheriff

Zachariah R Clark

Clerk

James M Gregg.

Attorneys

William J Peaslee (Pros. atto.) ~~Wicke~~

Wm W Wick

Christian C Nave

Henry H Marvin

Samuel Brinton

Calvin Fletcher

Hiram Brown

Philips Sweetser

William Quarles

Hugh O'Neal

Mr McCulla —

G. F. Waterman —

McGaghey

Lucien Barbour

Simon Yandes

Lewis W. Templeton

Gregory —

Hervey Brown

March Term A D 1839

	First days causes	No	
State of Indiana vs James Runion	Indictment for A.B.	1	Recognizance forfeited at Last Term. surrendered by recognizor. John T. Hadley recognizor for this term
Error ~~State of Indiana vs James Runion~~	Scire Facias on forfeiture of recognizance	2	recognizance forfeited at Last Term
State of Indiana vs John Dale	Scire Facias on forfeiture of recognizance	3	bail for the appearance of James Runion at last term. recognizance forfeited. Runion surrendered into custody of sheriff by Dale since last Term. Scire served 15th March
State of Indiana vs Talbert Pruett	Indictment for A.B. with intent to commit a rape	4	continued at last Term Further process awarded
State of Indiana vs Nathaniel Brittain	Indictment for A.B. with to murder	5	Verdict of Guilty at last Term. verdict set aside & new trial granted Lewis Martin, Job Osborn James Kendall & Harman Brittain. recognizors
State of Indiana vs Monroe Trotter	Indictment for A B	6	On recognizance James Trotter recognizor
State of Indiana vs Fountain Hunt	Indictment for Gaining	7	Not found
State of Indiana vs Fountain Hunt	Indictment for Gaining	8	Not found

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For Pltff	For Deft	
Quarles	Brenton	2d Plea non Cul Sub Cur Judg $10 Thomas Hooten replevy bail E
Quarles		William W. Wick President Judge of this Court will preside here no more. He quits the station of his first choice, only because the income annexed fails to furnish him bread Corn
Quarles		1st Prin surrendered. Judg Costs Phone & Phineas Roff E
Quarles		1st Further process Cont E
Quarles	Brenton	2d Attach Kelly & Higgins for State Judgment Harman Britain Jury Verdict cul fine $35 E
Quarles	Nave	1st Plea non Cul Jury Verdict fine $10. William W. Wick Judgment E
Quarles		
Quarles		

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State of Indiana vs John McClain	First days causes Indictment for Murder	9	Deft arraigned. Plea not guilty at Oct Term continued. remanded in custody of Shff	Atty for Pltff Quarles Brenton	For Deft Nave Brown Marvin Quarles	2 William D Mahan Attach. Acqmt Judgment.
State of Indiana vs John Nichols	Indictment for wagering	10	Writ served Feby 26th 1839 Thos McClain recognizer	Quarles	Nave	1st Plea non Cul. Attach Jno Moore for State E 2d Plea withdrawn Cul pleaded fine $5 E
State of Indiana vs William Gregory	Indictment for retailing	11	Writ served Feby 25 1839 Job Osborn recognizor	Quarles		1st Plea non Cul Attach Jno Moore for State 2d ~~Forfeiture of recognizance~~ Moore Ordered to Pay Costs E Jury Verdict cul fine $10 Judgt
State of Indiana vs William Gregory	Indictment for retailing	12	Writ Served Feby 25th 1839 Job Osborn recognizor	Quarles		1st Plea non cul. Jury verdict fine $3 E Judgment
State of Indiana vs William Gregory	Indictment for retailing	13	Writ served Feby 25th 1839 Job Osborn Recognizor	Quarles		2d Attach Anderson Hall 6th 8th Sworn Purged & discharged E Sub ad Cur. Convict $2. fine E
State of Indiana vs Jeremiah Stiles	Indictment for retailing	14	Writ served Feby 20th 1839 Wm P Robards recognizor	Quarles	Nove	2d Attach Jacob Rue 6th Ordered to pay Costs. 6th Fined pr cur Cul fine $5. C E
State of Indiana vs Jeremiah Stiles	Indictment for retailing	15	Writ served Feby 20th 1839 Wm P. Robards recognizor	Quarles	Nove	2d Attach Jacob Rue 6th Ordered to pay Costs. C 6th Fined pr cur. Cul. Fine $5 E C

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State of Indiana vs Jeremiah Stiles	Frist days causes Indictment for retailing	16	Writ served Feby 20th 1839 Wm P. Robards recognizor
State of Indiana vs Jeremiah Blankenship	Indictment for Wagering	17	Writ served Feby 18th 1839 Abner Wiley Recognizor
State of Indiana vs Jeremiah Blankenship	Indictment for Wagering	18	Writ served Feby 18th 1839 Abner Wiley Recognizor
State of Indiana vs James Reyley	Indictment for A B	19	Not found
State of Indiana vs George Reyley	Indictment for A B	20	Not found
State of Indiana vs Lewis Orth	Indictment for ~~gaming~~ retailing	21	Writ served Nov 29th 1838 Berry Burks recognizor
State of Indiana vs Francis L. Gibbons & Benjamin M. Logan	Indictment for an Affray	22	Logan served Wm Morris recognizor Gibbons not found
State of Indiana vs Thomas Heddy	~~Indictment for~~ Wagering	23	Not found

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Quarles	Nove	2d Quashed Abeat sine die	E
Quarles		2d Attach Elijah Dodd 6th Purged Continued Dft recog. Ult recog	E E
Quarles		2d Plea non Cul. Sub. Cur. Convict fine $5	E
Quarles			E
Quarles			E
Quarles	Nave	2d Quashed	E
Quarles		6th Attach Hiram Huddleston Logan pleads non cul Sub ad Cur. Cur. ad. vult. till tuesday next 7th " Huddleston purges himself & is discharged	E
Quarles		6th Cont Proof to Boon	E

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State of Indiana vs Henry P. Gaut	First days causes Indictment for A.B.	24	not found
State of Indiana vs William Gregory	Indictment for Misame	25	Found at this term

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			E
		2d Plea non Cul. Jury. Verdict cul. fine $7.50 mo in arrest overruled Judgt Ordered to find securities for a year	E

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	Second Days causes	No.	
Franklin Trotter vs William S. Moore & John Harris	Debt on appeal Bond	1	continued at last term because writ was not served on Harris. Writ served more than 10 days before Court
George Faught for the use of Mereen Bonifield vs William Faught & Jabez Faught	Debt	2	At Oct Term. Oyer, order for plea. Demurrer Narr amended. Continued
Lewis Ritter for the use of Nicholas Fox vs Cornelius Loy	Assumpsit	3	continued at last term & alias writ awarded. Writ served in time
Samuel Gossett Adm. of the estate of Robert C. Gossett dec.d vs John Hollingsworth	Assumpsit	4	Oct Term. Copy of note & Oyer of letters Continued
Alexander Worth vs Francis Whicher & Josiah Jones	Debt on appeal Bond	5	Oct Term alias Writ ordered Continued
John A. Burrows James C Hall & Stephen Burrows vs James Anderson	Trespass on the case on promises	6	Narr amended at last Term & continued at plffs Costs. ~~Narr amended~~

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Brenton	Nave	2d Oyer Ord plea 3d Default as to Moore. Demurrer for Harris 7th Jointed Judgment for plff Stat of inquiry. Nave for defts consents that Court assess the damages & plff also Damage $ Judgment E
Brenton	Noul Brown	2d Two pleas. Nil debet & payment 3d Plff dismisses Judgt E 8 40 20 15 — 8 40 20 15 25 108 30 78 — 15 15
Fletcher & Butler		2d Dismissed ~~at dfts costs~~ E
Brenton	Nave	7th Ne inquiry administrator ~~Replication~~ Demurrer Jointed Judgt for plff E
Fletcher & Butler		~~2d Default Judg awarded~~ 7th Continued process E
Fletcher & Butler	Nave	2d Copy Ord plea 3d Gen issue & Special plea 7th Replication Jury waived Trib ad Cur Judg for plff. Appeal &c E

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William Hays vs John E. Johnson	Second days causes Trespass on the case upon promises	7	Plea of infancy Filed April Term 1838. Continued at Last term
Reuben Ely vs James Trotter & James Slavens	Trespass Assault & Battery	8	~~At issue~~ Continued at last Term at costs of Plff
Gilmore Canley vs Samuel A. Duncan Isaac Wilcox &	Trespass on the case on promises 40 20 40	9	General issue under oath & without oath. Verdict & Judgt for plff at last Term New trial granted to Duncan & Wilcox
Joseph C. Morgan vs William Walton	Slander	10	At issue. General issue & Justification
Guy Norris vs James Trotter & Monroe Trotter	Trespass vi et armis	11	3 pleas. Gen issue & two special. Cont'd at plffs costs at last Term
James M. Long vs William Hamilton	Trespass on the case	12	General issue & continued at last Term
Pemberton S. Dicken vs Thomas S. Mitchell	Trespass on the case ~~Case on promises~~	13	Continued at last term because declaration was not filed 10 days before court

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Quarles	Nave	7th Continued W W Wick	50 E
Brenton Brown	Nave & Quarles	3d By agreement Dismissed at dfts costs – papers Withdrawn Judgt	E
Cowgill	Nave	7th ~~Foot 3d day at dfts Costs~~ Jury verdict for plaintiff $ Judgment. William W Wick Esquire William W Wick W W Wick	E
Nave & Brenton	Brown & Bull	7th Foot 3d day at dfts Costs	E
Fletcher & Quarles	Nave	7th Jury. By agreement juror withdrawn. Judg vs Plff for all costs to this date & if not paid in ninety days Cause to be dismissed. Plff has leave to amend his replication	E
Brown Quarles	Nave	~~7th By agreement Plff has judgt for $60 without Costs~~ 7th Plff dismisses	E
Fletcher & Butler Brenton	Nave	2d Gen issue Sub ad Cur. Jury Waived Judg plff $75	E

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William S. Moore vs Franklin Trotter & Nichodemus Fletcher	Second days Causes Trover & Conversion	14	At issue. Genl issue	Fletcher & Butler	Nave & Brenton Brown	7th Foot 3d day at pltffs Costs E
Eleazer Hunt Jr vs William R Kirk & James Nausler	Debt	15	Kirk served 14th March. Nausler not found	Nave		2d Suggest Nausler not found Default as to Kirk Judg as per note 3d Mo. to set aside judgt & receive plea Con. ad vult. 7th Sustained with Costs to be paid in 60 days accruing at this term hereto fore 8th By agreement dismissed dft paying ye costs Judgt E
David Vestal vs Eli Watson Hugh P. Smith Benjamin Lawrence	Case in Assumpsit	16	Writ served Decr 25th 1839	Nave		2d Default Judg as per note by agreement E
David Vestal vs Eli Watson Hugh P. Smith & Benjamin Lawrence	Case in Assumpsit	17	Writ served Decr 25th 1839	Nave		2d Default Judg as per note E
William Stapp & Milton Stapp vs Lindsey Blair & Harden H Wilcox	Case in assumpsit	18	Blair served. Wilcox not found	Nave		2d Suggest not found as to Wilcox Copy for Blair ord plea 3d Appearance withdrawn Default Judgt E
Wilford J. Ungles vs James Evans & Milam Knox	Case in Assumpsit	19	Knox served 1st Feby Evans not found	Nave		2d Suggest not found as to Evans Brenton for Knox Copy ord plea for want of a plea 3d Judgt E

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William M. Hamer vs John Bell & William H. Darnell	2nd Days Causes Debt Rucker Carter Rucker Carter Rucker Carter Rucker Carter Rucker Carter	20	Writ served March 13th 1839 on Darnell Bell not found Rucker Carter
William Hayworth vs Lewis Mastin Edmund Clark & Gabriel G. Gaylor	Rucker Carter Debt	21	Writ not served
Thomas Hussey vs Orsemus Richmond	Debt	22	Writ served 21st March
Alexander Bushnell & William Plumer vs John Davis	Debt	23	Writ served March 14th 1839
David Mullennix vs Wesley Dessew Auley McAuley Jeremiah Dessew & Daniel McAuley	Debt	24	Writ served more than 10 days before Court
William Miller vs Jabez Faught & William Faught	Assumpset	25	Writ served March 15th 1839

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Brenton		7th Carter Rucker Judgment &c &c Rucker Carter Sug non est as to Bell Default Darnell Judg E as per note	
Nave		7th Marvin appears for dfts & sugs nothing. Judg E as per note 30 75 15 25 20 23 65 2/123 61.50 William W. Wick William W. Wick	
Brenton		2d Continued E William W. Wick William W. Wick	
Nove ~~Hester~~		2d Default Judg per note E Ninety days after date I promise to pay Isaac Durrell One thousand nine hundred and thirty seven dollars O H Smith	
Marvin	Nove Brenton	2d Ayr ~~[illegible]~~ plea gen. issue 7th Demurrer Joinder Judg for plff per note E Thos Aug Wick Thos. Aug. Wick	
Fletcher & Butler	Nove Brown	2d ~~Default Judg note~~ Copy on plea 3d ~~Gen Issue~~ E 7th Jury Waived Sale Judg. for $30	

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William H. Wells vs Warrick L. P. Johnson	2nd Days causes Case on promises	26	Writ served March 12th 1839
Oliver M. Spencer vs Job Turner & William Kelly	Case on promises	27	Writ served on Turner 15 March and on Kelly the 21st
William Miller vs William Faught & Jabez Faught	Debt	28	Writ Served March 15 1839
Thomas N. Robertson vs Thomas Broadstreet	Debt	29	Served 15th March
George Allen vs Yorel Pullian	Foreign Attachment	30	Notice not given of pendency

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Fletcher & Butler		2d Default Judg for note	E
Fletcher & Butler	Nove	2d Continued	E
Brenton	Nove Brown	2d Copy ord plea 3d Gen demurrer 7th Joinder ~~Judgment for plff~~ demurrer withdrawn Judg by agreement of ye parties	E
Brenton		2d Oyer ord plea. 3d Demurrer & Joinder 7th ~~Judgment for plff as per note~~ 2 pleas of fraud Replications. Issue 8th Continued at defts Costs	E
Fletcher & Butler		2d Ord publication extended & Continued	E

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Samuel Wilson vs William Miller	Third days causes Trespass on the case on promises	1	Writ served Dec. 12th 1839
Sarah Tout by her next Friend Basel Tout vs Benjamin N. Moberley	Trespass on the case for a breach of marriage contract	2	Writ served Oct 2d 1838
Basel Tout vs Benjamin N. Moberley	Trespass on the case	3	Writ served Oct 2d 1838
State of Indiana on the relation of Sarah Tout vs Benjamin N. Moberley	Bastardy	4	Recognizance forfeited at Last Term
Oliver H. P. Garnett vs James S. Odell & Archibald McMichael	Trespass, A.B. & false imprisonment	5	reinstated at last Term. By Judgt of Supreme Court Pltff has leave to withdraw his demurrers & reply
James F. Fowler vs Edmund Clark	Replevin	6	property replevied to Pltff Nov 6th 1838
David Chadd vs William Gregory & George McC. Blake	Replevin	7	property replevied to Pltff Nov 2d 1839

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Morrison & O'Neal Fletcher	Brenton	3d Copy Ord plea Replication 7th " Gen. issue & Stat. Payment By agreement Judg Pltff	E
Nave & Fletcher	Brown & Marvin	3d Gen. issue 8th Fort this day at pltffs costs	E
Nave Fletcher	Brown Marvin	3d Gen. issue 8th Same order	E
Nave & Fletcher	Brown Marvin	3d Further proceeds & Contd	E
Brown	Nave	3d Pltff dismisses Judg costs	E
Sweetser Fletcher	Nave	3d Three pleas. Replications to 2d & 3d plea Issue 8th Continued	E
Nave Brown	Marvin	3d ~~Gen issue~~ Ord for plea by consent 6th Two pleas ~~for 7th Gregory~~ 7th Replications 8th Jury verdict $10	E

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Lewis Mastin vs Benjamin G. Tocet	Third days causes Case in Assumpsit	8	Writ served Decr 29th 1838	Nave		3d Plff suggests death of deft Sci fa ordered against his executor S T Hadley Contd E
William Kelley vs Nathaniel Brittain	Trespass Assault & Battery	9	Writ served Jany 22d 1839	Quarles	Brown Fletcher	3d Gen issue 8th Jury verdict for plff $10 Judgt E
William S. Melton vs Thomas Broadstreet Berry Burks & William R. Kirk	Trespass. Assault & Battery & false imprisonment 8th Jury waived. Sub. ad cur. damage One dollar Judgt.	10	Writ served Feby 1st 1839 Find for plff	Nave	Quarles & Fletcher	3d By consent Ord. for plea mond next 7th Broadstreet & Burks Special plea plff replies to Special plea Kirk Gen issue & Special plea. Plff demurs to Special plea Joinder 7th Kirk Gen issue & Special. Broadstreet & Burks gen issue & special plea. Replications. ~~8th Sub ad cur Jury waived. Find for plaintiff damage~~ ~~Judgment~~
Allen Jones vs Enoch Kutch	Case	11	Writ served Jany 24th 1839	Nave	Fletcher	3d Gen issue Judg accordingly 7th Refused Award
Christian C. Nave vs Amelia Cunningham	Scire Facias on Transcript	12	Scire Facias served Feby 4th 1839	Quarles		3d Default Judg E
William W. Quarles vs Amelia Cunningham	Scire Facias on Transcript	13	Scire Facias served Feby 4th 1839	Nave		3d Same E
State of Indiana vs Benjamin N. Moberley	On Forfeiture of Recognizance	14	not found	Nave ~~Brown~~	Brown Quarles	3d ~~Dismiss~~ 7 Alias & Contd E

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State of Indiana vs John Moberley	Third days causes On Forfeiture of recognizance	15	Scire Facias served March 15th 1839
David G. Worth Alexander Worth & Thomas J. Worth vs Thomas C Sluder	Dispeizin	16	Declaration filed Feby 22nd 1839 Summons served March 2nd 1839
John E. Johnson vs William Naylor	Covenant broken	17	Declaration filed March 2d 1839 Writ served March 6th
Samuel D. Vance & David Clark vs William Naylor	Scire Facias on Transcript	18	Scire Facias served March 6th
Samuel D Vance & David Clark vs William Naylor	Scire Facias on Transcript	19	Scire Facias served March 6th
D & S. J. Holland vs William Naylor	Scire Facias on Transcript	20	Scire Facias served March 6th
John Givan vs George H. Keller	Scire Facias on Transcript	21	not found

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Nave	Brown Quarles	3d Demurr 7th Jrmdr. Judgt for plff Appeal in 10 days bond to Clerk $300 9th By agreement plff has judgment for costs except $2.50	E
Fletcher & Butler		3d Default Judg Inquiry 8th Plff takes judg for one cent damage waiving a jury	E
Nave		7th 8th By agreement plff has judg for $25	E
Gregory		7th Demurrer Jrmdr 8th Judg plff	E
Gregory		7th Demurrer Jrmdr 8th Judg plff	E
Brown		7th Demurrer Jrmdr. Plff has judgt	E
Nave		3d Als Sec fa Cont	E

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William L. Matlock vs William Hambleton	3rd Days causes Scire Facias on Transcript	22	S Scire Facias served March 11th 1839
John Hollingsworth for the use of William L. Matlock vs William Hambleton	Scire Facias on Transcript	23	Scire Facias served March 11th 1839
Armstead Jackson vs Martin Cooper	Trover & Conversion	24	not found

3d By agreement of the parties all the Causes set for trial on the 2d and 3d day are postponed to Monday next and the clerk now issues a venue for a jury to try them also the Chancery Causes.

Joseph C Morgan vs William Walton	Slander		at issue
William S Moore vs Fortune & Fletcher	Trover & Conversion		

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Brown	Novo	3d Five Pleas 7th Mo to reject pleas sustained as to ~~fourth~~. Replications to the ~~next~~ 5th 8th Demurrer to 3d Jounder. Sustained. 9th Plea amended Replication. Sub cur. Judgt for plff.	E
Brown	Novo	3d Three Pleas 7th Same Motion sustained as to the third. Overruled as to 1st & 2d ~~Demurrer to 1st & 2d~~ Replications to 1st & 2d. 9th Sub cur Judg plff	E
Brown Naive & Brenton		3d Als caps cont	E

8th ~~Gunpowder withdrawn~~. Jury Verdict for Deft Judgt E

8th Continued by plff at his costs of terms to be Ex. Paid in 60 days

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Sarah Tout by her next friend vs Benjamin N Moberly	Assumpsit Upon Marriage Contract		9th By agreement Pltff has judg for costs except E $2 50
Basil Tout vs Benjamin N Moberly	Per quod Amnt Servitium		9th Same as above E

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	Fourth days causes			
Bridget Collins vs Isaac Harris	Appellant / Appellee	Appeal	1	Cont'd at last Term
George M. C. Blake David Barnett vs Philip McClain	Appellants / Appellee	Appeal	2	Cont'd at last Term
Daniel Yandes vs William Hamilton	Appellee / Appellant	Appeal	3	Cont'd at last Term
S & J Hunt vs Hiram Tomlinson	Appellees / Appellant	Appeal	4	Papers filed Oct 1st 1838
George Faught for the use of John Underwood vs Lewis Mastin	Appellee / Appellant	Appeal	5	Papers filed Oct 16th 1838
George Faught for use of John Underwood vs Lewis Mastin	Appellee / Appellant	Appeal	6	Papers filed Oct 16th 1838
Thomas C. Gray vs Samuel McConnaha	Appellee / Appellant	Appeal	7	Papers filed Oct 27th 1838

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	Quarles	3d Continued by agreement	E
	Nave	6th Sub Judg pl'ff $1.12½	E
~~Fletcher~~ ~~Nave~~	Nave	7th By agreement Judg for $60	E
Nave		6th Deft call'd comes not appeal dismissed. Judg costs & 10pr ct on judgt	E
	Nave	6th Nonsuit	E
	Nave	6th Nonsuit	E
Nove & Brenton	Main Brown	6th ~~Foot this day at pl'ffs costs~~ Sub cur Judgt for the defendant.	E

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	4th day causes							
William S. Crawford & Henry M. Vorées vs George P. Ellis	Appellees / Appellant	Appeal	8	Papers filed October 29th 1838 Dismissed	Morin		Dismissed in vacation	
John Creed vs James S. Dicken	Appellee / Appellant	Appeal	9	Papers filed Nov 5th 1838			6th Continued	E
Abraham Hamilton vs Richard Minor	Appellant / Appellee	Appeal	10	Papers filed Decr 1st 1838	Nave	Morin	6th Heard Judg pl ff $18.	E
John S. Talbott vs Martha S. Buckman & James Anderson	Appellee / Appellants	Appeal	11	Papers filed Decr 13th 1838	Nove		6th ~~Fort at dfts costs~~ Sub. ad cur. Judg. for pl ff $	E
William A. Sangster vs James L. Givan	Appellee / Appellant	Appeal	12	Papers filed Decr 20th 1838	Nave		6th Default. Inquiry awarded. 9th Continued E	E
Jesse Hockett vs George W Lewis & Lewis C. Lewis	Appellee / Appellant	Appeal	13	Papers filed Decr 27th 1838	Nave	Fitler	~~6th Default Comes pl ff. Dft Comes not Rec Call Appeal dismissed Judg 10 pct & costs~~ 7th Continued	E
Wesley Dessew vs Auley McAuley	Appellee / Appellant	Appeal	14	Papers filed Decr 28th 1838	Nave		Dismissed in vacation	

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	4th days causes			
William Gregory vs David Matlock	Appellee / Appellant	Appeal	15	Papers filed Decr 28th 1838
Christian C. Nave for use of William Beerman vs Temberton S. Dicken	Appellee / Appellant	Appeal	16	Papers filed January 16th 1839
William W. West vs Nathaniel Brittain	Appellee / Appellant	Appeal	17	Papers filed January 26th 1839
Oliver Wentworth vs Joseph Robbins	Appellant / Appellee	Appeal	18	Papers filed in Clks office January 28th 1839
Micajah Benge vs William S. Crawford	Appellee / Appellant	Appeal	19	Papers filed January 31st 1839
John Edwards vs Abram Bland	Appellee / Appellant	Appeal	20	Papers filed Feby 1st 1839
William L. Matlock vs Smyth G. Moore	Appellee / Appellant	Appeal	21	Papers filed Feby 1st 1839

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Morin	Nave	6th ~~Foot at plffs costs~~ Sub ad Curiam Judg for defendant	E
Nave	Brenton	6th Ref'd to Calvin Fletcher 9th Award Judg as per award	E
Nave	Morin	6th Cont'd at Dfts Costs	E
Nave	Morin	6th Sub. ad Cur. Judg for dft	E
	Nave	Dismissed in vacation	
Brown		6th Dft Call'd comes not Appeal dismissed Judgt 10 pct & costs	E
Brown		9th ~~Continued~~ By agreement Judg of Justice Confirmed	E

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	4th days Causes							
Oliver Wentworth vs William B. Moore	Appellant / Appellee	Appeal	22	Papers filed February 2nd 1839	Brown	Nove & Marin	6th Contd at plffs costs papers not being filed in time	E
Christian C. Nave vs Thomas H Harding Payne Harding & Samuel Betts	Appellee / Appellant	Appeal	23	Papers filed February 4th 1839			8th Continued.	E
John Darnall & William Hazlerigg vs William A. Stevens	Appellees / Appellant	Appeal	24	Dismissed in vacation	Brenton	Nove	Dismissed in vacation	E
David M. Jones by Randolph Harper his next friend vs James Anderson	Appellee / Appellant	Appeal	25	Papers filed more than 10 days before court	Marvin		6th Continued	E
Elizabeth Jenkins vs Christian C Nave	Appellee / Appellant	Appeal	26	Papers filed in time for trial		Nove	6th Nonsuit.	E
Alexander Worth vs William Carmichael	Scire Facias		27	Scire Facias served March 15th	Fletcher & Butler		8th Demurrer Jointed Judg for plff ~~6th Neither party appearing Contd 7th Default Judg plff~~	E
Alexander Worth vs William Carmichael	Scire Facias		28	Served March 15th	Fletcher & Butler		~~Same~~ 8th Demurrer Jointed Judg plff	E

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Alexander Worth vs William Carmichael	4th Days causes Scire Facias	29	Served March 15th
Abner Wiley vs Abraham C. Logan	Scire Facias on Justices Transcript On reversal from Supreme court	30	Judgment & opinion of Supreme Court filed Feby 9th 1839
Simon T. Hadley Ex. of the Estate of Benjamin G. Tout vs Lewis Martin Edmund Clark & Armstead Jackson	Scire Facias to revive a Judgment	31	

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Fletcher & Butler		8 Demurrer Joinder Judg Pl'ff ~~Same as last 2 cases~~	E
Nave	Fletcher	6th ~~Default~~ Judgt on demurrer for Plaintiff	E
		6th Contd proofs	E

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4th days Causes

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	Chancery		Causes
George W. Matlock by his next friend Joseph Beeler vs George W. Carson et al	In Chancery	1	Little, Ungles & Huff appointed at last Term to make Partition of Land
Samuel McClelland & Margaret his wife, Warreck L. S. Johnson and Agnis his wife John Newell & Dorothy his wife vs Robert Cooper, Martin Cooper Edmund ~~Clark~~ Cooper Junior Lewis Cooper, Jane Cooper William Herron & Catherine ~~Cooper~~ his wife & Catherine Cooper	Partition	2	S. T. Hadley appointed at last Term to sell Land & report
John S. Keeth vs Joseph Sharp	In Chancery	3	Answer & replication filed at last Term & Cont'd
Thomas Irons vs Alexander Little Simon Hornaday Thomas Dickson & Caleb Dickson	In Chancery for Injunction	4	Subpoena served Feby 5th 1838
Samuel W. Walthall vs Elijah Anderson Elizabeth Anderson John H. Anderson	In Chancery	5	Subpoena served Feby 15th 1839

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Fletcher & Butler	Nave & Brown	7th Report acknowledged. Rule for Confirmation 8th Report Confirmed [illegible] E
Nave	Fletcher	7th Report Confirmed E
Nave	Brown	Continued 6
Fletcher & Butler		7th By agreement dismissed at dfts Costs except docket for Judg accordingly E
Nave		7th Leave to dfts to answer in 70 days they agreeing to answer in that time or bill may be taken as Confessed E Continued

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Chancery Causes

Homer Johnson		6	Served on all the
vs			Defts (except
Daniel C. Johnston			B. H. Johnson
Warrick L. P. Johnson			L. A. Johnson &
& Agnis his wife, Larissa			E. Johnson)
Ann Johnson			
Benjamin Homer Johnson			
Elizabeth Johnson			

March Term A D 1839

Quarles		J. D. Spratt as to Daniel Warrick & Agnes. Daniel guard
		ad litem for infants
		8th Answer of Guardian Done E

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	1st day Causes	No.	
State of Indiana vs Talbert Pruett	Indictment for A.B. with intent to Commit a Rape	1	Deft is dead
State of Indiana vs James Riley	Indictment for A.B.	2	Not found
State of Indiana vs George Riley	Indictment for A.B.	3	Not found
State of Indiana vs Thomas Heddy	Indictment for Wagering	4	Samuel Burk security for appearance
State of Indiana vs Henry P. Gant	Indictment for A.B.	5	Not found
State of Indiana vs Jeremiah W. Blankenship	Indictment for Wagering	6	Security for appearance
State of Indiana vs Robert Fowler	Indictment for Perjury	7	Security for appearance James F. Fowler John Darnall Phillip McClain Micheal McClain James C. Jones
State of Indiana vs Richard A. Bray	Indictment for Perjury	8	Security William A. Jones & Thomas Shelton

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Pff	Deft		
		× Sept 23 Nolle Prossed	E
		× Sept 23d Nolle Prossed	E
		× Sept 23 Same order.	E
		× Sept 23d Plea guilty (of winning to value of $1.00.) Fine $2.00 & costs judgment Replevied	E
		× Sept 23d Nolle prossd	E
		× Sept 23d Plea Not guilty - Trial by court. - Verdict not guilty & judgt	E
		× Sept 24 - Trial by jury - Verdict not guilty & judgment	E
	Fielden Monin	× Sept 25 Plea not guilty Jury trial Verdict not guilty & judgment	E

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	1st days Causes	No	Security				
State of Indiana vs John Skinner	Indictment for Retailing	9	Harmon Brittain	×	Sept 23d	Plea guilty Replevied	Fine $2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	10	Security Job Turner	×	Sept 23	Same Replevied	do $2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	11	Security Job Turner	×	Sept 23d	Same Replevied	do $2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	12	Security Job Turner	×	Sept 23d	Same Replevied	do $2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	13	Security David R. Jones	×	Sept 23d	Same Replevied	do $2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	14	Security David R. Jones	×	Sept 23d	Same Replevied	$2.00 & costs E
State of Indiana vs John Skinner	Indictment for Retailing	15	Security Harmon Brittain	×	Sept 23d	Stolen property	E
State of Indiana vs John Skinner	Indictment for Retailing	16	Security Harmon Brittain	×	Sept 23d	Same cause	E

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	1st day Causes	No			
State of Indiana vs John Skinner	Indictment for retailing	17	Security Job Turner		× Sept 23d Noble Pros'd — E E
State of Indiana vs John Skinner	Indictment for retailing	18	Security Harmon Brittain		× Sept 23d same order — E
State of Indiana vs John Skinner	Indictment for retailing	19	David R. Jones		× Sept 23d same order — E
State of Indiana vs John Cooksey	Indictment for retailing	20	Not found		× Sept 23d continued for process E
State of Indiana vs John Cooksey	Indictment for retailing	21	Not found		× Sept 23d same order E
State of Indiana vs John Cooksey	Indictment for retailing	22	Not found		× Sept 23d same order — E
State of Indiana vs Jeremiah Stiles	Indictment for retailing	23	Security Milam Knox		× Sept 23d Plea Not guilty trial by court — Verdict guilty Fine $2.00 & costs E
State of Indiana vs Jeremiah Stiles	Indictment for retailing	24	Security Milam Knox		× Sept 24th Continued — Deft Recognized $50 — E

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State of Indiana vs Solomon Adams	1st days causes Indictment for Wagering	25	Security Isaac Stephens		× Sept 23d Plea Not guilty – Verdict Not guilty (by the court) E
State of Indiana vs Elijah Anderson	Indictment for A.B.	26	Security James Dugan		× Sept 23d Plea Not guilty – Trial by court – Verdict Not guilty – E
State of Indiana vs Nathaniel Pearce Jr	Indictment for A.B.	27	Security Nathl L. Pearce Sr	None	× Sept 23 . Plea Not guilty & trial by court – Verdict guilty – Fine $1.00 & costs – Paid – E
State of Indiana vs Galen Sparks	Indictment for violation of Estray Law	28	Security John Painter		× Sept 23d Plea Not guilty Trial by court – Verdict guilty Fine $12.00 & costs – Replevied E
State of Indiana vs William Myers	Indictment for passing Counterfeit money	29	Not found		× Sept 23d continued for process E
State of Indiana vs Thomas Chadd	Indictment for Wagering	30	Security Hannon Brittain to be non pres		× Sept 23d attachment for Solo Adams instructor – In × Sept 25 – Trial by court – Verdict guilty Fine D 5.00 – Motion in arrest of judgt – 26 motion arrested & judgt E
[illegible] Jno A Simpson v P. S Dickinson	judgment confessed 27 Sept				× prin 500. int $62.50 making $562.50 E
Feeder Robt H Cabell Sureties Jas Sigerson	Do Do				× Damages Ds 541.83 E

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	2nd day causes	No				
Alexander Worth vs Francis Whicher & Josiah Jones	Debt	1	Writ served on Whicher July 23d Jones not found	Fletcher & Butler		x Sept 24 alias process against Jones & continued E
William Hays vs John E. Johnson	Trespass on the case on promises	2	At issue on plea of Infancy	Quarles	Nave	x Sept 26 continued E
Guy Norris vs James Trotter & Monroe Trotter	Trespass with force & arms	3	This case will be dismissed according to agreement of the parties, entered of record	Quarles & Fletcher	Nave	x Sept 24 – Dismissed by agreement of Record – judgment for costs. E
William S. Moore vs Franklin Trotter & Nichodemus Fletcher	Trover & Conversion	4	At issue on plea of Genl issue	Fletcher & Butler	Nave & Brenton	x Sept 24 continued at Plfs costs costs to be paid in 90 days E
Thomas Hussey vs Orsemus Richmond	Debt	5	Continued last Term because writ was not served 10 days before court	Brenton		Sept 24 – oyer demanded & given Rule for plea tomorrow morning E x 25 – Demr & joinder – Demr sustained – leave to amend Declaration & continued
Oliver M. Spencer vs Job Turner & William Kelly	Case on promises	6	Continued last Court because writ was not served 10 days before court	Fletcher & Butler	Nave	x Sept 24 copy of Notes & Bill of particulars demanded – copy furnished & rule for plea tomorrow morning E x 25 – Plea filed Genl issue submitted to court – judgment for Plfs

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Thomas N. Robertson vs Thomas Broadstreet	2nd day's causes Debt	No 7	At issue on 2 pleas of Fraud	Brenton		× Sept 23d continued at pltt costs E
George Allen vs Youel Pullian	Foreign attachment	8	Continued at last Term & order for publication of pendency of writ	Fletcher & Butler		× Sept 23d Proof of publication filed 26 Continued E
James F. Fowler vs Edmund Clark	Replevin	9	At issue on 3 pleas	Sweetser	Nave	× Sept 26 jury trial verdict for Dept & judgt E
Lewis Mastin vs Simon T. Hadley Executor of Benjamin G. Tout	Case in Assumpsit	10	Scirefaceas ordered at last Term against S. T. Hadley Exr. of Tout, to revive suit against said Exr. Scirefacias served in time for trial	Nave	Brenton	Sept 24 judgmt of Revivor — Bill of particulars amended — × 25 — Plea filed — Pltt submits to a non Suit judgment for costs E
John Givan vs George H. Keller	Scirefacias on Transcript	11	Two returns of "Not found"	Nave		× Sept 24 Judgmt by Default E
Armstead Jackson vs Martin Cooper	Trover & Conversion	12	Writ served Sept 17th 1839	Nave & Brenton		× Sept 24 continued — but not being served in time — E
Simon T. Hadley Exr. of Benjamin G. Tout vs Lewis Mastin Edmund Clark & Armstead Jackson	Scirefacias to revive a Judgment	13	Scirefacias served Sept 13th 1839	Nave		× Sept 24 judgmt of Revivor by Default E

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	2nd days causes	No	real & personal property levied on			
William H. Darnall vs John Bell	Domestic Attachment	14		Nave		Sept 24 Proof of Publication filed deft called & defaulted & Writ of Inquiry 28 Jury. damages assessed to $159 Judgt E
James L. Givan vs George M. C. Blake	Assumpsit	15	Writ served in time for trial	Brenton	McGaughey	X Sept 24 Bill of particulars demanded 25 continued generally. E
State of Indiana on relation of inhabitants of Township No 15 North of Range 2 West vs Asahel Mann Matthew Stafford William Kelly & Daniel Liming	Debt on official Bond	16	Writ served in time for trial on all except Kelly	Nave	Brenton	Sept 24 oyer demanded & furnished Rule for plea tomorrow morning Sept 25 Genl Demr to Dec filed & joined 26 Demr sustained, jordgmt for costs E
Rucker K. Carter vs Levi Jessup	Debt	17	Writ served in time	Nave		Sept 24 oyer demanded & furnished Rule for plea tomorrow morning E 25 Plea filed Genl Issue costs 27 continued till tomorrow at Defts
John McCoy for the use of Jesse Head Ex of George Horine vs Robert Ragan	Sept 28th Motion of David Rule for security for Debt	18	non-necessity of placity and Costs Writ served in time	Brenton	Nave	Sept 24 oyer demanded & writing declared on ~~& oyer of~~ & furnished Sept 25 Genl Demr to Dec & joined 26 Demr withdrawn & Pleas filed rule to reply tomorrow morning 27 ~~[illegible]~~ Demr to 2nd 3d & 4th Pleas & joined sustained Rule to Plea
James Bullard vs Isaiah Wiley & Abner Wiley	Debt	19	Writ served in time	Nave		X Sept 26 jordgmt by Default E

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Solomon Hunt & Jonathan Hunt vs Moses Tomlinson	2nd days causes Debt	No 20	This case will be dismissed.	Nave	Brenton	X Sept 24 Dismissed by Pltff E
John Pierson vs Reuben Claypool & John W Claypool	Debt	21	Writ served in time	Nave		X Sept 24 Judgment by Default E
Ormsley Hite & Abraham Hite vs Wesley Depew & Auley McAuley	A pumpsit	22		Fletcher & Butler		X Sept 26 Dismissed by agreement at Defts costs. E
Morgan Broiles vs Thomas D McClain Philip McClain & John McClain	Debt	23	Writ served in time	Nave		Sept 24 Oyer demanded & given X 25 Gent Demr to Deo & pleader Demr, overruled & judgment for Pltff E
Thomas W. Peak vs Beverley Ballard & Thornton F. Gorham	Case on promises	24	Gorham served 13th Sept & Ballard the 20th	O'Neal		X Sept 24 continued - process not being served in time - E
Asa B. Strong vs John Harris Beverley Ballard & William Harris	Debt	25	Wm Harris served Sept 13th John Harris the 14th & Ballard the 20th	O'Neal		X Sept 24 same order. E

September Term 1839

Rucker K. Carter vs Levi Jessup	2nd days causes Covenant broken	No 26	Served in time	Nave		× Sept 24 ayer demanded — & given × 25 Genl Demr & joinder 27th Demur sust with leave to amend in 60 days, case contd E
State of Indiana vs John J. McMullan Bradley Bartholomew & Robert Cooper	Debt	27	Served in time on all except Cooper who was served the 20th	Nave		× Sept 26 — judgmt by Default vs: Mr McMullan & Bartholomew and vs Cooper by consent E
State of Indiana vs Bradley Bartholomew Thomas Irons & Robert Cooper	Debt	28	Served on all in time but Cooper	Nave		× Sept 26 Same order and same kind of judgmt E
Rucker K. Carter vs Edmund Clark	Debt	29	Served 14th Sept	Nave	Brenton	× Sept 24 continued — proceeds not being serv'd in time — E
Christian C. Nave vs George H. Keller	Domestic attachment	30		Nave		× Sept 24 continued & order of pub: in Indiana Journal E
Christian C. Nave vs William Robards John R. Robards & Mary Ivez	Garnishment	31		Nave		× Sept 24 continued E

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Andw Lee &
+ St R Coburn
v
Depeu & Hamnck

Sept 24 Judgmt by E
confession. —

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William Merritt vs Edmund Clark & Benjamin M. Smith	3rd days. Causes Replevin	No 1	property replevied and defts summoned	Nave & Brenton		Sept 26 Continued by agreement E
Thomas Nash vs Hugh Gourdy	Trespass, Assault & Battery & false imprisonment	2	Served in time	Nave	Brenton	× Sept 25 1 Plea filed Genl Issue E
George W. Neff & John R. Neff vs Abner Hunt Amiel Hunt & Eleazer Hunt	Case on promises	3	Served on Amiel & Eleazer in time, on Abner Sept 16th	Fletcher & Butler		× Sept 25 continued process not being served in time E
Jane Page vs Peter Page	Divorce	4	Served in time	Nave	Brenton	× Sept 25 – defts answer filed – E
Hannah King vs Curtis King	Divorce	5	Served in time	Nave & Brenton		× Sept 25 defts answer – Sept 27 Compt Dismisses Bill E
John Doe on the demise of ~~David Kine~~ Workers et al vs Richard Roe, with Notice to James L. Gevan	Ejectment	6	× Notice served on Gevan in time	Brenton	Nave	× Sept 25 Gevan Tenant made defts consent rule filed E

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William Woodnutt Cabb W. Taylor & Ezra Elliott vs Abner Hunt Amiel Hunt & Eleazer Hunt	3rd days causes Case on promises	No 7	Served on Amiel & Eleazer in time and on Abner 16th Sept	Fletcher & Butler		× Sept 23d Pltf files & publishes Depos: × Sept 25 — continued not being sent in time — E
Paul Faught vs Thomas Bronaugh Stephen F. Tinsley & Harman Brittain	A pumpsit	8	Served in time	Marvin	Nove	× Sept 23d Dismissed by Pltf at his costs jd quit for costs: leave to withdraw his papers Britten the same objecting E
Loyal Wilcox vs Henry Burger & William Craigmile	Case on promises	9	Served on Burger in time Craigmile not found	Fletcher & Butler		× Sept 25. jd quit by Default vs Burger — Craigmile not found — E Judgt. $335 15
Jackson Kearns vs Christian C. Nave & William L. Matlock	A pumpsit	10	Served in time	Brenton	Nove	Sept 25 — Affd for secy for costs — Bond filed — Bill of particulars demanded & furnished & rule for plea tomorrow Sept 26 — 2 Pleas filed 27 — Genl Demr to Special Plea & joinder — Demr sustained E
Johnson Story vs William L. Matlock & Christian C. Nave	A pumpsit	11	Served in time	Brenton	Nove	Sept 25 Same order in all things Sept 26 2 Pleas filed 27 Genl Demr to Special Plea & joinder — Demr sustained E

September Term 1839

James L. Givan vs William S. Crawford William F. Hamrick Henry M. Vories	3rd days causes Trespass	No 12	Served in time	Nave	Brenton	Sept 25 2 Pleas filed – Rule for Rep: to special plea tomorrow – E Sept 26 Rep: filed 27th Jury Returns poll ~~Discharge~~ patties agree to discharge Jury have ~~Rehearing~~ it tried by new Jury Verdict for plat one cent damage Motion by Deft in arest of Judgt and Motion for new Trial
John Fox vs Armstead Jackson	Trespass on the case	13	Served in time	Nave	Brenton	Sept 25 – Demurrers to 3d & 4th counts 1 Plea to 1st & 2d count & issue E 27 Demr to 3d count withdrawn & plea filed – and Demr to 4th Count sustained –
Thomas S. Mitchell vs Stephen F. Tinsley Allen Hicklin & Nathaniel Brittain	Assumpsit	14	Served in time	Nave		× Sept 25. Judgment by Default – judgt E
Benoni Pearce vs George Stalker & Warner Hockett	Case on promises	15	Served in time	Eccles		Sept 25 – copy & Bill of particulars demanded & given Rule for plea tomorrow – E 26 – 4 Pleas filed – 27 Demr to 2d 3d & 4th Pleas – & Joinder – Deft amends by striking out 2d Plea – ~~& 3d Plea amend~~ Demr withdrawn Rep to Special Pleas
Elvira Goudy by her Friend Hugh Goudy vs Thomas Nash	Slander	16	Served in time	Brenton	Nave	Sept 25 – 4 Pleas filed – Genl Issue & 3 special Pleas – rule for Repd tomorrow E Sept 26 Repd filed – Issue
Thomas Nash vs Hugh Goudy	Trespass on the case for a Malicious prosecution	17	Served in time	Nave	Brenton	Sept 25 Plea filed – Genl Issue E

September Term 1839

George C. Brightman vs Edmund Clark & John Givan	3rd days causes Trespass	18	Served in time	McGaughey		Sept 26 – 2 several pleas filed – one for each Deft. 27 continued generally by consent & leave to Deft to ~~plead further in~~ give in evidence under gent issue any special matter. Meant in gent be pleaded. E
John Doe on the demise of Job Osborn vs Richard Roe with notice to James T. Hadley	Ejectment	19	Notice served on J. T. Hadley in time	Nave	Brenton	Sept 24. J. T. Hadley made Deft – 26 consent rule filed. E
Error ~~Christian C. Nave vs George H. Keller~~	Domestic Attachment Error	20	This case is set for second day of Term	Nave		
Error ~~Christian C. Nave vs John R. Robards William Robards & Mary Ivez~~	Garnishment Error	21	This case is set for second day of Term	Nave		
George Hoover vs Mincher L. Cox Adm. of John Cox dec.	Apumpsit	22	Served in time	Brenton & Nave		× Sept 24 Pltf dismisses suit – Leave to withdraw papers E
John J. Graham vs Hulings Miller	Apumpsit	23	Served in time	Brenton		Sept 25 copy of Note & Bill of particulars demanded & furnished. Rule for plea tomorrow. Sept 26 – Plea filed. E
George M. C. Blake vs James L. Givan	Apumpsit	24	Served in time	McGaughey	Nave Brenton	× Sept 28 continued by agreement. E

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George M. C. Blake vs James S. Givan	3rd day causes Assumpsit	25	Served Sept 14th	McGaughey	move	× Sept 25 Pltf Non prosses. judgment for costs E
Alexr F Monsont Elizab S Alford vs John Harris	Assumpsit		× Declaration filed 25 Sept 1839	Smitzer		× Sept 25 The deft comes into open court and confesses judgment for $384.95 judgment on confesses E

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	4th days Causes		No				
Bridget Colling, Appellant vs Isaac Harris Appellee		Appeal	1	Continued at last Term			Sept 26. the President having been counsel for Appellant and one of the Associate Judges being a brother in law of Appellee, it is agreed by the parties that the venue in this case be changed to Warren County — the Clerk is added to transmit the papers hereon forthwith and it is agreed that the cause be set for trial on the 11 day of the Term of that court E
John Creed Appellee vs James S. Dicken Appellant		Appeal	2	Continued at last Term	Brenton		
William A. Sangster Appellee vs James L. Givan Appellant		Appeal	3	Inquiry awarded & continued	None		
Jesse Hockett Appellee vs George W. Lewis & Lewis C. Lewis Appellants		Appeal	4	Continued at last Term	None		
William W. West Appellee vs Nathaniel Brittain Appellants		Appeal	5	Continued at defts costs	None		
Oliver Wentworth Appellant vs William B. Moore Appellee		Appeal	6	Continued at plffs costs.		None	X Sept 26 ~~Motion to dismiss appeal~~ — Rule to show cause why appeal shall not be dismissed papers not having been filed in time — to operate on next calling E Continued by Consent of attorney E
David Jones by his friend Randolph Harper Appellee vs James Anderson Appellant		Appeal	7	Continued		Brenton	X Sept 26 — Cause dismissed by consent E

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State of Indiana on relation of	4th day	Causes	No				
Christian C. Nave vs Thomas H. Harding Payne Harding & Samuel Betts	Appellee Appellants	Appeal	8	Continued at last term / continued generally by consent Mr Charles H. C. C. Nave	Fletcher	Quarles & Brenton	E
Simon T. Hadley Ex. of Benjamin G. Tacet decd vs Lewis Mastin	Appellee Appellant	Appeal	9	papers filed more than 10 days before court	Brenton	Nove	
John W. Thompson vs William Naylor	Appellee Appellant	Appeal	10	Papers filed Apl 5th 1839	Brenton		
John Matthews vs Zadock Smith		Appeal	11	Papers filed March 26th 1839			Sept 26 Smith defaulted – appeal dismissed for want of prosecution & judgt E
Nathaniel West vs James Anderson	Appellee Appellant	Appeal	12	Papers filed May 1st 1839			× Sept 26 Same order as above & judgt E
William Miller vs Labez Faught & William Faught	Appellee Appellant	Appeal	13	Papers filed May 27th 1839		none	Sept. motion to dismiss for want of cause of action – ~~[illegible]~~ – E
Henry Burger vs John Givan	Appellee Appellant	Appeal	14	Papers filed May 27th 1839		none	× Sept 26 mo: to dismiss suit – motion sustained & suit dismissed – judgment for costs – E

September Term A D 1839

	4th day Causes		No.				
Stephen Arnold vs John Harrison	Appellee / Appellant	Appeal	15	Papers filed June 21st 1839	Brenton	none	
William Morrison vs James Anderson	Appellee / Appellant		16	Papers filed May 1st 1839			× Sept 26 Anderson appellant Defaulted judgment of I.P. affirmed &c — E
John Underwood vs Lewis Mastin	Appellee / Appellant		17	Papers filed July 2d 1839	Brenton	none	
John Underwood vs Lewis Mastin	Appellee / Appellant	Appeal	18	Papers filed July 2nd 1839	Brenton	none	
James S. Kelly vs Jeremiah W. Blankenship	Appellee / Appellant	Appeal	19	Papers filed ~~Jul~~ June 11th 1839 (This case is settled by the parties	Brenton		× Sept 26 Dismissed E
Abraham H. Hamilton vs Thomas J. Matlock & Robert Cooper	Appellee / Appellants	Appeal	20	Papers filed June 12th 1839	none	Marin	× Sept 26 — judgment of I.P. affirmed by agreement with costs E
Abraham H. Hamilton vs Thomas J. Matlock	Appellee / Appellant	Appeal	21	Papers filed June 12th 1839	none		× Sept 26 Same judgt E

September Term A D 1839

	4th day Causes		No				
Daniel D. Hamilton vs Thomas J. Mattock	Appellee / Appellant	Appeal	22	Papers filed June 12th 1839	none		× Sept 26 judgment of 2 P. affirmed by agreement E
Noah Harding vs George Faught	Appellant / Appellee	Appeal	23	Papers filed June 20th 1839		none	Sept 26 motion to dismiss for want of sufficient cause of action — overruled —
John W. Ford of Rt. Paris vs William Ellis	Appellee / Appellant	Appeal	24	Papers filed Aug 28th	Brenton	none	Sept 27 motion to Dismiss suit — overruled — oper of ~~Letters Testamen~~ letters of admr. demanded — 27th papers withdrawn Judgt for costs E
John Bush vs William Faught	Appellee / Appellant	Appeal	25	Papers filed Sept 7th 1839	Brenton	none	Sept 26 motion to dismiss cause — motion overruled — E
Lewis Nausler for the use of William R. Kirk vs William Allison	Appellee / Appellant	Appeal	26	Papers filed Sept 5th 1839	Brenton	none	27th dismissed E
James Douglass vs John Snodgrass	Appellee / Appellant	Appeal	27	Papers filed Sept 13th 1839	none		
Andrew Prather vs William Morse	Appellee / Appellant	Appeal	28	× Papapers filed in Clerks office Sept 21st 1839	Quarles	none	× Sept 26 continued by consent Case continued generally — Quarles E. C. None E

September Term A D 1839

Chancery Causes

John S. Keeth vs Joseph Sharp	In Chancery	7	Answer & replication filed. And Continued	Nave	Brown	× Sept 23d ~~Leave to publish depositions~~ Sept 24 Continued. Leave to take depositions generally. — E
Samuel McClelland & Margaret his wife, Warrick L. P. Johnson & Agnis his wife John Newell and Dorothy his wife vs. Robert Cooper, Martin Cooper Edmund Cooper Jr. Lewis Cooper Jane Cooper, William Herron & Catherine his wife. and Catherine Cooper	Partition	2	Commissioner, appointed to sell Land. Land sold and report made at last term report confirmed. and Cause continued.	Nave	Fletcher	× Sept 23 Continued — E
Homer Johnson vs Daniel C. Johnson Warrick L. P. Johnson & Agnis his wife, Larissa Ann Johnson, Benjamin Homer Johnson & Elizabeth Johnson	In Chancery	3	~~Title~~ right of Land Decreed to Complainant and Gregg appointed Commissioner to convey and report. Cont'd	Quarles		
Samuel W. Walthall vs Elijah Anderson Elizabeth Anderson & John H. Anderson	In Chancery	4	Continued at last Term with leave for Defendants to file answers in 70 days. Answers of Elijah & Elizabeth filed	Nave		× Sept 23d ~~Comp't. publishes & depositions~~ — Elijah Anderson appointed Guard and ad litem of Jno. H. Anderson — E. ~~27 Answers of~~

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George W. Lewis vs Moses Goodall Nathan Goodall John James Wilson James Vanblaricum	Chancery causes In Chancery	5	Bill filed at last term	Fletcher & Butler		Sept. 23d
Lewis Mastin vs George Faught	In chancery	6		Nave		+ Sept 23d default — Bill taken for confessed, — Decree: — E
Richard Osborn vs Mary Thornburgh Rachel Thornburgh Isaac Thornburgh George Thornburgh & Nancy Thornburgh	In Chancery	7	Bill Filed August 20th 1839	Brenton		
Hulings Miller vs Thomas Straun	In Chancery	8	Bill filed August 16th 1839 Subpoena served August 27th	Brenton		Sept 27 answer of Deft filed — & continued —
Pers. G. Dickens v St St Wright Alex. E. McCaffe			Bill filed 24 Sept 1839	Quarrels	Nave	Sept 24 Deft appears by C.C. Nave Esq. & rule to answer tomorrow morning by agreement

Hedge et al vs: Hedge et al	Petition for partition			[illegible] filed & commissioners appointed — to make report at next Term —

April Term A D 1848

	1st days Causes	No			
State of Indiana vs John Cooksey	Indictment for Retailing	1	Continued at last Term & further process awarded. Not found	1st Day	X Continued E
State of Indiana vs John Cooksey	Indictment for retailing	2	Continued at last Term and further process awarded Not found	1st Day	X Continued E
State of Indiana vs John Cooksey	Indictment for retailing	3	Continued at last Term & further process awarded Not found	1st Day	X Continued E
State of Indiana vs Jeremiah Stiles	Indictment for retailing	4	On Recognisance Samuel Melogue Security	1st Day	plea not guilty submited to court. Continued to Morrow Morning for Evidence X 2d Day — Contd by agreemt — deft Recog E
State of Indiana vs William Myers	Indictment for passing counterfeit money	5	Not found	1st Day	~~plea not guilty submited to court~~ X Continued Further process E
State of Indiana vs John A Bray	Indictment for Retailing	6	On recognisance James Turner Security	1st Day	X Motion Quash & Motion sustained None pros. E
State of Indiana vs John A Bray	Indictment for Retailing	7	On recognisance James Turner Security	1st Day	X plea Not guilty continued till tomorrow morning for process Attatchment in behalf state for John Scinner plea not guilty withdrawn and defet pleads Guilty fine $2 00 E
State of Indiana vs Samuel McVay	Indictment for Betting	8	Not found		X continued for process to Marion county E

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State of Indiana vs Samuel McVay	1st days causes Indictment for betting	No 9	Not found
State of Indiana vs Benjamin Sanders	Indictment for betting	10	On recognisance Cornelius Loy Security
State of Indiana vs Franklin Trotter James Trotter & Rufus Trotter	Indictment for betting	11	Served on Rufus Trotter. James & Franklin not found Isaac Trotter security for Rufus
State of Indiana on the Complaint of James Yates vs Allen Berry	For Surety of peace	12	on Recognisance William Rushton Security Papers filed 3rd March 1840

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	X 1st day	Continued for fur process to Marion county E
1st day	X	plea not guilty continue further process to Marion county for John C. McCreary process Cornelius Loy & John Sanders Recog: 1 security $50 Each E
	X	Cont: process against Franklin & Jas Trotter same order ~~for order~~ for witnesses as above in cas No 10 ~~Forfeiture of Rec~~ ~~as to Rufus & Isaac Trotter~~ Rufus Trotter appeared Gave Cornelius Loy security for appear at next Term $50.00 E
	X	Dismised for want of prosecution E

April Term A. D. 1848

Alexander Worth vs Francis Whicher & Josiah Jones	2 days Causes Debt	No 1	Continued at last Term alias process awarded against Jones. Not found
William Hays vs John C Johnson	Trespass on the case upon promises	2	At issue on plea of ~~illm~~ infancy filed
William S Moore vs Franklin Trotter & Nichodemus Fletcher	Trover & Conversion	3	Continued at Pffs cost to be paid in 90 days not paid
Thomas Hussey vs Orsemus Richmond	Debt	4	Continued at last Term with leave to amend declaration. Amended declaration filed 20th Nov 1839
Thomas N. Robertson vs Thomas Broadstreet	Debt	5	At issue on 3 pleas of fraud Generally & Specially
George Allen vs Yowel Sullivan	Foreign Attachment	6	Continued at last Term. further Publication awarded
Armstead Jackson vs Martin Cooper	Trover & Conversion	7	Continued at last Term Writ not being served in time

April Term A. D. 1848

Fletcher & Butler		X 2d Day continued for process vs Jones E
Quarles	Nave	Not to be entered
Fletcher & Butler	Nave & Brenton	X 2d Day — continued at pffs costs to be paid in 90 days E
Brenton	Quarles	X 3d Judgt by default — E
Brenton	Quarles Fletcher & Butler	X 3d day continued till tomorrow at ~~pffs~~ Defts costs E 4th Day Judgt for pffs for $95.00 by agreement of parties E
Fletcher & Butler		X 2d Day Proof of publication made — Deft called and defaulted E & continued E
Nave & Brenton		X 2d Day — Plea filed — Give Issue continued till tomorrow morns. E X 3d Day Jury empannelled & sworn & pffs submits to a non suit E

April Term A.D. 1840

James L. Givan vs George M C Blake	2 days causes Assumpsit	8	Continued by consent at last Term	Brenton	McGaughy	X 2d Day abates by death of Deft. E
Rucker K Carter vs Levi Jessup	Debt	9	Plea of General Issue filed Continued	Nave	Fletcher & Butler	X 2d Day — Trial by court E X 3d Day. Judgt for pltff E
John Maccoy for the use of Jesse Head Exr of George Horine vs Robert Reagan	Debt	10	At issue on plea of Nul tile record	Brenton	Nave	X 2d Day — ~~Trial by court under advisement E~~ ~~Submission with drawn~~ & leave to amend Declaration during the present Term E 10th continued at pltf costs Amend. Declartion to be fld in 90 days
Thomas W Peak vs Beverley Ballard & Thornton F Gorham	Case on promises	11	Continued at last Term because writ not served 10 days before court	O'Neal		X 2d Day — Judgt by default. E
Asa B Strong vs John Harris Beverly Ballard & William Harris	Deb	12	Continued at last Term because writ not served ten days before court	O'Neal		X 2d Day — Judgt by default. E
Rucker K Carter vs Levi Jessup	Covenant Broken	13	Continued at last Term with leave to amend declaration in 60 days Amended declaration filed 2 November 1839.	Nave	Fletcher Butler	X 2d Day — Rule to plead tomorrow morn E X 3d Day — contind at Pltf costs the Declaration having been amended in matter of substance in vacation which the court considers an amendment as of the first day of this term

April Term A.D. 1848

Rucker K Carter vs Edmund Clark	2 days Causes Debt	No 14	Continued at last Term writ not being served in time	Nave	Brenton	x 2d — oyer & copy demanded & furnished & rule for plea tomorrow mon 3 E x 3d Day — ~~Gen Demr to Dec & [illegible]~~ Judgt by default — E
Christian C Nave vs George H Keller	Domestic Attachment	15	Continued at last Term	Nave		x 2d Day — Pltf dismisses suit E
Christian C Nave vs William Robards John R Robards & Mary Ives	Garnishment	16	Continued at last Term	Nave		x 2d Day same E
William Merrit vs Edmund Clark & Benjamin M Smith	Replevin	17	Continued at last Term by agreement	Nave & Brenton		x 3d Day — ~~[illegible]~~ Continued generally E
George W Neff John R Neff vs Abner Hunt Amiel Hunt & Eleazer Hunt	Case on promises	18	Continued at last Term writ not being served in time	Fletcher & Butler		x 2d Day — Judgt by default. E

April Term A D 1840

William Woodmut Caleb W Taylor & Ezra Elliott vs Abner Hunt Annie Hunt & Eleazar Hunt	5 days causes Case on promises	Nr 19	Continues at last Term writ not being served in time	Metcher Butler		X 2d Day — Def't by default & writ of Inquiry awarded Def'ts appears & confesses the pl'ffs damages at $ & prod. &c
Paul Faught vs Thomas Bronaugh Stephen F Linsley & Harmon Pittain	Assumpsit	20	Writ served on Linsley & Pittain Bronaugh not found	Mason Nave	Ney by cons Issue joined Jury trial waived Verdict & judgment for pltf.	X 2d Day — Suggestion of not found as to Bronaugh — Linsley called & defaulted — Appearance by Pittain & affy demanded & granted & rule for plea by Pittain X Demurrer overruled &c X 3d Day — 4 Pleas filed Rule to reply demurrer — &c X 4 — Demr to 3 plea in bar & joinder &c X 5 Day — Demr to 4 plea withdrawn & Rule to the plea — Demr to 2 & 3 plea amended & Demr to 3 plea withdrawn — Demr to 4 plea sustained X 6 Day — Demr to 3 plea withdrawn & Rule to plea amended — Demr to 3 plea sustained
Pemberton S Dickens vs Albran Poteet	Debt	21	Writ served Nov 16th 1839	Benton		X 2d Day — Affy demanded & granted & rule for plea Demurrer overruled &c X 4 Day — Pltf dismisses suit Costs to Defendant &c
Benjamin S Griffith vs Pemberton S Dickens & Elijah Anderson	Debt	22	Writ served 31st Dec 1839	Nave		X 2d Day — Same as above &c 3d Day — Plea non assumpsit — Issue by cont. — Verdict & judgt for $100. — &c
The State of Indiana on the relation of James Hendricks Alvin P Chadd & Matthew Stafford Trustees of School district No 3 in Township 15 for the use of said district vs Asahel Mann Matthew Stafford William Kelly & Daniel Linning	Debt	23	Writ Served March 2. 3 & 25th 1840	Nave	Benton	X 3d Day — Def'd filed & continued &c

April Term 1840

Pemberton S Dickens vs Allan Poteet	2 days causes Debt	No 24	x Writ served 23rd Feby 1840	Nave	x 2d Day — oyer demanded & furnished and rule for plea tomorrow mon. E x 3d Day — 6 Pleas filed — oyer of Bond in 6th plea demanded. — E x 5 Day — Rep to 1st plea — Special Dem'n to 2d 3d 4 5 & 6 — pleas — & prayer — Inner withdrawn x 7 — & leave to amend pleas No 3 4 5 6 — Day amended pleas filed No 3 4 5 & 6 — Judgt for Demr to sustained — 7 Day — Rep to 3 4 5 & 6 pleas. (monday 2d pleas)
William McLean vs Levi Jessup	Debt	25	Writ served 3rd April 1840	Nave	x 2d Day — Contd by operation of law E x Trial by court — Plf submits to a x Non suit — Judgt for costs leave to withdraw note E x 2d Day contd by operation of law
John R Robards vs Levi Jessup	Debt	26	Writ served Apl 1840	Nave	x 2d Day — Same E
John R Robards William T Robards & Mary Ives vs Levi Jessup	Debt	27	Writ served 3rd April 1840	Nave	x 2d Day Same. E
William Christie vs William Cain & Cornelius Cain	Debt	28	Certified from Docket of Justice of the peace because title of real estate called in question	Nave	Brenton x 2d Day contd till tomorrow at defts costs. E x 3d day contd till tomorrow at defts costs E 4th Day — 1st plea amended & Rep to plea — & continued at defts costs E
Jacob Willis vs Thomas R Shannon & Russel W Shannon	Debt	29	Writ served 28th February 1840	Brenton	x 2d Day — Judgt by default. E
Frances Corlew vs Richard Bray & John Caylor	Debt	30	Writ served 25th March 1840	Nave	x 2d Day Judgt by default E

April Term 1840

Thomas D Gregg vs John McClain Thomas D McClain & Philip McClain	2 days Causes Debt	No 31	Writ served 26th March 1840
Wm S Crawford & Isaac Burnett vs Samuel E Burks & Wm Megee	cognovit		
Lemon christie vs Pemberton S Dicken & Jeremiah Depew	cognovit		
John Stephens vs Pemberton S Dicken & Roberson C Rusell	Cognovit		
Brisbane vs Roberts	Cognovit		
Benson Hall & co vs Jas Anderson	Opinion of S. C. Reserved		

April Term 1840

Fletcher Butler & Yandes		X 2d Day Judgt by default E
	1st	X Day Judgt Confessed
		X 1st Day Judgt. Confessed
		X 1st Day Judgt confessed
		X 1st Day — same
		X 2d Day — Trial by court Verdict & judgt for Plff E

April Term 1840

Jackson Kearns vs Christian C Nave & William L Matlock	3rd days Causes Assumpsit	No 1	Plea of General issue filed	Brenton	Nave	X 3d day on Trial by the court — Verdict & judgt for defts — E
Johnson Story vs William L Matlock & Christian C Nave	Assumpsit	2	Plea of General Issue filed	Brenton	Nave	X 3d day — Trial by court — Verdict & judgt for defts — E
James L Givan vs William S Crawford William F Hamrick & Henry M Vories	Trespass	3	At issue upon Two pleas, General issue and title to land	Nave	Brenton	X 3d day — continued E
John Fox vs Armstead Jackson	Trespass on the Case	4	Dismissed in vacation	Nave	Brenton	X Dismissed E.
George C Brightman vs Edmund Clark & John Givan	Trespass	5	General issue ~~[illegible]~~ Continued at last term by agreement with leave to defendants give in evidence under the General issue any special matter that they might if specially pleaded	McGaughey	Brenton	3d day Dismissed for want of X prosecution Judgt for costs E
John Doe on the Demise of Job Osborn vs James T Hadley	Ejectment	6	Consent rule entered into.	Nave	Brenton	X 3d day Jury trial — Verdict not guilty ~~4th day~~ Judgt — E

April Term 1840

John I. Graham vs Hulings Miller	3d days Causes Assumpsit	No 7	Issue upon plea of General issue		
George McC Blake vs James L Givan	Assumpsit	8	Continued by agreement at last Term		
Thomas Nash vs Hugh Condy	Trespass Assault & Battery & false imprisonment	9	At Issue upon the plea of the General issue		
Elvira Condy by her friend Hugh Condy vs Thomas Nash	Slander	10	At Issue. General issue & Justification		
Thomas Nash vs Hugh Condy	Trespass on the case for a malicious prosecution	11	At Issue upon the General issue		
James McBlair vs John Shelly Jeremiah Blankenship & Abner Wiley	Trespass	12	Served on Shelly & Blankenship on the 24th day of Sept 1839 and Wiley Oct 31st 1839		
Thomas B Lincoln vs Cornelius Banta & Thomas L Matlock	Case on promises	13	Writ Issued Feby 1840		

April Term 1840

		X 3d Day — Plea withdrawn & judgt by Nil dicit.
Brenton	Fletcher Butler	
		X 4th day abates by Plffs direction
McCaughey	Nave & Brenton	
		X 4th Day continued by consent at Plffs X 5th Day Dismissed each party paying his own costs — papers withdrawn (Costs of appeal in each case No 9 & 11 to be abated by Stipulation.)
Nave	Brenton	
		X 4th day Same — Dismissed for want of prosecution each party paying his own costs — except proportion of costs are to be taxed to defts papers withdrawn — defts agreeing and consenting if Plff and that he tenders nothing plea not to affect character —
Brenton	Nave	
		X 4th day Same — abates for the term X 5 day — Dismissed for agreement each party paying his own costs — papers withdrawn —
Nave	Brenton	
		X 3d Day — 3 Pleas filed — 4th Plea for Plff tomorrow morning X 4th Day — Pleas filed — at Issue X 5 Day continued at defts costs
Brenton & Quarles	Nave	
		X 3d Day — Suit by stipulation — for cost —
Sweetzer		

April Term A. D. 1840

John Fox vs Armstead Jackson	3rd days Causes Trespass on the case	No 14	Writ served March 7th 1840	Nave	Brenton	X 3 Day Plea filed Gen Issue E X 4 Day Jury trial — Verdict for Deft E Judgt E
Russel Hodge vs Thomas Elliott	Trespass	15	Writ served 27th March 1840	Brenton	Nave	X 3 Day Plea filed — & Rule for Rep to Special plea tomorrow X 4 — Demr to Special plea — & joinder. Demr ~~[illegible]~~ sustained E X 6 Day Jury trial — Verdict for Plff 50 motion for New trial E X 9 Day — Overruled & Judgt for Plff — E X Bill of exception filed
Joseph Todd vs William Hambleton	Scirefacias on a transcript from a Justice's Docket	16	Not found			X 2 Day — Plff dismisses suit and leave to withdraw papers — E.
Sabner Weekley vs Mumford Faulkner	Scirefacias on a transcript from a Justices Docket	17	Scirefacias served 23rd March 1840			X 3 Day Judgt by Default
Thomas D Gregg vs Lewis Mastin & William Faught	In Assumpsit	18	Writ served on 25th March 1840 Faught, Mastin not found	Fletcher Butler & Gaudes		X 3 Day Suggestion of not found as to Mastin — appearance by Faught & Note of Bill of particulars demanded & furnished and ~~Rule for plea tomorrow morning~~ Sent Demurrer to Dec. filed X 5 Day — Declaration amended. Mastin appears and continued by E agreement —
Hirsch Preiss & Moses Cohen vs Joseph Heinsheimer	In Assumpsit	19	Writ served 25th March 1840	Fletcher Butler & Gaudes		X 30 Day. Judgt by ~~default~~ Confession for submit 678 — 75 E

April Term 1840

April Term 1840

John Creed vs James S Dicken	4 days Causes Appellee Appellant	Appeal	No 1	Continued at last Term	Brenton	Nave	X 6 Day — Trial by court — Verdict $5.25 & Gerdt. E
William A Sangster vs James L Givan	Appellee Appellant	Appeal	2	Writ of Enquiry awarded Continued	Nave		X 6 Day. Damages assessed by the court at $45.00 by agreement of deft in writing filed E
Jesse Hockett vs George W Lewis & Lewis C Lewis	Appellee Appellants	Appeal	3	Continued at last Term	Nave		X 6 Day — Continued till Monday at deft costs. 10th Judg for Plant $ Dollars with cost pltf Appeals E
William W West vs Nathaniel Brittain	Appellee Appellant	Appeal	4	Continued at last Term	Nave	Marvin	X 6 Day — Trial by court — Verdict & Gerdt for deft. E
Oliver Wentworth vs William B Moore	Appellant Appellee	Appeal	5	Rule at last Term to show cause why Appeal shall not be dismissed papers not having been filed by Justice in time Continued by consent		Nave	X 6 Day. Trial by court Verdict & Gerdt for deft E
State of Indiana on the relation of Christian C Nave vs Thomas H Harding Fayne Harding & Samuel Betts	Appellee Appellants	Appeal	6	Continued by agreement at last Term	Fletcher & Butler	Quarles & Brenton	X 8 Day. — Continued at deft costs E
Simon J Hadley Executor of Benjamin Tout deceased vs Lewis Martin	Appellee Appellant	Appeal	7	Continued at last Term	Brenton	Nave	X 6 Day Trial by court continued till Monday at Pltffs costs E X 7th Day — Trial by court — Verdict for pltf for $10.87½ & cost E

April Term A. D. 1840

	4th days Causes		No				
John W. Thompson vs William Naylor	Appellee / Appellant	Appeal	8	Continued at last Term	Brenton		8 Day contin^d at defts costs
William Miller vs Jabes Faught & William Faught	Appellee / Appellants	Appeal	9	Continued at last Term	Fletcher & Butler	Nave	X 6 Day — contin^d till monday at defts costs X 7 Day — Trial by court — Verdict for $100 — & Judgt E
Stephen Arnold vs John Harrison	Appellee / Appellant	Appeal	10	Continued at last Term	Brenton	Nave	X 6 Day — Trial by court — Pltff submits to a non suit — Judgt for costs — E
John Underwood vs Lewis Mastin	Appeal / Appellant	Appeal	11	Continued at last Term	Brenton	Nave	X 6 day Judgt by agreement for amt of Note E
John Underwood vs Lewis Mastin	Appellee / Appellant	Appeal	12	Continued at last Term	Brenton	Nave	X 6 day Same E
Noah Harding vs George Faught	Appellant / Appellee	Appeal	13	Continued at last Term	Brenton	Nave	X 4 Day. Deposition of Ch^s Naylor published X 6 Day. Motion to suppress the Depo overruled X 7 Day — ~~Trial by court~~ — Pltff dismisses his suit — Judgt for costs E
John Bush vs William Faught	Appellee / Appellant	Appeal	14	Continued at last Term	Brenton	Nave	X 6 Day contin^d till monday at defts costs ~~of Day~~ Genl ~~Demr to Sec. Fuciar~~ E X 7 Day 2 Pleas filed — rule to reply tomorrow morning E X 8 Rep to Pleas filed — at Issue Judgt for Pltff for agreement of parties E

April Term 1840

James Douglass vs John Snodgrass	4 days causes Appellee Appeal Appellant	No 15	Continued at last Term	Nave		X 8 day Trial by court. – Ver et ff 26:29 & judgt. – E
Andrew Trather vs William Morse	Appellee Appeal Appellant	16	Dismissed in Vacation			X 4 Day – Dismissed E
James H Jones infant by Christian Cartman his Guardian & John Jones infant by Robert D Covy his Guardian vs Alcy Jones	Disseizen	17	Writ served 23rd March 1840	Nave	Brenton	X 4 Day – Plea filed Gen Issue E X 6 Day – Pffs submit to a non-suit judgt. for costs E
Lewis Martin vs Robert Tout Joseph Tout & James Tout	Trespass vi et armis	18	Writ served 26th March 1840	Nave	Brenton	X 4 Day – Plea filed Gen Issue E 8 day tomorrow X 9 Day – ~~Trial by court~~ Continued – E
John Hollingsworth vs William Hambleton	Assumpsit	19	Not found	Nave		4 Day Alias writ awarded & continued – E

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Wesley Jewell vs Anthony Swaim & James Tasley	5th days Causes Assumpsit	No 1	Writ served 22nd Novr 1839	Nave		X 5 Day — Judgt by default — E $222.12
John Givan vs Isaac Holton	Case on promises	2	Writ served 26 Sept 1839	O Neal		X 5 Day — copy of instrument demanded & furnished & rule for plea tomorrow — E X 6 Day — Plea filed Genl Issue E X 8 Day Trial by court — Judgt for $177.06 — & judgt E
Thomas Elms Oliver Brooks James M Crossman & Horace Cole vs Temberton S Dicken	Assumpsit	3	Writ served 27th Decr 1839	Fletcher & Butler		X 5 Day — same — & same order E X 6 Day — Judgt by Nil Dicit Damages assessed by court by consent — E
Joseph W Blachely David E A Strong & John A Simpson vs John Hadley	Case on promises	4	Writ served 1st Feb 1840	Fletcher & Butler		X 5 Day. Judgt by default — E (Satisfied except costs) $848.47
William C Irwin & Thomas H Minor vs John Hadley	Case on promises	5	Writ served Feby 1st 1840	Fletcher & Butler		X 5 Day Judgt by default E $266.66
John W Robertson & Jacob Reppert vs Job Turner	Case on promises	6	Writ served 2nd March 1840	Fletcher & Butler		X 5 Day — copy demanded & furnished ~~& rule for plea tomorrow~~ Judgt by Nil Dicit $279.04 E

April Term 1840

John W Robertson & Jacob Reppert vs William Kelly	5th days Causes Case on promises	No 7	Writ served 2nd March 1840	Fletcher & Butler		X 5 Day Judgt by default $147.78 E
Joseph L Bates & William H Abrahams vs John Hadley	Assumpsit	8	Writ served 10th February 1840	Brenton		X 5 Day — Judgt by default for costs only. E
Joseph Simpson vs Isaac N Reynerson	Assumpsit	9	Writ served 23rd March 1840	Brenton		X 5 Day — copy demand id & furnished ~~& rule for plea tomorrow~~ and judgt by Nil Dicit. $204 32 E
Lamon L Robinson vs William T Matlock	Assumpsit	10	Writ served 6th Feb 1840	Nave		X 5 Day — copy as above & Rule for plea tomorrow E X 6 Day. Plea filed & continued by agreement — E
Cornelius W Anderson vs Elijah Anderson	Assumpsit	11	Writ served 30th Decr 1839	Nave	Brenton	X 5 Day Same — Same Rule E X 6 Day — appearance withdrawn & judgt by default — E
Travis Johnson vs Austin Harris	Trover & Conversion	12	Writ served Nov 30th 1839	Nave		X 5 Day — Plea — Gen Issue E X 9 Trial by court — verdict & judgt for plt for $140 & costs — E
William Shackelford vs Curtis King	Slander	13		Brenton		X 5 Day — 2 Pleas in bar — Rule for Rep tomorrow E X 6 Day — Replications filed (at Issue) E X 9 Day Jury trial ~~verdict for~~ Jury discharged & cause continued E

April Term 1840

		No			
James Kendall &	5th days Caused		Writ served 29		
vs	Assumpsit	14	Feb 1840	Brenlow	Nave
Lewis Mastin					

X 5 day. Plea filed — Issue &
X 9c Day continued at Defts cost &

Polly Ann Blake					
Executrix of George M C					
Blake Deceased			Writ served 16th		
vs			March 1840		
Henry Singer	Assumpsit	15		McGaughey	Nave

X 5 day 4 Pleas — Rule for Rep. to &
X Special plea Immaterial
X 6th Day — continued by agreement. &

Nathaniel Brittain			Writ served 28th		
vs	Slander	16	Oct 1839	Quarles &	
Moses Cavett				Nave	

X 5 day — Issue to issue of the term & ~~Cost~~ Dem to issue of the term & Issue
X 7 day Plea filed — Dem & Rule for Rep to Special plea Immaterial — Rule for Rep to Special plea Immaterial &
X 8th Rule to plead X 9 day Plff enters suit &
to a non suit —

Milton Stapp &			Scire facias served		
Eliah Stapp			14th March 1840		
vs	Scire facias to revive	17	on Mastin		
Mary Blake Executrix	a Judgment		~~Blake~~ & Barnett	Nave	
of George M C Blake &			not found		
Lewis Mastin &					
David Barnett					

X 5 day — Dem — to Scire facias
X 1st Junior — Plff dismisses his suit
first for costs —
Plff suggests on the Record
the death of Geo M C Blake one
of the defts in the first entitled
cause — and on his motion leave
given to sue out Execution as to
the survivors. —

John Taylor			Writ served 26th		
vs	Trespass on the Case	16	27 March 1840	Brenlow	
James Anderson &					
Lewis C Hampton					

X 5 day Issue by default.
$190.93 &

Homer Johnson			Order for publica		
vs	Insolvency	17	tion at last		
His Creditors			Term		

X 5 day — Dismissed by &
Petitioner

Benjamin Hubbs & Joseph Hubbs vs William Kelly	5th days Causes		No	Writ served 23rd March 1840
	Trespass on the case on promises		20	
Benjamin Hubbs vs William Kelly	Trespass on the case upon promises		21	Writ served 23rd March 1840

Fletcher Butler & Vandes		X 5 Day. Sworn by defendt 385.61 C
Fletcher Butler & Vandes		X 5 Day. Sworn by defendt $ 1711.79 C

April Term 1840

Benjamin J Blythe vs Hulings Miller	6th days Causes Appellee Appellant	Appeal	No 1	Papers filed 26 Sept 1839			X 6th Day — Trial by court & Judgt for pltff E
Benjamin J Blythe vs Hulings Miller	Appellee Appellant	Appeal	2	Papers filed 26 Sept 1839			X 6th Day Same. E
Benjamin J Blythe vs Hulings Miller	Appellee Appellant	Appeal	3	Papers filed 26 Sept 1839			X 6th Day Same E
Henry Burger vs John Givan	Appellee Appellant	Appeal	4	Papers filed 23rd Oct 1839	Sweetzer Marvin	Nave	X 7th day — Trial by court. Judgt for deft — for costs — E
James Anderson vs James H Madden	Appellee Appellant	Appeal	5	Papers filed 12th Nov 1839	Marvin	Nave	X 7th Day — motion to dismiss for want of cause of action — overruled Trial by court — Judgt for $15.45 & costs E
William W Miller vs Jacob Turpin	Appellee Appellant	Appeal	6	Papers filed 23rd Nov 1839	Octave		X 6th Day Judgt. Deft called & defaulted & Judgt of J.P. affirmed with 10 per cent damages. E
Christian C Nave vs James Anderson	Appellee Appellant	Appeal	7	Papers filed Dec 3rd 1839	Brenton		X 6th Day — Same in all things E
Benjamin Burrow vs Abram Hoadley	Appellee Appellant	Appeal	8	Papers filed 28 Dec 1839	Nave		10th trial by Jury, call'd for by Pltff Verdict for Deed.

April Term 1840

Richard Arnold vs John Dale	6th days Causes Appellant Appellee	Appeal	No 9	papers filed 20th Decr 1839	Nave	Brenton	X 7th Day — ~~continued till tomorrow at deft costs~~ Trial by court. " " Judgt for deft. — E
William W Ford executor of Robert Farris vs William Ellis	Appellee Appellant	Appeal	10	papers filed 16 January 1840	Brenton	Nave Marvin	X 9th Day — Trial by court Verdict & Judgt for Plft for $44.50 — deft files Bill of exceptions E
Martin Cooper vs Armstead Jackson & James N Pope	Appellee Appellants	Appeal	11	papers filed January 27th 1840			X 8th Day — Deft confesses Judgt for costs and files 3 Pleas — & Rep to pleas — Trial by court — Judgt for Plft. — E
Curtis King vs John Hollingsworth	Appellee Appellant	Appeal	12	papers filed February 6th 1840	Marvin	Brenton	9th Trial by court Judgt for Plft for $47.66 & Costs E
Alford Hunt vs James S Dicken	Appellee Appellant	Appeal	13	papers filed 11th Feb 1840	Nave	Brenton	10th Day continued by affidavit for Material Witness at cost of Deft.
Henry Burger for the use of Daniel Chadd vs Philip McClain	Appellee Appellant	Appeal	14	papers filed 21 Feb 1840	Brenton	Nave	10th Judgt for Plff $27.62½ with cost ~~[illegible]~~
James F Beckret vs Henry Burger & Basil Tout	Appellant Appellees	Appeal	15	papers filed 26th Feb 1840	Nave	Brenton	10th Trial by court, Judgt for Plaintiff

April Term 1840

Simon S Hadley vs James Anderson	6th days Causes Appellee Appellant	Appeal	No 16	papers filed 6th March 1840	Nave		10th ~~by court~~ ~~Trial by Jury~~ Trial by Jury ~~Sam tinued by consent~~ 11th the failed to agree are dismissed and this cause is contind
Samuel J. Ensminger vs Henry Burger	Appellee Appellant	Appeal	17	papers filed 9th March 1840		Nave	10th ~~Trial by Jury~~ Continued by consent
Seton W Norris & Margaret Givan administrators for the use of John Givan vs James L Givan	Scire facias		18	Service acknowledged 21st March 1840	Fletcher Butler		x 15 Day — Judgt of Revivor by Default E
Hugh F Smith vs David Vestal Executor of Elizabeth Wilsons Estate	Appeal from Probate Court		19		grounder in Error		x 9 Day. Errors assigned & submitted — continued till next Term under advisement — E
The State Bank of Indiana for the use of Perry Horbrook vs James S Dicken John Hadley & S A Duncan	" Appellee Appellants	Appeal	20	x papers filed 24th March 1840			x 15 Day motion to dismiss for want of sufficient cause of action x 9 Day — motion ~~overruled~~ sustained Judgt for costs E

April Term 1840

1	State of Indiana on the complaint of Augustine Harris vs Travis Johnson	6th day Causes No	for surety of the peace	21	papers filed April 6th 1840
	State of Indiana on the complaint of Elizabeth Johnson vs Travis Johnson		for surety of the peace	22	papers filed April 6th 1840
	State of Indiana on the relation of Augustine Harris vs James Johnson		for surety of the peace	23	papers filed April 6th 1840

8th Day Dismissed C

8th Day — Dismissed C

8th Day — Dismissed C

April Term 1840

John S Keith vs Joseph Sharp	Chancery Causes In Chancery	No 1	Answer & replication filed continued with leave to take depositions	Nave	Brown	3d Day — amended Bill filed
Samuel McClelland & Margaret his wife Warrick L. F. Johnson & Agnes his wife John Newell and Dorothy his wife vs Robert Cooper Martin Cooper Edmund Cooper Sr. Lewis Cooper Jane Cooper William Harron & Katharine his wife & Katharine Cooper	Petition for Partition	2	Land sold commissioners report confirmed and cause continued	Nave	Fletcher	
Homer Johnson vs Daniel C Johnson Warrick L F Johnson & Agness his wife Larrissa Ann Johnson Benjamin Homer Johnson & Elizabeth Johnson	In Chancery	3	Right of land decree to complainant Gregg Appointed commissioner to convey & report & cause continued			X 9th Day. Commissioners Reports & acknowledges deed — approved. Decree for costs —

Samuel W Walthall vs Elijah Anderson Elizabeth Anderson & John H Anderson	Chancery Causes In Chancery	1	Answer of Elijah & Elizabeth filed Elijah appointed Guardian ad litem for John H			
George W Lewis vs Moses Goodall Nathan Goodall John James Wilson & James Vanblarcum	In Chancery	5	Pltf files March Term 1839 process issued on Wilson & Vanblarcum Dft 15th 1839. Mothers not found			
Lewis Martin vs George Vaught	In Chancery	6	Pltf pro confesso Continued	Nave		X 2d Day — Deft not having complied with order of Sept Term last to answer Complt's bill — on motion of Complt's Solr it is ordered that a Dedimus do issue to Commissioners to take the answer of Deft on oath &c — Decree.
Richard Osborn vs Mary Shomburgh Rachel Shomburgh Isaac Shomburgh George Shomburgh & Nancy Shomburgh	In Chancery	7	Pltf filed August Dft 1837 process served more than thirty days	Brenton		X 2d Day Deft called and may default & Wm Shomburgh apptd Guardian ad litem for infant Defts E. 7 Day Answer of Guardian filed
Hulings Miller vs Thomas Strain	In Chancery	8	Answer of Defendant at last Term Continued	Brenton	Nave	5th Day Deft publication & depositions of Complainant X publication — E

Nave	Quarles	X	2d Day — Elijah Anderson having been served with order of his appointment as Guardian & failing to answer bill filed Wm T. Hadley apptd Guardian ad litem of Jno H Anderson in place of Elijah & 4th Day — answer of guardian filed. — E
Fletcher	Nave	X	6th Day Dismissed per agreement no E working at costs
Nave		X	2d Day — Deft not having complied with order of Wm T Hadley to appt commissioner to examine him — on motion of Complt's Solr it is ordered that a Dedimus do issue to commissioners to take the answer of Deft on oath &c — Decree.
Brenton		X	2d Day Deft called and may default & Wm Shomburgh apptd Guardian ad litem for infant Defts E. 7 Day Answer of Guardian filed
Brenton	Nave		5th Day Deft publication & depositions of Complainant X publication — E

April Term A. D. 1840

James S Dickson vs Hardin H Wilcox & Alexander E McHaffie	Chancery Causes In chancery	No 9	Decree at last term Hadley appointed Commissioner to convey real estate & report	Quarles	Nave	X 2d day. commissioner reports & acknowledges deed. — Final Decree E
Jane Page vs Peter Page	" Divorce	10	Answer of Defendant last term	Nave	Brenton	X 4th day. — continued. — E
David Hedge and William F Wright Guardian and father of his two infant children Jane Wright and John Wright vs Lucy Hedge widow of William Hedge deceased James Hedge John Hedge Joseph Robins & Malinda his wife Thompson Farmer & Paulina his wife Ann Hedge Crocket Hedge Harrison Hedge Anderson Hedge & Lucinda Hedge	Partition of real estate	11	Eldred Huff Abner Ragan & Christian Hartman Commissioners appointed to make partition. Continued Writ of partition returned writ serve			X 2d day — commissioners report made & acknowledged — and affirmed — and Simon T Hadley appt to commissioner to sell &c. ~~Cont~~ ~~6~~ 12 months credit & 24 — equal payments. & continued — E

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	Chancery Causes	No				
Daniel McCrary vs Malinda Crumpton Sally Ann Crumpton Rachel Crumpton Rebecca Crumpton & Young E R Wilson	In Chancery	12	Bill filed November 25th 1839 process served more than thirty days	Quarles		X 2d Day — Malinda C. & Young E R Wilson called & defaulted — & ~~Malinda Crumpton~~ appt Guardian ad litem of infant defs. E
Thomas Murphey vs Archibald Burnett	In chancery	13	Not found	Brenton		X 2d Day order of publication in Inda Journal & contd E
James Reynolds vs Ann B Faulkner Alexexander Williams Mariah Williams Samuel Buckman Martha S Buckman & Edward Strange	In Chancery	14	Served on A B Faulkner & E Strange 29th Feb 1840 Williams & Buckmans not found	Brenton		X 2d Day — Ann B Faulkner & Edward Strange called & defaulted — and order of Publication as to A Williams & wife and S Buckman & wife — and contd. E
Patsy Jones vs Joshua Jones	Divorce	15	Not found	Brenton		X 2d Day order of publication in Inda Journal & contd E
Sarah Webb vs Peter Webb	Divorce	16	Not found	Nave		X 2d Day — order of publication in Inda Journal E

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Sanford Gorham Thomas Cotrall & Elizabeth Cotrall his wife & Joshua Gorham & Mary Gorham infants by Thornton F Gorham Their Guardian vs John C Gorham	Chancery Causes	No				2d Day ~~Bill amended by making Stephen Pitts a deft~~ X Leave to amend Bill by 1st day of next Term and publication as to deft E.
	In chancery	17	Not found	Navie		
Jane Gardner vs Madison H Gardner Harriet Gardner John C Gardner Wesley Bowen Eliza Bowen James Gardner William B Games Evaline Games Martha Gardner Darius Gardner Joel Nelson & Hudson McVay	Petition for Dower	18				X 7th Day Proof of publication made Eldred Huff, William McClure & Harman Hyatt appd commissrs to assign dower — commissrs E sworn 9th Day commissioners Report made & acknowledged & confirmed — adjud that the parties pay the costs & fees. —
Hannah King vs Curtis King	Petition for Divorce	19	Sub Served 21st March 1840			2d Day answer filed X 5 Day Divorce & Alimony Decreed X 6th Day — commissioners sworn E 7 day — commissioners report made & acknowledged — and by agreement & consent of deft he waiving all error — Report of commissioners affirmed. —

Chancery. April Term, 1840.

Harvey Flathers vs. Mary Anne Flathers	Divorce	Nove	2d Day – Bill filed & order of publication on afft of non residence of Deft. ("Indn Journal.")
Joseph Beeler Guardian &c of Geo Mattock Ex parte	Application to sell Real Estate of the ward		X 3d Day Bill filed and Joshua D. Parker Jos Glover & Jos B. Keer apptd – approvers 7 day Dismissed by complaint

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	1st days Causes	No		Pfs atto	Defts atto		
State of Indiana vs John Cooksey	Indictment for Retailing	1	Not found			× 1st Day cont. for further process	E
State of Indiana vs John Cooksey	Indictment for Retailing	2	Not found			× same "	E
State of Indiana vs John Cooksey	Indictment for Retailing	3	Not found			× same "	E
State of Indiana vs Jeremiah Stiles	Indictment for Retailing	4	Continued at last Term Samuel Melogue Security for appearance		Above	× 1st Day plea not Guilty Trial by court Verdict not guilty	E
State of Indiana vs William Myers	Indictment for passing Counterfeit money	5	Not found			× 1st Day cont. for process	E
State of Indiana vs Samuel McVay	Indictment for Betting	6				× 1st Day same	E
State of Indiana vs Samuel McVay	Indictment for Betting	7				× 1st day same	E
State of Indiana vs Benjamin Sanders	Indictment for Betting	8	John Sanders & Cornelius Lay Recognizance			× 1st day – Plea not guilty – continued & defts recognized – Subpoena awarded to Marion co. for Jno McVay – Witnesses Recognized	

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		No		Pl'ffs atto.	Defts atto	
State of Indiana vs Franklin Trotter Reefus Trotter & James Trotter	1st day Causes Indictment for Petting	9	Isaac Trotter security for Franklin, Cornelias Loy security for Reefus			x 1st day — Nolle Prossed — E
State of Indiana vs John Givan	Indictment for Perjury	10	Christian C. Nave & Pemberton S Dicken Recognizors		Nave	5 day — change of venue to Morrison Deft recognized — in $200 and 3 sureties in $200 each — for witnesses in $50 each
State of Indiana vs David Courtney & Noah Fightmaster	Indictment for Grand Larceny	11	John Snodgrass recognizor			x 2d day attacht for Las Douglass — Jury Trial — Verdict Not guilty — Douglass witness sworn & discharged on payt of costs — E
State of Indiana vs Travis Johnson & Fanny Dee	Indictment for adultry	12	John Stewart security for Travis Johnson. Fanny not found		Nave	x 1st day — motion to quash Indictt & motion sustained E
State of Indiana vs Philip McClain & James McClain	Indictment for an affray	13	William Moore security for Philip & Michael McClain for James			x 1st Day Plea ~~not~~ guilty by Philip & not guilty by James. ~~Philip~~ E 2d day jury trial as to James. Verdict not guilty — x Fine agt Philip of $3.00 — & Judgt E
State of Indiana vs William Johnson & John Burgess	Indictment for an Affray	14	Homer Johnson security for William Johnson & Curtis Marker for Burgess		Nave	x 1st Day Plea not guilty — Trial by court — Verdict Not guilty —

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				Pl'ffs atto	Def'ts atto	
State of Indiana vs Abram Bland & James McAvoy	1st days causes Indictment for an affray	15	Amelia Cunningham bail for McAvoy & William Blan for Abraham	x 2d Day Bently	Above	1st Day — ~~Plea not guilty~~ — attacht. for witnesses — witness discharged on pay of costs — Trial by court — Verdict Guilty Fine $5.00 & costs. — E
State of Indiana vs Charles Clark	Indictment for aiding & abetting an Assault & Battery	16	Samuel Melogue Recognizor			x 1st Day Plea not guilty attacht. for witnesses — x 2d Day — Trial by court — Verdict Guilty — Fine $5.00 & costs. — E
State of Indiana vs Elijah Wallis	Indictment for Assault & Battery	17	Woodson Bryant Recognizor			x 1st Day — Plea guilty — Fine $3.00 & costs — E
State of Indiana vs Reuben Walker	Indictment for an Assault & Battery	18	Not found			x 1st Day continued for process E
State of Indiana vs Nathaniel Brittain	Indictment for an Assault & Battery	19	Not found			x 1 Day Same Bench warrant E
State of Indiana vs Woodson Bryant	Indictment for an Assault & Battery	20	S. A. Duncan Security			x 1st Day. Continued — and Def't Recognized E
State of Indiana vs John Skinner	Indictment for an Assault & Battery	21	Harmon Brittain Security			2d day — Jury trial — Verdict not guilty E

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State of Indiana vs Thomas Chadd	1st day & Cause Indictment for an Assault & Battery	No 22	James Flynn recognizor		
State of Indiana vs Harman Prittain	Indictment for an Assault & Battery	23	Silvester Griffing recognizor		
State of Indiana vs James McAvoy	Indictment for an Assault & Vending Merchandize	24	Amelia Cunningham recognizor		Save
State of Indiana vs James McAvoy	Indictment for Retailing	25	Amelia Cunningham recognizor		Save
State of Indiana vs Robert Ross	Indictment for violation of Estray Law	26	Samuel Melogue Recognizor		Brenton & Hove
State of Indiana vs James Worrell	Indictment for failing to work Roads	27	Joshua D. Parker Recognizor		Save
State of Indiana vs William Allen	Grand Larceny recognized by Justice of peace	28	Obadiah Mifflin recognizor		Hove
State of Indiana vs James McAvoy	Assault & Battery recognized by Justice of peace	29	Amelia Cunningham recognizor		

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Alexander Worth vs Francis Whicher & Josiah Jones	2nd days Causes Debt	No 1	Writ served on Whicher Jones not found	Fletcher & Butler		not to be called again × 5th D. Continued & process against Jones awarded — on motion of pltffs. E
William Hays vs John E. Johnson	Case on promises	2	Plea of infancy filed	Quarles	Nave	× 2d D. rule for replication to plea tomorrow E 3d day Pltff dismisses. — E
William S. Moore vs Franklin Trotter & Nicodemus Fletcher	Trover & Conversion	3	Continued at defts Costs to be paid in 90 days. Not paid	Fletcher & Butler	Nave & Brenton	× 2d day Dismissed for want of prosecution. Judgt. for costs. E
George Allen Yonel Pullian	Foreign Attachment	4	proof of publication at last Term, deft called & defaulted & Continued	Fletcher & Butler		2d day continued by operation of law E
John Maccoy for the use of Jesse Head Executor of George Horine vs Robert Ragan	Debt	5	Continued at pltffs costs with leave to amend Declaration in 90 days Amended decl not filed	Brenton	Nave	× 2d day. — Continued at pltffs costs E
William Merritt vs Edmund Clark & Benjamin M. Smith	Replevin	6	Continued at last term by agreement	Nave	Brenton	× 3d day — Pltff not prosecuted as to Smith and judgt by agreement agt. Clark for costs. E

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State of Indiana on the relation of James Hendricks Alvin P. Chadd & Matthew Stafford Trustees of School district No 3 in Township 15 for the use of said district vs Asahel Mann Matthew Stafford William Kelly & Daniel Liming	2nd day Debt	No 7	Declaration filed last term & Continued	Nave & Peaslee	Brenton	× 2d day Plff dismisses. –	E
William McLean vs Levi Jessup	Debt	8	Continued at last Term because writ had not been served 10 days	Nave		× 2d day Judgt by default.	E
John R. Robards vs Levi Jessup	Debt	9	Continued for want of 10 days service of writ	Nave		× 2d day Judgt by default	E
John R. Robards William P. Robards & Mary Ives vs Levi Jessup	Debt	10	Continued, writ not being served 10 days before court	Nave		× 2d day Judgt by default	E
William Christie vs William Cain & Cornelius Cain	Debt	11	Plea & replication filed last term & Continued & defts costs	Nave	Brenton	× 2d day. – Trial by court – Verdict & judgt for plff	E
Thomas D. Gregg vs Lewis Mastin & William Faught	Assumpsit	12	parties appeared & continued by agreement	Fletcher & Butler	Nave	2d day Plea Gen Issue Trial by court – Verdict & judgt for plff	E

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John Hollingsworth vs William Hambleton	2nd days causes Assumpsit	No 13	Writ served August 22nd 1840	Nave		× 2d day Judgt by default copy & rule to plead tomorrow 3d day Plea filed Gent 2 pence contd till tomorrow at defts cost × 4th day Trial by court & Judgt for plff
Laman L. Robertson vs William T. Matlock	Assumpsit	14	General issue filed & Continued by agreement at last Term	Nave	Brenton	× (at 2 pence) 2d day Trial by court Verdict & Judgt for plff
Polly Ann Blake Executrix of George McC Blake vs Henry Burger	Assumpsit	15	4 pleas filed & Continued by agreement	McGaughey	Nave	× 2d day Rule for Repo tomorrow 3d day — Demr to 2d & 4th pleas — Rep to 3d × 4th day Tomorrow Demr — Demr to 2d & 4 pleas sustained Verdict & Judgt for plff — appeal prayed & granted
William B. Moore vs Oliver Wentworth Harmon Brittain & Job Turner	Debt	16	Writ served on Brittain & Turner July 10th Wentworth not found	Nave		× 2d day — oyer & rule for plea tomorrow × 3d day suggestion of not found as to Wentworth — Judgt for want of plea agt Brittain & Turner & writ of Inquiry 6 day — Damages assessed by the court by agreement of parties — Damages assessed at $74.21 cts & Judgt
State of Indiana on relation of Charles B. Naefor vs Noah Harding Curtis King & James Logan	Debt on official bond	17	Writ served August 7th 1840	Nave		× 2d day — oyer — & same × 3d day Demr to 2 first counts & Demr to 3d 4th Day — Tomorrow Demr — Demr sustained × 5 day Judgt on Demerrer
Ephraim Rudisill vs Allran Poteet	Debt	18	Writ served Augt 31st 1840	Nave		× 2d day — same copy & rule for plea × 3d day Judgt by Nil dicit (Gold & Silver required)

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	2nd day causes	No				
Daniel Yandez vs William Hambleton & William Moore	Debt	19	Writ served on Hamilton Augt 21st on Moore 24th	Fletcher Butler & Yandez	The clerk will look at the mens in this papers	2d day — oyer & rule to plead tomorrow +3d day — plea filed ~~[illegible]~~ E Plea withdrawn & judgt for plt for $80.75 by agreement & stay of Execution 18 months upon putting in good & legal ~~bail~~ replevy bail.
Benjamin F. Baker & Edward G. Whitney vs William Kelly & Azahel Mann	Assumpsit	20	Writ served September 22nd	Nave		x 2d day Suggestion of death of Kelly since ~~death of~~ service of writ, copy & rule to plead. x 3d day — Judgt by ctd dicit
Benjamin F. Baker & Edward G. Whitney vs Job Turner & Moses Cavett	Assumpsit	21	Writ served Sept 15th	Nave		x 2d day. Judgt by default. — E
William McClean vs Franklin Trotter & Isaac Trotter	Debt	22	Writ served Sept 23d	Fletcher Butler & Yandes		x 2d day Judgt by default — E
Indianapolis Insurance Company vs Lewis Mastin, Edward Strange Moses Dooley & Christian C. Nave	Case on promises	23	Writ served on Dooley & Nave Sept 21st on Mastin Sept 25. & on Strange Oct 1st	Fletcher Butler & Yandes		x 2d day continued by operation of law
Indianapolis Insurance Company Abner Wiley, Ezekiel Hornaday & Lewis C. Lewis	Case on promises	24	x Writ served 23rd September	Fletcher Butler & Yandes		x 2d day Judgt on trant of — Attys E

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Indianapolis Insurance Company vs James M. Long Andrew Frather & Lewis C. Lewis	2nd day Case on promises	No 25	Writ served 23d Sept	Fletcher Rutter & Sanders		× Dd Day Judgt on want of any E
Isaac Stewart Thomas N. Robertson Jeremiah Stiles & Davis Boswell	Debt	26	Writ served 23d September	Hester Nove		× Dd day ~~over~~ "Robertson not found" ~~over~~ copy and rule to plead tomorrow. × 3d day – Plea filed. – ~~Demur to plea & Jeremiah and Demur sustained~~ Trial by court. – Judgt for Plff E

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James L. Givan vs William S. Crawford William F. Hamrick & Henry M. Vories	3rd day's Causes Trespass	No 1	At issue on 2 pleas General issue & title to Land	Nave	Brenton	x 3d day — ~~Cont'd~~ Trial by court verdict for plff for $5.00 and judgt. E
James M. Blair vs John Shelly Jeremiah Blankenship & Abner Wiley	Trespass	2	At issue on 4 pleas Continued at defts Costs	Quarles & Brenton	Nave	x 4th Day. Plff dismisses judgt for costs.
Lewis Mastin vs Robert Tout Joseph Tout & James Tout	Trespass vi et armis	3	General issue filed & continued	Nave	Brenton	x 3d day — continued — E ~~39 49~~ ~~05 87½~~ ~~$33 61½~~ 33 61½
William Shackleford vs Curtis King	Slander	4	at issue, Continued	Brenton & Brown	Nave & Quarles	x 3d day continued till tomorrow at defts costs. x 4th day — continued at defts costs & attacht for Ind Deposit & wife witnesses for deft — E
James Kendall vs Lewis Mastin	Assumpsit	5	General issue filed & continued at defts costs	Brenton	Nave	x 3d day continued at defts costs — E 6th day order for cont set aside per agreement 6th day Trial by court ~~verdict~~ Judgt for plaintiff $24 6½
Samuel E. Hatcher vs William Bland	Assumpsit	6	Writ served June 1st	Nave		x 3d day, copy & rule for plea E x 4th day 2 Pleas filed & rule to reply x 5 day Gen'l demr to each plea & ~~judgt~~ — joinder — Demr to 1st plea sustained — to 2d overruled 1st plea amended by mortgage Attn gen'l issue — Trial by court — verdict & judgt for plff —

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John Cheetham vs John N. Boyd	3rd day Causes Case on promises	No 7	Writ served August 27	Brenton	Nave	× 3d day copy and rule to plead × 4th day — Plea filed — Genl Issue E dismissed for agreement each faulty paying his own costs
Boston Nausler vs Archibald Alexander	Assumpsit	8	Writ served Sept 7th	Nave	Brenton	(~~compromised~~) × 4th day continued —
Henry C. Perry vs Joel Watts & James Taylor	Assumpsit	9	Writ served on Taylor Sept 23d Watts not found	Nave		× 3d day suggestion not found as to Watts — copy for Taylor & rule for plea E × 4th day — 2 pleas filed & rule to reply × 5 day Oyer of Record in 2d plea 6 day — Oyer waived and Genl Demr filed to plea & joinder — Demr sustained Trial by court — Verdict & judgt for plt E
John Mulvey vs Andrew Prather	Case on promises	10	Writ served August 5th	Fletcher Butler & Sanders		× 3d day Judgt by default — 2d count nolle prosed E
James H. Madden vs Curtis King	Slander	11	Writ served Sept 3d	Nave		× 3d day ~~Plea filed~~ — ~~Genl~~ Demr to each count & joinder. — Demr to 2d count sustained — Demr to 1st count withdrawn — Plea to 1st count E — E × 4th day — change of Venue to Morgan 6 day order changing venue set aside and judgt by agreement of parties E
James H. Madden & Elizabeth Madden vs Curtis King	Slander	12	Writ served Sept 3d	Nave		× 3d day ~~same~~ Genl Issue — E × 4th day change of Venue to Morgan Co 6 day same in all things — E
John Doe on the demise of William S. Crawford Henry M. Vories & William F. Hamrick vs James L. Sivan	Ejectment	13	On reversal from Supreme Court. Opinion & Judgt of Supreme Court filed	Brenton & Wick	Nave Sweetser & O'Neal	× 3d day opinion of Supr Ct Recorded Continued by operation of Law E

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James Downard & William H. Downard vs Abraham C. Logan	3rd days Causes Scire facias on Justices transcript	No 14	on Reversal from Supreme Court. Opinion & Judgt filed	Nave	Fletcher	× 3d day — opinion of Supr Ct Recorded & Continued — E
Caleb Scudder & William Hannaman vs Smith G. Moore	Assumpsit	15	Writ served Sept 3d	Fletcher Butler & Gaudes		× 3d day copy & Bill of particulars & rule for plea × 4th day — Judgt 2d count nolle prosse — & Judgt by Nil dicit E
James Mason vs Samuel C. Mitchell	Case upon promises	16	Writ served June 20th No Declaration filed	Quarles	Nave	× 3d day Declaration filed & continued E
Alexander P. Semple vs Pemberton S. Dicken & William C. Cline	Assumpsit	17	Writ served Sept 15	McGaughey		× 3d day Judgt by default E
James Low & Emery Low Pemberton S. Dicken	Assumpsit	18	Writ served Sept 15th	McGaughey		× 3d day — Judgt by default E
Jeremiah Depew vs Henry Burger	Case on promises	19	Writ served Sept 11th	Brenton	Nave	× 3d day — copy and rule to plead × 4th day — Judgt by Nil dicit E
Edward T. Porter vs Thomas Murphey	Assumpsit	20		Quarles		× 3d day Continued by operation of law E

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Alfred Harrison John McClain Michael McClain Philip McClain & James McClain	3rd day causes Assumpsit	21	Writ served Sept 19th	Quarles		× 3d day. – Judgt by default E
Thomas P. Lincoln vs Cornelius Panta & Thomas J. Mattock	Assumpsit	22	Writ served on Panta Sept 23d Mattock not found	Stevens & Barbour		× 3d day – suggestion of "not found" as to Mattock – and copy for Panta & rule for plea × 4th day – Judgt by Nil dicit E
Francis E. Corey vs George W. Elsroad	Assumpsit	23	Writ served Sept 24th	Stevens & Barbour		× 3d day – copy & rule for plea × 4th day – ~~[illegible]~~ ~~count~~ – ~~[illegible]~~ Plea non assumpsit. Trial by court. – Verdict & judgt for plt. E
Isaac Stewart vs Thomas N. Robertson Jeremiah Stiles & Davis Roswell	Error Error Error					
Francis E. Corey vs Andrew Prather & John Hadley	Assumpsit	24	Writ served Sept 23d	Stevens & Barbour		× 3d day – Judgt by default. E
Basel Tout vs James L. Sivan	Assumpsit	25	Writ served Sept 26th	Prenton	Nave	× 3d day – contin'd by operation of law E

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Livingston Dunlap & Austin A. Ackley vs Thomas McClain	3rd day Assumpsit	26	Declaration filed Sept 24th 1840 Writ served 25th Sept	O'Neal		x 3d day — Bill of part & rule for plea x 4th day Plea filed — Give Issue Jury Trial — Verdict for plff for $1 20 — & judgt. E
Alexander Worth vs Zenas Foster	Assumpsit	27	Declaration filed Sept 24th 1840 Writ served Sept 25th	Marvin		x 3d day Judgt by default E
Jacob Landes & Robert Greer vs Abner Wiley	Scirefacias on Justices Transcript	28	Transcript filed Sept 7th 1840 Writ served Sept 25th			3d day Judgt by default E
1st day Charles ~~Vintress~~ Virtrees vs Moses Hopwood	Debt ~~Judg~~					Judgt by confession Cognovit E
Lewis Crum v Exrs of Absalom Gardner dec'd	Error to Probate Ct					4th day Supersedeas awarded — Brenton's appearance continued ~~&~~ 6 day submitted and continued under advisement E

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State of Indiana on relation of Christian C. Nave vs Thomas H. Harding Payne Harding & Samuel Betts	4th day causes appellants	Appeal	No 1	Continued at defts cost last term		X 4 Day continued at defts costs — E
John W. Thompson vs William Naylor	appellant	Appeal	2	Continued at defts costs last term		6 day Judgt of 2 Pence affirmed & 10 per ct E
Alfred Hunt vs James S. Dicken	Appellant	Appeal	3	Continued at defts costs last term	move	X 4 Day — Trial by court — Judgt for p lft — E
Simon T. Hadley vs James Anderson	Appellant	Appeal	4	Continued by agreement last term	move	~~4th day Trial by court~~ 6 day — continued till monday at plfts costs — E 7th Day Trial by the court and ~~Judgt for~~ & Court disagree Contd
Samuel J. Ensminger vs Henry Berger	Appellant	Appeal	5	Continued by agreement last term	move	X 5th day — Trial by court — Verdict & judgt for p lft for $2 66 & costs —
Hugh P. Smith vs David Vestal Executor of Betsey Wilson	Appellant	Appeal	6	under advisement	move	5 day Judgt of Probate court affirmed — E
Polly Ann Blake Executrix of George M. C. Blake vs Richard P. Thompson & James F. Beckett	appellants	Appeal	7	papers filed April 22nd 1840	move	X 4th day Plfts dismissed with judgt for costs — E

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Alexander McCalment vs William D. McClain	4th day causes Appeal appellant	8	papers filed May 5th 1840		move	x 4 day Plff dismisses his suit gridt for costs papers withdrawn	E
William Christie vs Cornelas Cain & ~~William Cain~~	Appeal Appellant	9	papers filed May 8th 1840	move		x 4 day — Judgt of Q. Peace affirmed & 10 pr ct damages — dft failing to appear —	E
William Christie vs Cornelias Cain	appeal Appellant	10	papers filed May 8th 1840	move		x 4 day — same —	E
William F. Hamrick vs William C. Cline	Appeal Appellant	11	papers filed May 11th 1840		move	x 4 day motion to dismiss for want of sufficient scire facias. — overruled. — x 5 day — Trial by court — Verdict & gridt for plff —	E
Reason Kendall vs Lewis Mastin	appeal appellant	12	papers filed May 11th 1840		move	x 5 day — Trial by court — Verdict & gridt for plff for $61.18 —	E
John J. Helton vs William C. Cline	appeal appellant	13	papers filed May 11th 1840		move	x 4 day motion to dismiss suit — overruled x 5 day Trial by court — Verdict & gridt for plff —	E
William S. Crawford Henry M. Vories William F. Hamrick vs Gabriel G. Gaylor	appeal appellant	14	papers filed May 11th 1840		move	5 day — ~~Trial~~ ~~Verdict~~ & gridt for plff by agreement	E
Gideon Hufford & Milton F. Barlow Administrators of Enoch Barlow vs Lewis Mastin & William F. Skelton	appeal appellants	15	papers filed May ~~11th~~ 25th 1840		move	5 day. same	E

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Nathaniel Crosby for the use of William H. Cash and John Cash, administrators of the estate of William M. Hamer vs Lewis Mastin	Appellant	Appeal	16	papers filed May 25th 1840.		Move	5 Day. Trial by court — Verdict & judgt for pltt 6 day Bill of Exceptions Taken E
John Moore vs James T. Downard	Appellant	Appeal	17	papers filed June 5th 1840	Move		x 4c day Dismissed for agreement at pltt costs E
William G. Moore vs Adam McClure	Appellant	Appeal	18	papers filed June 1840.		Move	x 4 Day — motion to dismiss suit for want of cause of action — motion sustained — E
Jeremiah Depew vs Edward Strange & Isaac Stevens	Appellants	Appeal	19	papers filed June 10th 1840		Move	x 4c Day motion to quash scire facias E 6c Day. Trial by court — Verdict ~~& judgt for~~ & judgt for pltt — E
Jeremiah Depew vs Edward Strange Isaac Stevens	Appellants	Appeal	20	papers filed June 10th 1840		Move	x 4 same E 6 day Trial by court Verdict & judgt for plaintiff E
Jeremiah Depew vs Edward Strange & Isaac Stevens	Appellants	Appeal	21	papers filed June 12th 1840.		Move	x 4 same E 6 day — Trial by court — Verdict & judgt for plaintiff E
Evan Davis vs Smith G. Moore	Appellant	Appeal	22	papers filed July 21st 1840			4 — day — ~~Judgt~~ Trial by court Verdict & judgt for pltt E

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James Scammerhorn vs Rucker K. Carter	4th days causes Appellant	Appeal	23	papers filed July 26th 1840			4th day Dismissed for agreement E
George P. Elliz vs Allran Poteet & Henry S. Todd	Appellants	Appeal	24	papers filed Augt. 26th 1840	Nove		5th day. Trial by court. Verdict & judgt for $13:81 for plff E
Nathaniel Crosby for the use of William H Cash & John Cash Administrators of William M. Hamer vs William Faught	Appellant	Appeal	25	papers filed August 26th 1840	Brenton	Nove	5th day. Trial by court. Verdict & judgt for plff E
Evan Davis vs Thomas Hussey Jediah Hussey & Samuel Mills	Appellant	Appeal	26	notice served 23d Sept		Nove	6th day Diminution of Record suggested and Certiorari awarded for complete Record & continued E
Nathaniel Crosby for the use of William H. Cash & John Cash Administrators of William M. Hamer vs Edmund Clark & William Faught	Appellants	Appeal	27	papers filed Sept 21st 1840		Nove	5 day: Trial by court. Plff dismissed & withdrawn judgt E
Nathaniel Crosby for the use of William H. Cash & John Cash Administrators of William M. Hamer vs Edmund Clark & William Faught	Appellants	Appeal	28	papers filed Sept 21st 1840.		Nove	5 day Plff dismissed & withdrawn papers judgt E

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Hudson Brackney & James Thomas vs Andrew E. McHaffie	4th day appellants	appeal	29	papers filed Augt 1840		x 4 day — motion to dismiss appeal overruled — & continued at pl 48 costs — E
John Standeford & William Sigler vs Solomon J. Scott & Thomas Lockman	Appellants	appeal	30	papers filed Sept 21st 1840	rove	5th day — motion to dismiss suit overruled — E 6 day Trial by court — Verdict & judgt for pl 48 E

October Term 1840

John S. Keith vs Joseph Sharp	In Chancery	1	Amended Bill filed last Term	Nave	Brown	1st day Pltf. takes rule to publish depositions 4th day amended answer of Dept filed 5th day continued on afft of & 1st 6th day Exceptions to amended answer filed & Exceptions set down for argument 2d day next Term
Samuel McClelland & Margaret his wife, Warrick L. P. Johnson & Agnis his wife John Newell & Dorothy his wife vs Robert Cooper Martin Cooper Edmund Cooper Jr Lewis Cooper William Herron & Catherine his wife & Catherine Cooper	In Chancery	2	Land sold & Commissioners Report Confirmed October Term 1839	Nave	Fletcher	5 day — Report of commissioners made — affirmed & decree E
Samuel W. Walthall vs Elijah Anderson Elizabeth Anderson & John H. Anderson	In Chancery	3	Answer of John H. Anderson by his guardian at last term. the answers of the others being filed before then	Nave	Quarles	x 1st day Pltf takes rule to publish depositions — x 3d day — depositions published x 5th day death of Eliza Anderson suggested — ~~rule to submit consideration~~ cause submitted E
Richard Osborn vs Mary Thornburgh Racheal Thornburgh Isaac Thornburgh George Thornburgh & Nancy Thornburgh	In Chancery	4	Deft Mary called & defaulted at last Term & answers of infant defts by their guardian	Brenton		3d day continued — E

October Term 1840

Heelings Miller vs Thomas Strawn	In Chancery	5	Depositions published last Term	Brenton	Nave	5 Day — decree that deft convey 4 in 90 days, & Judgt for costs E
Jane Page vs Peter Page	Divorce	6	Continued at last Term	Nave	Brenton	1 Day Pltff dismissed — E
David Hedge & William P. Wright Guardian & father of his two infant Children Jane Wright & John Wright vs Lucy Hedge, Jane Hedge John Hedge, Joseph Robbins & Malinda his wife Thompson Farmer & Paulina his wife, Ann Hedge Crockett Hedge, Harrison Hedge, Anderson Hedge & Lucinda Hedge	Partition of real estate	7	Hadley appointed Commissioner at last term to sell Land.	Nave		x 3 day commissioner's report made & filed — 5 day continued. E
Daniel McCrary vs Malinda Crumpton Sally Ann Crumpton Rachael Crumpton Rebecca Crumpton Young E R Wilson	In Chancery	8	Defts Malinda & Wilson called & defaulted at last Term	Quarles		5 day cause dismissed without prejudice E

October Term 1840

Thomas Murphey vs Archibald Burnett	In Chancery	9		Brenton		x 1st Day Proof of publication made and deft called and defaulted and Bill taken pro confesso. — & Decree E 6th day — Commissrs report & deed approved & confirmed —
James Reynolds vs Ann B. Faulkner Alexander Williams Maria Williams Samuel Buckman Martha S. Buckman & Edward Strange	In Chancery	10	Defts Ann B Faulkner & Edward Strage called & defaulted & Order of publication at last Term	Brenton		1st Day — same — Maria Williams Alexander Williams, Saml Buckman & Martha S Buckman called & defaulted. — Edwd Strange appd guardian ad litem of infant defts E x 4th day answer of guardian ad litem filed — & continued — E
Patsey Jones vs Joshua Jones	Divorce	11	Order for publication at last term	Brenton		1st Day — same — and deft called & defaulted — E ~~3rd day — Trial — Plff dismissed without prejudice~~ 4th day — Continued — E
Sarah Webb vs Peter Webb	Divorce	12	Order for publication last term	Nave		x 1st Day — alias order of publication & continued — E
Sandford Gorham Thomas Coterell Elizabeth Coterell and Joshua Gorham & Mary Gorham infants by Thornton F. Gorham their Guardian vs John C. Gorham & Stephen Ritts	In Chancery	13	Order for publication at last Term	Nave		x 1st Day — Proof of publication made and deft Gorham called and defaulted 3d day continued and leave to plff to amend Bill E

October Term 1840

Harvey Flathers vs Mary Ann Flathers	Divorce	14	Order for publication at last Term	Nave		6 day appearance by deft & Plea filed ~~Trial~~ 7th & continued — E
Nancy Swindler vs Harvey Swindler	Divorce	15	Bill filed June 9th 1840 Subpoena served more than 30 days	Nave		1st day Ans filed 2d leave to amend — Cross Bill 4d day — Trial by court — Bill E dismissed —
Lydia Ann Adamson vs Simon Adamson	Divorce	16	Bill filed Sept 1st 1840	Brunton		1st Day contd for process — E

Gamble et al. vs Gamble et al. } Partition

1st Day Proof of publication —
6 day — Proof of seizen of the land in fee in Josiah Gamble the father of ~~the persons~~ that the persons named in the Bill are ~~the heirs~~ his children & heirs ~~of~~ that Aaron Gamble has been advanced his full share & interest in the Estate & that Josiah Gamble died in 1834 —

Eldred Huff
Levi Johnson & } Commissioners
Henry Miller

to report next Term & continued —

42.75

12/256 50

21 1

236

256

491

4275

47.66