

## Civil Case of John Hall vs Blowers & Rolf

Francis M. Rolf	Plaintiff	April 3, 1855
John Blowers	Defendant	
Eliphalet S. Rolf	Defendant	
J. R. Perdine	Att. For Plaintiff; notice to defendants of deposition taking	
John Blowers	Summoned to answer Francis M. Rolf on complaint	April 9, 1855
Elipholet S. Rolf	Summoned to answer Francis M. Rolf on complaint	
S. S. Mickle	Clerk	
S. S. Mickle	Authorized JP of Warren County, Ohio to take depositions	April 18, 1855
Peter W. Wikoff	Gave deposition in Warren County, Ohio	April 20, 1855
Peter W. Wikoff	Sold wagon to John Blowers & Eliphtet Rolfe; received note	
Peter W. Wikoff	Francis Rolfe signed said note as security	
Peter W. Wikoff	Assigned said note to John W. Hall	
John W. Hall	Note of Peter Wikoff was assigned to him	
Milton Coulson	Gave deposition in Warren County, Ohio	
Milton Coulson	Was JP of Warren County, Ohio at time of assignment of note	
Eliphtet S. Rolfe	Gave deposition in Warren County, Ohio	
Eliphtet S. Rolfe	Says: Peter Wikoff wrote note; John Blowers & himself signed it	
Eliphtet S. Rolfe	Says: Francis Ralfe signed note as security	
Eliphtet S. Rolfe	Says: Francis Ralfe furnished money to pay off note or judgment	
Thos. Crawford	Justice of Peace for Warren County, Ohio	
Francis Rolfe	Plaintiff	
John Blowers	Defendant	
Eliphtet S. Rolfe	Defendant	
James S. Tatum	Clerk of Warren County, Ohio; oath that Thos. Crawford was J. P.	April 23, 1855
Francis M. Rolf	Plaintiff; complaint that he paid as security of note, debt to John Hall	May Term 1855
Francis M. Rolf	Has not been repaid for note; demands judgment	
John Blowers	Defendant	
Elipholet S. Rolf	Defendant	
J. R. Perdine	Attorney for plaintiff	
F. Hartinger	Clerk of Warren County, Ohio; oath of true transcript of proceedings	Nov. 21, 1855

Roll No 63 (56)

John W. Hall Assignee of  
Peter W. Wickoff  
vs

John Blowers  
Elihalet S Rolf  
Francis M Rolf  
1855

By 16.

Indiana April 8 1855.  
Mr. Clerk Dear Sir  
you have please issue a  
summons for the defend-  
ent and request the sheriff to  
serve it together with the notes  
to take depositions immediately  
and issue a commission  
to take depositions directed  
to any Justice of the Peace of  
any State Territory or State  
County Ohio. But direct it  
to Mason Post Office Kane  
County Ohio. I will have  
the matter of cost arranged  
before trial so I cannot com-  
eant before court  
Respectfully yours  
J. N. Pershire

SUMMONS.

THE STATE OF INDIANA:

TO THE SHERIFF OF Adams COUNTY:

You are commanded to summon ~~John Blum~~ John Blum  
& Eliphelet S. Ralph

to appear in the Court of Common Pleas of  
Adams County on the second day of the next term thereof, to answer the  
complaint of Francis M. Ralph on a Complaint

and of this summons make due return.

Witness, The Clerk and seal of the Court,  
this sixth day of April 1855

J. S. Mickle  
Clerk



I Thos Crawford a Justice of the Peace  
 in and for the Township of Deerfield in  
 the County of Warren and State of Ohio do  
 hereby certify that the above named Peter  
 W. Wilkoff Milton Conlson and Eliphalet  
 S. Polfe were by me first duly <sup>examined</sup> to testify the  
 truth the whole truth and nothing but  
 the truth and that the foregoing Depositions  
 only them respectively <sup>solely</sup> subscribed in my presence  
 and by me reduced to writing, and were taken  
 at the time and place specified in the en-  
 closed notice. In Testimony Whereof I have  
 hereunto set my hand this 20<sup>th</sup> day of  
 April A.D., 1838

Thos. Crawford J.P.  
 Recd of E. S. Polfe for the plaintiff, Francis M.  
 Polfe \$4.00 per being the fees, of the Justice Constable  
 and Witnesses and Clerk's fees.

The State of Ohio  
 Warren County

I James S. Totten

Clerk of the Court of Common Pleas  
 within & for said County do hereby certify  
 that Thos Crawford Esq. whose genuine  
 signature appears above was at the time of  
 signing the same and now is an Acting  
 Justice of the Peace within & for said County  
 duly Elected commissioned & qualified &  
 that full faith & credit are due & of right  
 should be given to all his official acts as  
 such. In Testimony Whereof I have hereunto  
 set my hand & affixed the Seal of said Court  
 at Warren this 23<sup>rd</sup> day of April A.D. 1838

Ans<sup>d</sup> } I. Mas

2<sup>d</sup> State what proceedings were had if any, before you as justice of the Peace, by J. W. Bell against of T. W. Wilkoff against John Blower, E. S. Rolfe & Francis M. Rolfe, & the time of Disposal -

Ans<sup>d</sup> The Proceedings had by me before me in the this case will appear from the transcript herewith attached Marked (A) And the <sup>Notes</sup> ~~transcript~~ attached is the ~~one~~ Obligation upon which the proceedings were had. and the Transcript Marked a as aforesaid is the identical Transcript given by me, in this case

Hilton Coulson

Eliphted S Rolfe of the County of Warren of Lawful age being first duly sworn by me as hereafter certified by me Deposeth as follows

1<sup>st</sup> Question by plaintiff, Atty

Do you know anything concerning the note herewith attached, if so state your knowledge about the same, state whether Francis M Rolfe signed said note as security, & whether he furnished the money to pay off the same -  
Ans<sup>d</sup> Peter W Wilkoff wrote the Note Me and John Blowers signed it as principals and Francis M Rolfe, as Security. and Francis M Rolfe furnished me the money to pay off said Note or the Indgement <sup>thereon</sup> thereon as shown by transcript herewith attached Marked (A)  
E S Rolfe



Depositions of Witnesses taken in a  
cause pending in the Court of Common Pleas  
of Adams County in the State of Indiana  
Wherein Francis M. Rolfe is Plaintiff and  
John Blowers and Eliptot S. Rolfe is  
Defendants, and for said plaintiff in Indiana  
and of the Justice hereto attached and at the  
time and place therein mentioned R. H.  
Cunningham Atty for plaintiff was Present  
The Defendant is present nor represented by  
any one

Peter W. McRoff of the County of Warren  
of Lawful age being first duly sworn by  
by me as hereafter Certified Deposed as fol-  
lows,

1<sup>st</sup> Question By plaintiffs Atty.

Where do you reside -  
Ans: Warren County Deerfield Township Ohio

2<sup>nd</sup>. Are you acquainted with Francis M.  
Rolfe of said Township -

Ans: Yes Sir

3<sup>d</sup> Do you know anything about the  
note given by John Blowers to you for the  
payment of one hundred <sup>and thirty</sup> dollars, here with  
attached, if so state your knowledge  
concerning the same

Ans: I sold John Blowers and Eliptot  
Rolfe <sup>Bought</sup> a Waggon for one hundred and  
thirty Dollars and this is the Note given  
by them for the same.

4<sup>th</sup> Who did you understand were the principals in signing that note referred to  
Ans<sup>r</sup> Eliphalet Rolfe and John Blowers -

5<sup>th</sup> Was that note assigned by you if so to whom did you assign it -  
Ans<sup>r</sup> It was assigned by me to John W. Hall

6<sup>th</sup> Did you understand that Francis M. Rolfe signed the aforesaid note as security -

Ans<sup>r</sup> That was my understanding of it that he signed it as security I got that understanding from all the parties connected therewith

7<sup>th</sup> State the conversation you had with John Blowers & Eliphalet Rolfe at the time the said note was given in regard to the security they were to give on the note -

Ans<sup>r</sup> They told me they would give me Francis Rolfe or John Carington as security. I observed to them that either one of them was good enough and Francis Rolfe signed the note as such  
Signed & P. W. Nichols

Milton Condon of the County of Warren and Township of Deepfield of Sarafel age being first duly sworn by me as hereafter Certified Depose as follows

I Dores by plaintiff -

were you an acting justice in & for deepfield township from 1<sup>st</sup> January 1854 to 1<sup>st</sup> January 1858



State of Indiana } In the court of Common Pleas  
Adams County } May Term A.D. 1855  
Francis M. Rolf

vs

John Blawie  
Elephat S. Rolf

The defendants will take notice that the Plaintiffs on the 20th day of April A.D. 1855 before any Justice of the Peace of Jefferson Township Warren County in the State of Ohio will produce & return & deliver at 10 and 4 o'clock P.M. of said day to take the deposition of P. W. Wiloff and others and continuing from day to day untill all of said depositions are taken said depositions to be read in Evidence in a cause now Pending in the court of Common Pleas of Adams County Indiana in a civil action Complaint for Two hundred and Twenty five dollars wherein said Francis M. Rolf is Plaintiff and John Blawie and Elephat S. Rolf are defendants

April 3rd 1855

J. R. Percine

Atty for Plf



State of Indiana  
Adams County

The State of Indiana to any Justice of the Peace  
of Deerfield Township, Warren County, Ohio, greeting.

Reposing full Confidence in your prudence & fidelity you are hereby  
Empowered and authorised at such place as may be appointed and of which  
you may be duly notified on the 20<sup>th</sup> day of April, 1855 between the hours  
of ten o'clock A.M. to four o'clock P.M. of said day and to continue  
from day to day between the same hours until fully completed, to examine  
under oath or affirmation to be by you first administered to P. W.  
Wickoff and others witnesses on the part of the plaintiff in civil  
action now pending in the Court of Common Pleas of Adams County  
and State of Indiana, wherein Francis M. Rolf is plaintiff and John  
Blowers & E. S. Rolf is defendants, as well on the part of the defendant  
as on the part of the Plaintiff, on all such questions and interrogations  
as shall be legally asked of them and after having taken down such  
depositions in due form of law and attached your certificate thereto  
with the Certificate of the Clerk of your Court that you are an acting  
justice of the Peace and Seal up the Same in a proper paper  
envelop. enclosing therewith this writ and the notice herewith  
transmitted direct the Same to the Clerk of this Court, enclosing  
on such envelop the names of the Parties to this Suit and of  
the witnesses whose depositions are enclosed, and forward the Same  
to such Clerk with all possible speed

In witness whereof I Samuel S. Michle Clerk  
of said Court hereunto affixed the Seal  
thereof and Subscribed my name at Deerfield  
the 18<sup>th</sup> day of April 1855.

S S Michle Clerk



State of Indiana & In the Common Pleas Court  
Adams County, May Term 1855  
Francis M. Rolf

vs

John Blawers and  
Eliphazet S. Rolf

Francis M. Rolf complains of John Blawers and  
Eliphazet S. Rolf and says that on the  
5th day of October 1854 he paid to John W. Hall  
assured of Peter W. Wilkoff one hundred and  
eighty four dollars and seventy six cents  
on a note held of him on the Plaintiff as  
surety for the defendants a copy of which note  
is filed herewith together with a copy of the judg-  
ment rendered on said note before Milton Canham  
a Justice of the Peace in and for Warren County  
in the State of Ohio on the 13th day of March 1854  
which amount yet remains <sup>due and</sup> unpaid  
to the Plaintiff wherefore he demands judgment  
for Two hundred and Twenty five dollars

J. R. Perdrieu

Atty. Pltff.

Copy of Note

on or before the first of January next I or  
either of us promise to pay P. W. Wilkoff or  
order the sum of one hundred and thirty  
dollars for value received with the addition  
of Ten per cent from this date till paid  
Sept 7th 1855

Signed

John Blawers

Real

E. S. Rolf

Real

Francis M. Rolf.

Real

on the Back of said note is the following endorsement



November 5th 1850




For value received I assign the within to John W Hall  
Signed P W McKoff

### Copy of Judgement

John W Hall assignee of Peter W McKoff  
vs  
John Blowers  
Eliphazit S Rolf  
Francis M Rolf

civil action demand \$175.71  
1854 March 18th Plaintiffs  
billed filed being a sealed  
Bill which reads thus  
on or before the first day of  
January next or on either  
of his promise to pay  
P W McKoff or order the sum  
of \$130 for value received with the addition  
of ten percent per annum as interest until  
paid and dated sept 7th 1850

Signed by

John Blowers   
E S Rolf   
Francis M Rolf 

and said sealed bill is assigned on the 1st  
day of November 1850 by P W McKoff to the  
afore said John W Hall  
1854 March the 18th this day came the said  
E S Rolf also Francis M Rolf who having  
Process entered their appearance herein  
and confessed that they were indebted to  
said John W Hall assignee of Peter W McKoff  
on the above named sealed bill for the sum of  
\$130 and \$45.71 cents interest and the Parties  
requested me to render Judgement accordingly  
and for costs it is therefore by me considered  
that said John W Hall assignee & recorders of said  
E S Rolf and Francis M Rolf the sum of  
\$175.71 cents and the costs herein taxed

on or before the first of  
January next (i.e. on either of the  
promises to pay \$100.00 or over the  
sum of one hundred and thirty  
dollars for value received with the  
addition of ten percent ~~from~~ <sup>the</sup> date  
title paid Sept 7<sup>th</sup> 1850

John Jones  
E. S. H. H.  
Francis M. H. H.

Warren County, Ill.

J. G. L. Wm Harlingen Clerk of the  
Court of Common Pleas for Said County do  
hereby certify that Milton Crismon Esq before  
whom the proceedings in the above Transcript were  
had was at that time and now is an acting  
Justice of the Peace within and for Said County  
and Elected Commissioner of Qualification and  
that full faith and credit are due and by  
right should be given to all his official acts  
as such and that his signature is in his own  
proper hand writing

My Testimony whereof  
I have recanted set my  
hand and affixed the Seal of  
said Court at Lebanon this  
21<sup>st</sup> day of November A.D. 1850

J. G. L. Wm Harlingen Clerk  
By Wm Sullivan Deputy



John W. Ball, Assignee  
of Peter W. Witkoff

John Blowers  
E. S. Rolf  
Francis M. Rolf

Civil action, Demand \$175.<sup>71</sup>  
1854 March 13<sup>th</sup> Plaintiffs bill filed  
bring a sealed bill which reads thus.  
"On or before the first day of January  
next, we on either of us promise to  
pay P. W. Witkoff or order, the sum  
of \$130. For value received, with the  
addition of ten per cent per annum as interest, as  
interest, until paid and dated Sep. 4<sup>th</sup> 1850

Signed By

John Blowers (Seal)  
E. S. Rolf (Seal)  
Francis M. Rolf (Seal)

And said sealed bill is assigned on the 5<sup>th</sup> day of  
November 1850 by said P. W. Witkoff to the aforesaid  
John W. Ball

1854 March 13<sup>th</sup> This day came the said E. S. Rolf and  
also Francis M. Rolf who waived process, entered  
their appearance herein, and confessed that  
they were indebted to said John W. Ball, Assignee  
of Peter W. Witkoff, on the above named sealed bill  
for the sum of \$130 and \$45.<sup>71</sup> Cents interest,  
and the parties requested me to render judgment  
accordingly and for costs. It is therefore by me  
considered that said John W. Ball Assignee &c.  
recover of said E. S. Rolf and Francis M. Rolf  
the sum of \$175.<sup>71</sup> Cents and the costs as  
herein taxed.

Judgment  
Costs — Entering Judgment  
" Satisfaction

\$175.<sup>71</sup>  
122  
10

1854 Aug. 31<sup>st</sup> E. S. Rolf one of the above defendants  
this day appeared & paid \$100.

1854 October 3<sup>rd</sup> E. S. Rolf appeared and paid \$84.<sup>76</sup>  
being the balance of the Judgment & costs, in  
the above case: making in all the amount  
paid by them the sum of \$184.<sup>76</sup>