

# Civil Case: Allen Hamilton, executor vs Weir, Hays & Haines

Name in Record	Reason for Being in Record	Date of Record
Allen Hamilton	Exec. Of Francis Godfrey; file complaint in cort	Dec. 27, 1843
Thomas Langdon	File complaint in court	
Joseph Creek	File complaint in court	
Smith	Attorney for complainants	
John Beal	Associate Judge of Blackford county, Indiana; case postponed	
John Cave, esq.	Associate Judge of Blackford county, Indiana	
Robert Hays	Defaults by not appearing in court	
William Haines	Makes appearance by Harlan, his solicitor	
James W. Weir	Non-resident of Indiana; is ordered to be notified by publication	
David Long	Oath of David Weir being non-resident of Indiana	Dec. 27, 1843
Jacob Brugh	Clerk of Blackford County, Indiana circuit court	Dec. 29, 1843
Sheriff of Jay County, Indiana	Ordered to supbeona William Haines to Blackford County to answer	
Allen Hamilton	Executor of last will & testament of Francis Godfrey, deceased	
Francis Godfrey	The deceased	
Allen Hamilton	Plaintiff	
Thomas Langdon	Plaintiff	
Joseph Creek	Plaintiff	
Robert Hays	Defendant	
James W. Weir	Defendant	
William Haines	Defendant	
Robert Huey	Sheriff; notice of serving William Haines	Jan. 24, 1844
James W. Weir	Answer: in 1843 he traded for a note on William Haines	Oct. 4, 1844
James W. Weir	Answer: Received for this a note from Robert Hays	
James W. Weir	Answer: Question of who should pay what on notes	
James W. Weir	Files answer to complaint	Nov. 3, 1845
William Haines	Files answer to complaint; case dismissed against him	
Judge of Blackford County, Indiana	Order case continued next term	
Jeremiah Smith	Judge of Blackford County, Indiana; case continues	May 4, 1846
Jacob Brugh	Blackford Co., clerk; oath of true cause from order book	May 18, 1846

Roll No 21 (20)

Allen Hamilton Executor

Thomas Langdon.

Joseph Creek  
vs

James M Wier

Robert Hays

William Haines

1846 Aug 2

B425

State of Indiana, }  
Blackford County, }  
I, Wm. the Sheriff of Jay County, greeting

You are Commanded to Subpoena William Haines if he may be found in your Bailiwick to be and appear in his own proper person before the Judges of the Blackford Circuit Court on the first day of their next Term to be holden at the Court House in Harpord, on the 6<sup>th</sup> day of May 1844. To answer unto Allen Hamilton Executor of the Last will and Testament of Francis Godfrey Deceased Thomas Langdon & Joseph Creech. to a bill filed in my office on the Chancery Side the 27<sup>th</sup> day of December in 1843. against Robert Hays James W. Wier & William Haines, And have you show and there this writ,

Given under my hand and the official Seal of the Blackford Circuit Court. at Harpord & this 29<sup>th</sup> day of December A.D. 1843.  
Jacob B. Brugh Clerk B.C.C.

State of Indiana  
Seal  
Blackford County

I have served the within writ upon William Haines  
by reading January the 24<sup>th</sup> 1844 Robert Huey Sheriff,  
of J. C.

Allen Hamilton Executor of the  
Estate of Francis Godfrey Dec:  
Thomas Langdon and  
Joseph Creek

And afterwards to wit, at a Regular Term of the Blackford Circuit Court. Begun & Held at the Court house in and Blackford County Ind. on the Sixth day of May in the year of our Lord one thousand Eight Hundred and forty four. Before the Honorable John Beal and John Carr Esquires Associate Judges in and for said County. And afterwards to wit on Tuesday the second Judicial Day of the present Term aforesaid The Honorable David Kilgore President Judge of the Eleventh Judicial Circuit took his seat on the Bench - Comes now the Complainants by Smith their Solicitor and it appearing to the Satisfaction of the Court that Robert Hays and William Haines two of said Defendants having been served with process in this behalf for more than thirty days prior to the first Day of the present term of this and the said Robert Hays being by the Sheriff three times solemnly called comes not but herein wholly makes Default. And the William Haines made his appearance by Warlaw his Solicitor and the Court order And Direct that the said Haines Answer the said bill within ninety days in this behalf or in Default thereof the Bill

Shall be taken as confessed and Treated accordingly  
and it appearing by ~~the~~ a disinterested affidavit now on file  
that James M. Wise one of Said Defendants is a Nonresident  
of the State of Indiana It is ordered by the Court that the said  
James M. Wise be Notified of the pendency of said Bill by a  
Publication of this order in some Weekly public News paper of  
General Circulation for three Weeks successively at least sixty  
days prior to the first day of the next Term of this Court and  
that as to the said Robert Means the said bill be taken as con-  
fessed and the Complainant asks and obtain leave to amend  
their bill during the present term and this case is continued  
80-

And afterwards to wit, at a Regular Term of the Black-  
-ford Circuit Court began and held at Hartford at the  
Court house in and for the County of Blackford on the Fourth  
day of November in the year of our Lord one Thousand Eight  
Hundred and forty four, before the Honorable John Bral and  
John Carr Esquires Associate Judges in and for said County  
and afterwards to wit on Wednesday the Third Judicial  
Day of the present term of this Court. This Cause is continued  
until the next Term of this Court, 80,

And afterwards to wit, at  
a Regular Term of the Blackford Circuit Court, began and  
held at Hartford at the Court house in and for said County  
on the Fifth day of May in the year of our Lord one Thousand  
Eight Hundred and forty five. Before the Honorable John  
Bral and John Carr Esquires Associate Judges in and  
for said County, and afterwards to wit, on Friday the fifth  
Judicial Day of the present of this Court. This Cause is  
continued until the next Term of this Court 80

And afterward  
to wit, at a Regular Term of the Blackford Circuit Court began &  
held at the Court house in and for Blackford County, &c on the  
Third day of November in the year of our Lord one Thousand  
Eight Hundred and forty five Before the Honorable David Edgar

President Judge of the Eleventh Judicial Circuit. John Brad  
And John Carr Esquires Associate Judges in and for said County  
And afterwards to wit, Wednesday the third Juridical of the  
present Term of this Court. The said Complainants by  
their Solicitor comes and files the following Affidavit and  
Notice thereto Annexed in these words to wit, (hereinsert) by  
which it appears to the Satisfaction of the Court that the  
said Bill by Publication for three weeks successively more than  
Sixty days prior to the first day of the present Term of this Court  
in the Delaware County Democrat a Weekly public News  
paper of General Circulation and thereupon the said James  
M. Weil files his Answer to said Bill in the words and figures  
following to wit, (hereinsert) And the said William Weavers files  
his Demure to said Bill in these words and figures following  
to wit, (hereinsert) And the Court having seen and inspected  
said Bill and said Deliberation thereon had now sustained  
said Demure - It is therefore ordered adjudged and Decr-  
red by the Court that the said Bill as to the said William  
Weavers be Dismissed and that he Recover his Costs herein and  
this Case as to the other Defendants to be continued untill the  
next Term of this Court &c.

And afterwards to wit, at a Regular  
Term of the Blackford Circuit Court, began and held at the Court  
House in and for said County. on the Fourth day of May in the  
Year of our Lord one Thousand Eight Hundred and forty Six before  
The Honorable Jeremiah Smith Esquire President Judge of the  
Eleventh Judicial Circuit, John Brad And John Carr Esquires  
Associate Judges in and for the County aforesaid, The parties by  
Counsel Come and the Honorable Jeremiah Smith having been of  
Counsel this Cause is by the Agreement of the parties ordered by the  
Court to be Certified to the Circuit Court of Adams County in the  
Twelfth Judicial Circuit of the State of Indiana,