

Civil Case: State of Indiana vs James B. & Malinda Fairchild

Name in Record	Reason for Being in Record	Date of Record
David Colerick	Prosecuting attorney for Wells County, Indiana	Sept. Term 1863
David Colerick	Oath: Aug. 24, 1863 Fairchilds stole property of David M. Lewis	
State of Indiana	Plaintiff	Sept. 22, 1863
James & Malinda Fairchild	Defendants	
W. P. Willigan	Appointed council for Defendants	
James B. Fairchild	Asks court to separate cases and pleads not guilty to grand larceny	
Robert F. Joves	Juror	
Samuel Straw	Juror	
Lemuel L. Holmes	Juror	
James Mossburgh	Juror	
Leonard S. Walker	Juror	
John Newhouse	Juror	
Joseph Risser	Juror	
John W. Davenport	Juror	
Benjamin Weikle	Juror	
Gabriel Burgess	Juror	
Joseph Kitchen	Juror	
Robert W. Hall	Juror	
Joseph Brackenridge	Judge of Common Pleas of Wells County, Indiana	Sept. 23, 1863
State of Indiana	Plaintiff	
James Fairchild	Defendant on charge of larceny	
David Colrick	Prosecuting attorney	
Leonard S. Walker	Foreman of jury; find defendant guilty; 2 yrs prison; \$1.00 fine	
James Fairchild	Case appealed; new trial set; request for venue change	Sept. 24, 1863
State of Indiana	Plaintiff	Sept. 23, 1863
Malinda Fairchild	Defendant; requests change of venue; granted; moved to Adams Co.	
David Colrick	Prosecuting attorney	
Joseph Brackenridge	Judge of Common Pleas of Wells County, Indiana	
Thomas Wisner	Clerk of Wells County; sent court proceedings to Adams County	Nov. 19, 1863
Thomas Wisner	Clerk of Wells County; sent court proceedings to Adams County	Nov. 20, 1863
State of Indiana	Plaintiff	Jan. Term 1864
Malinda Fairchild	Defendant	
G. S. Brown	Attorney for defendant; request discharge for reasons stated	
State of Indiana	Plaintiff	Jan. Term 1864
James B. Fairchild	Defendant	
G. S. Brown	Attorney for defendant; request discharge for reasons stated	
State of Indiana	Plaintiff	Jan. Term 1864
James B. & Malinda Fairchild	Defendants; request new trial	
Marie Ferguson	Summoned to testify on behalf of plaintiff	Jan. 11, 1864
David Woodruff	Summoned to testify on behalf of plaintiff	
P. P. Corneth	Summoned to testify on behalf of plaintiff	
Ezra Puffenbarger	Summoned to testify on behalf of plaintiff	
State of Indiana	Plaintiff	
James B. & Malinda Fairchild	Defendants	
John McConnel	Clerk	
James B. Fairchild	Claims he is being charged unjustly	Jan. 12, 1864
John McConnel	Clerk	Jan. Term 1864

Witness is granted by the Court, and
the venue of this cause is changed to
Adams County. And the Clerk of this
Court is ordered to certify a full
true and complete Transcript of
the proceedings and Record herein,
together with all the papers and
pleadings, to the Clerk of the Court
of Common Pleas of Adams County

State of Indiana }
Hellsberr County SS. }

J. Thomas L. Wisner,

Clerk of the Court of Common Pleas
of said County, do hereby certify
the foregoing to be a full, true, and
complete Transcript of the Record
in the above entitled cause as the
same appears upon the Order Books
of said Court

Witness my name, and the
Seal of said Court affixed
at Bluffton this 19th day
of November 1863.

J. L. Wisner Clk




The State of Indiana, to the Sheriff of Wells County.

You are hereby commanded to summon, Maria Ferguson
Daniel Woodruff and R. P. Cornish
Ezra Puffenberger

Adams
appear in the Court of Common Pleas on the fourth day of with 1858.

to testify in an action wherein, the State of Indiana
plaintiff and James B. & Malinda Fairchild
defendants on behalf of the State
and of this summons make due return.

 This 11 day of January 1858 / 1864

John M. Connel CLERK, C. C. P.

State of Indiana } Wells Am Pleas
James M Fairchild } Larey

The defendant being
worn says he believes he cannot have a fair
trial in this case owing to the excitement and
prejudice of the citizens of the County ^{against the defendant} and
asks that he may be tried by unbiased men
worn to and subscribed in

Open Court 24 September 1863 James B. Fairchild
J. L. Brown Clerk

State of Indiana } Court of Common Pleas
Wells County } September Term 1863

State of Indiana }
vs } Information for Larceny
James B Fairchild }
Comes now the Defendant

And moves the Court to set aside the verdict in
this case and grant a new trial, and for cause
files the following. That the evidence in the case
was not sufficient to warrant a verdict

Because the verdict is contrary to Law
Because the verdict is contrary to evidence

L. P. Milligan

State of Maryland }
Adam County } Circuit of Court
vs. Fairchild }
J. Lee
Jury term
1863

I solemnly swear it is
before me James B. Fairchild
says that he is now in this
court charged in an indictment
with the crime of Fairchild
for saying that he is innocent
and believes it will produce
his case to be tried justly
as the facts of said indictment
that he is perjured that fact
would be against his conduct
and perjury his trial in this
case he is perjured the court
to pass him a life term
James B. Fairchild

Subscribed and sworn to this 12th day of January 1864
John M. Connelley Clerk