

Adams Co. State of Indiana
Court of Comm. Pleas

Comes now Patrick Mehan a ^{resident} citizen of the
County of Adams and State of Indiana
and makes oath to this Court that he
has not sufficient means to prosecute his
said action. wherein he is Plff. and W. F.
Burkhead is defendant, which said action
is now pending in this Court, that he
is a poor person and asks to be admitted
into this Court to prosecute ~~the same~~
his said cause, and that the Court will
assign him Counsel for and further
dependent oath not Patrick Mehan

Sworn to and subscribed before me
this 13th day of May 1862.

Henry B. Lincoln
Clerk

Mehan } Adams Com, Pleas,
Barkhead } May Term 1862.

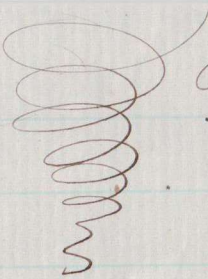
Comes now ~~the~~ Affiant Patrick
Mehan and ~~swears~~ ^{shows to this benefit}, that it will not
work an injury to the Deft in the above case
to permit him to prosecute his suit in the above
and without giving ~~him~~ ^{him} bond to secure ~~the~~ ^{the} Deft.
case as a par per in this to wit: said Defendant
does not claim or ask a judgment against
said Deft, but simply offers to recoup certain
yet undetermined and unascertained Damages
against the claim of said Plff, that if said Deft
is entitled to damages against said Plff, that ^{the} prop will
show the same, and since he does not ask but an
equivalent in damages against Plffs claim there
is no possibility of the defendant being injured
by the prosecution of said case, that he ^{Plff} has a meritorious
case in this to wit, that he dug a ditch for said Defendant
one hundred and seven rods in length, and that

Defendant refuses to pay him for the same, and that
unless this Court permits him to prosecute the same
that he will be greatly wronged by the same, and that
it will be in direct antagonism to that provision of
the Constitution of the State which expressly declares
that "Justice shall be administered freely and without
purchase, completely and without denial", and there-
fore asks this Hon. Court, to permit him ~~to~~
under the circumstances to prosecute his suit,

P. Mehan by
B. Bellinger

When

Burkhead



Brief in. May Term
Com. Pleas. 1862.

Admission

1st. Greenleaf. Page 757. In 257, "latter part"

Weaver,

Story on contracts Vol. 1st. (Page 87) Sec. 32. @

The State of Indiana, to the sheriff of Adams County:

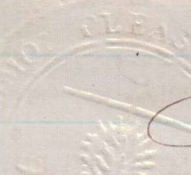
You are hereby Commanded to Summon

Thomas W. Andrews, Thomas A.
Andrews, Perry Andrews Samuel
Palmer, William Tuttle, & Zachariah
Newman Thomas Trebbold

To appear in the Court of Common Pleas
Adams Circuit Court on the 14th day of January 1863
to testify in an action wherein, Patrick Keegan
is plaintiff and M. A. Burkhead
Defendant, on behalf of the Plaintiff
and of this summons make due return.

Witness, the Clerk and seal of said Court, this 17 day of

October 186 James M. Smooke Clerk,



THE STATE OF INDIANA:)

ADAMS COUNTY,)

SS:

To any Constable of

Washington

Towaship.

YOU ARE HEREDY COMMANDED TO SUMMON

M. A. Burkhead

to appear before me at my office, on the

7th

day of

Dec

A. D. 1861

at

2 o'clock

P.

M., to answer

Patrick McKeon

in a complaint wherein he claims the sum of

fifty three

50 Dollars and return then and there this Writ.

Dated this

2nd

day of

Dec

A. D., 1861

J. M. Peim

[SEAL]

Justice of the Peace.

THE STATE OF INDIANA

Adams County, *Set. Co*

To any Constable of *Washington* Township Greeting.

You are Hereby Commanded to Summon
H A Miller

to appear before me, *J W Grim* a Justice of the Peace
for said Township and County, at my Office therein, on the ~~1st~~ *10th*
of ~~the~~ *Dec* A. D. 18*64*, at ~~10~~ *10* o'clock, ~~AM~~, on said
day, then and there to testify in a cause wherein *Patrick*
McEwan is Plaintiff and *H A*
Burkhead is Defendant, on behalf
of the Plaintiff and this he shall not omit, under the
penalties prescribed by Law; hereof make due service and return.

Given under my Hand and Seal, at Office in.....
this *7* day of *Dec* A. D. 18*64*.....

J W Grim



JUSTICE OF THE PEACE.