

Civil Case: Metzgar & Grim vs John Strait

Name in Record	Reason for Being in Record	Date of Record
Metzgar & Grim	Plaintiff	No date
John Strait	Defendant	
J. B. Grim	Binds himself to prosecute case	
Robert Spillman	Binds himself that plaintiff will prosecute case	
J. W. Grim	One of the plaintiffs; complains of non-payment of note by John Strait	No date
J. W. Grim	Further complaint: John Strait has sold property to cheat plaintiff	
John Strait	Owes Metzgar & Grim on note dated April 10, 1862	
John Merryman	JP: provide copy of proceedings from his docket	Nov. 5, 1862
John Merryman	JP; (from docket); Oct. 14, 1862 Plaintiff filed complaint	
John Merryman	JP from docket: Oct. 14, 1862 Summons issued for John Strait	
John Merryman	JP from docket: Oct. 20, 1862 Summons returned by Wm. Davis	
John Merryman	JP from docket: Oct. 20, 1862 Defendant defaults;	
John Merryman	JP from docket: Oct. 30, 1862 writ issued to levy property	
John Merryman	JP from docket: Oct. 31, 1862 no property found to levy writ	
Metzgar & Grim	Plaintiff in case of garnishment	Nov. 8, 1862
John Strait	Defendant	
J. W. Grim	One of plaintiffs; is showing where defendant is 'hiding' his property	
Clark Burdg	Allegedly has property & monies of John Strait in his possession	
C. S. Schirmeyer	Allegedly has 3 notes of John Strait in his possession	
James B. Simcoke	Clerk	
John Burdg	Summoned to answer to complaint of plaintiff	Nov. 8, 1862
Clark Burdg	Summoned to answer to complaint of plaintiff	
C. S. Schirmeyer	Summoned to answer to complaint of plaintiff	
James B. Simcoke	Clerk	
James B. Simcoke	Oath of J. W. Grim filing affidavit & bond	Nov. 8, 1862
James B. Simcoke	Orders sheriff to attach property of John Strait to levy against	

State of Indiana }
Adams County }
Metzger & Grinn }
vs }
John Strait }

We bind ourselves that
the Plaintiffs in the above cause shall
prosecute their suit in attachment
in this cause and will pay the
defendant all damages he may
sustain if said proceeding shall
be wrongfull and oppressive
J. B. Grinn
Robert Spullman

State of Indiana }
Adams County ss }
Metzgar & Grim }
vs }
John Strait }

J W Grim one of the
Plaintiffs in this action on oath
says that the claim in this action
is on a note given by the defendant
to the Plaintiffs dated April 1852
payable to the order of Metzgar and
Grim six months after date calling
for sixty dollars and signed by
John Strait the defendant and
the affiant says that ^{the claim} is just and
is not paid nor is any part thereof
and affiant on oath says that the
Plaintiffs ought as he believes to
recover thereon the sum of sixty
dollars and ten cents affiant
also makes oath that John Strait
defendant has sold conveyed or
disposed of his property subject
to execution or permitted the same
to be done with intent to cheat hinder
or delay his creditors and the
Plaintiffs in the collection of
this claim. J. W. Grim

Subscribed & Sworn to before me this
8th day of November A.D. 1862
James B. Birney
Clerk

Metzger & Grim / Complaint for \$-60-⁰⁰
 John Strate } Interest $\frac{10}{60.10}$

J.P. fees

summons issue 25

Judgment - 25

Execution - 25

Chancery - 25

October 14th 1862 plaintiffs filed the following
 as cause of action viz Decatur April 1st 1862
 1862 six months after date I promise to pay to
 the order of Metzger & Grim fifty dollars
 for value Received and without any relief
 whatever from valuation or appraisement
 Laws October 14th 1862. Summons issued of
 that date Returnable the 20th inst at 10 o'clock
 Am delivered to Wm Davis Constable

Consts fees

Serv sum - 25

Mileage - 40

Return - 10

Serv Ex - 25

Mileage - 40

Return 10

1.50

October 20th 1862 Summons Returned (Executed)
 served by Reading to defendant Oct, 16th 1862
 Wm Davis Const.

Defendant came not but wholly made default
 It is therefore adjudged that the plaintiffs
 Recover of the defendant the sum of
 sixty Dollars ten cents with interest from
 this date together with his costs and
 costs and that they have Execution therefor
 without Relief to said Defendant from
 valuation Laws. October 20th 1862

John Merryman J.P. (Clerk)

October 30th 1862 Execution on above
 delivered to Wm Davis Const of Blue Creek
 Township

November 5th 1862 Execution Returned (Endorsed)
 Writ came to hand Oct 30th 1862. 6 o'clock
 Nov, 1st 1862 served and no property found
 to levy on Wm Davis Const

2 The undersigned a Justice of the peace
of Bluecreek Township in Adams County
Indiana Certify that the within is a true full
and complete copy from ^{my} Docket of the proceedings
and Judgment before me in the within
entitled case Given under my hand
and seal at my office in Bluecreek
Township this 5th day of November 1862

John Merryman J. P. Seal

State of Indiana }
Adams County ss }

Metzgar ~~and~~ Grim }

vs

John Strait

} Garnisheement

I W Grim one of the
Plaintiffs in the above cause makes
oath that he has good reason to
believe and does verily believe
that one Clark Burd of and
within said County of Adams
and State of Indiana has property
of the said John Strait defendant
in his possession which the
~~defendant~~ cannot attach in this
action to wit ^{money and} various and sundry
notes of hand given by various
persons for the property of the defendant
at a sale held by the defendant
in Bluerick Township Adams
County dated on or about the
thirtieth day of September 1852
payable to Clark Burd or bearer
(or order) and payable Twelve
months after date Signed by what
persons this affiant does not know
and also that C L Schismeyer
of said County and State has
in his possession the notes belonging
to the defendant of the above
description and that John Burd
of said County and State has in his
possession notes money and effects

belonging to said defendant said
note. Bearing date September 30. 1862
due 12 months after date and pay-
able to Clark Burd none of which
property the Sheriff can attach

J. M. Green

Subscribed & sworn to before me this
8th day of November A. D. 1862
James H. Turncock Clerk

State of Indiana }
Adams County ss }

To the Sheriff of Adams
County Whereas a writ of attachment
has been by me issued on a judgment
obtained by Metzgar and Grice
before John Merryman a Justice of
the Peace of Blue Creek Township
Adams County a copy of which
judgment and proceeding are filed
in this office - against the goods
chattels, moneys, rights and credits
of John Strait; and whereas it
has been made to appear by affid-
avit that John Burd and Clark
Burd of said County have in their
^{possession} moneys, notes, goods and chattels
of said John Strait said notes
being dated about the 30th of Septem-
ber 1802 payable to Clark Burd
twelve months or one year after
date and were given at a sale
of the property of John Strait and
that C L Schirmeyer has in his
possession three notes belonging
to John Strait of the above de-
scription You are hereby commanded to
Summon John Burd and Clark
Burd and C L Schirmeyer to appear
in the Court of Common Pleas on the 2^d Monday of
January next. to answer under oath
such questions as may be asked

either of them in relation thereto
and now then & there they went
Witness James B. Simcoe,
Clerk of said Court & the
Deaf heard hereto attested
the 8th day of September
A. D. 1862

Saml B. Simcoe
Clerk

State of Indiana, Court of Com Pleas
Adams County } Jan^y Term 1863
To the Sheriff of
Adams County

Whereas J W Grim
has filed with me the affidavit
and Bond necessary to entitle
Metzgar & Grim to a writ of
attachment against John Strait
for the sum of sixty dollars
and ten cents claimed to be due
from the said John Strait to the
said Metzgar & Grim you are
therefore commanded to attach
the goods chattels rights credits
moneys and effects of the said
John Strait in your county to be
kept and disposed of according
to law and make legal return
hereof

Witness my hand & the seal of the Court of Common
Pleas for the County of Adams
Here to affixed this the 8th
day of November 1862
James B. Vincke
Clerk