

Box ~~122~~ - 102 - <sup>(65)</sup>

No. 303 (civil)

ADAMS CIRCUIT COURT.

Hiram W. Shackley.

V.S.

William W. Mases  
Daniel Crabbs  
Benj. J. Rice

Filed May 24<sup>th</sup> 1874,

A. J. Hill Clerk.

By E. A. Huppman Deputy.

B. B. & P. R. Attorneys.

Safety

# Civil case of Hiram Shackley vs William Moses, et al

Hiram W. Shackley	Plaintiff; moves court to arrest judgment	May Term 1873
David Crabbs	Defendant	
William Moses	Defendant	
Benjamin J. Rice	Defendant	
Bobo & Peterson	Attorneys for plaintiff	
Wm. W. Moses	Summoned to answer to Hiram Shackley - damages on unpaid note	May 20, 1874
David Crabbs	Summoned to answer to Hiram Shackley - damages on unpaid note	
B. J. Rice	Summoned to answer to Hiram Shackley - damages on unpaid note	
Hiram Shackley	Filed complaint for damages on unpaid note	
A. J. Hill	Clerk	
Hiram W. Shackley	Plaintiff	May 25 1874
William Moses	One of the defendants	
David Crabbs	Summoned to testify on behalf of plaintiff	
A. J. Hill	Clerk	
E. A. Huffman	Deputy	
B. J. Rice	Defendant; claims Crabbs signed his name without knowledge & consent	May 28, 1874
Studabaker & Quinn	Attorneys for B. J. Rice	
A. J. Hill	Clerk	
E. A. Huffman	Deputy	
Hiram W. Shackley	Plaintiff; demurs to allegations in B. J. Rice's reply	No date
William W. Moses	Defendant	
B. J. Rice	Defendant	
Bobo & Peterson	Attorneys for plaintiff	
Hiram W. Shackley	Plaintiff	No date
David Crabbs	Defendant; denies allegations in plaintiff's complaint	
Studabaker & Quinn	Attorneys for defendant	
Hiram W. Shackley	Plaintiff	No date
William J. Moses	One of the defendants	
Benjamin J. Rice	Defendant; demurs to plaintiff's reply	
Studabaker & Quinn	Attorneys for Benjamin Rice	
Hiram W. Shackley	Plaintiff; moves court for new trial	No date
David Crabbs	Defendant	
William W. Moses	Defendant	
Benjamin J. Rice	Defendant	
Bobo & Peterson	Attorneys for plaintiff	

Heinrich W Shuckley

vs

William W Morrell & al

Comes now the

Plaintiff in the above entitled cause  
and answers to the second Paragraph of  
the defendant B. J. Rice's Answer and for  
reason of Henry Shuck - Says that said  
second Paragraph of said defendant's Answer  
does not contain facts sufficient to  
constitute a defence &

Robt & V. Huron

for Plf.



Wm W Shackley }  
us  
Dora Crofts }  
William W Moss }  
Benjamin J Rice }

The Plaintiff moves the  
Court to grant a new trial for  
the Reason following ~~the~~

The Court erred in overruling  
Plaintiffs demurrer to the answer  
of the Defendant Rice

Probo & Pulmar for  
Def



SUMMONS.

THE STATE OF INDIANA,

TO THE SHERIFF OF ADAMS COUNTY, GREETING:

We Command you to Summon

*Wm W. X. Moses*  
*David X. Crobb* and *B. J. Rice*

If *they* be found in your bailiwick, personally to appear before the  
Honorable Judge of the Adams Circuit Court on the second day of the next Term  
thereof, to be holden at the Court House, in Decatur, on the *3<sup>rd</sup>* Monday of  
*May*, 1874, then and there to answer the complaint of  
*Hiram W. Shankley* for *\$1225* dam-  
ages *Not*

and of this Writ make due service and return.

Witness, The Clerk of said Court, and the seal hereto affixed,  
at the Court House, in Decatur, this *2<sup>nd</sup>* day  
of *May*, 1874

*A. J. Rice*, Clerk.



Subpoena---Circuit Court.

The State of Indiana, Adams County, Ss:

TO THE SHERIFF OF ADAMS COUNTY, GREETING:

We Command you to Summon

David Leavor

to appear in the Adams Circuit Court, on the 28 day of May  
1874, to testify in an action wherein

Liam W. Shackey

is Plaintiff, and

William Moses Star

is Defendant, for the

Plaintiff

and of this Writ make due service and return.

In Testimony Whereof, I have hereunto subscribed my name,  
and affixed the Seal of said Court, at my office, in Decatur,

this 25 day of May 1874

A. J. Hill, Clerk.

E. C. Huffman



Hiram H. Shackley

vs

William W. Moxon

et al

Comes now

the Defendant ~~David Grant~~  
Benjamin J. Rice and de-  
murrers to the plaintiffs  
reply and for cause of  
demurrer state that the  
same does not state facts  
sufficient to constitute a  
reply. And I Demand  
for Rice



Alvin W Shackley } 1st Par

is  
Marshall W Moses

Brig J Rice

David Crobb

The ~~defendant~~ Plaintiff  
denies each and  
every allegation in  
the answer of said Rice  
the Plaintiff in Reply

2 par

to the Defendant Rice's Answer  
further  
avows that at the time of the  
execution of the note sued on  
the Defendants Crobb and Rice  
had agreed and consented to  
as such firm become surety  
for ~~these~~ ~~defendant~~ ~~Moses~~  
~~for certain persons other than~~  
~~the Defendant Moses and~~  
that after the making of said  
note and prior to the Commence-  
ment of this suit the Defen-  
dant Rice was informed of  
the fact that said Crobb had  
so signed said note sued on  
as the Surety of said Moses  
and had therein used the firm  
name and that Thompson said  
Rice assented to the act of  
said David Crobb in the  
premises wherefore the Defen-  
dant ought not to maintain his  
said defense

Bob Peterson



Wern W Shackley  
vs  
David Larrabee et al

Comes  
now the defendant David  
Larrabee and denies all  
the allegations in the plaintiffs  
Complaint

Shawmut & Quinn  
Atty for Deft

William W Shackley

vs

} Denier

Benjamin I Rice et al

Comes now

the Defendant Benjamin I Rice  
and Denier to the Plaintiffs  
Amended paragraph of his  
~~Answer~~ <sup>A Reply</sup> and for cause of  
Denier Says that Said Amen-  
ded paragraph of the Defendant  
~~Defendants~~ as plaintiffs repl-  
y does not state facts suf-  
ficient to constitute a reply

Shackley & Rice

Atty. for Denier



negotiating the sale of said note,  
that said Crabbs signed firm  
name of said firm to said note  
as security - for said Moses  
without the knowledge or the  
consent of this defendant.

That this defendant did not  
know for a long time after  
that said note was ever executed,

That the said David Crabbs at  
the time of executing said note -  
nor at any other time had  
any authority from this de-  
fendant to sign said firm name  
to said note. Wherefore the de-  
fendant says as to him the  
plaintiff ought not recover  
Shutaker & Quinn

Atty for B. J. Rice

I Benjamin J Rice Defendant do swear  
that facts stated in this foregoing answer  
are true as he believes

B J Rice

Subscribed and sworn to before me this 28 day  
of May 28 '874 A. J. Rice  
E. A. Johnson recy



Heram W Shockey, } A Co Court  
vs } May 7 73  
David Crobb }  
William A. Moses } no in arrest  
Benjamin J. Rice }

The Plaintiff moves the Court to arrest judgment upon the finding of the Court made and found upon the issues made by the defendant Rice in his separate defence for the reasons following

First The Court erred in overruling the Plaintiffs demurrer to the separate answer of the defendant Rice

Second The Court erred in overruling the Plaintiffs motion for a new trial

Dobo & Peterson for Ref



State of Indiana

Davies County

Hiram W Shockley

vs

William W Moses

Benjamin J Rice

Dorrie Crobb

for additional  
reply the Plaintiff desires each  
and every allegation in the  
answer of the deft Rice  
Probs & Pleas  
1875



Hiram W Shuckley

vs

William W Moser

David Crabbs

Benjamin Rice

Complaint on Note

Hiram W Shuckley the Plaintiff in this action complains of William W Moser, David Crabbs and Benjamin Rice defendants and says That said Defendants are indebted to this Plaintiff in the sum of one thousand dollars as is evidenced by their Promissory note for said sum filed herewith and made a part hereof That said David Crabbs and Benjamin Rice at the execution of the note aforesaid were doing business at Decatur Indiana under the firm name and style of Crabbs & Rice That said Crabbs and Rice executed the said note in their said firm name of Crabbs and Rice That said note provides for the payment of five per cent attorneys fees if the note is collected by legal process That said Plaintiff has been compelled to commence legal proceedings to enforce the collection thereof That said note with the interest thereon <sup>and five per cent attorneys fees</sup> is now due and remains wholly unpaid to the Plaintiffs damage in the sum of \$1250.<sup>00</sup> Wherefore Plaintiff demands judgment for said sum and such other further and general relief as he may be entitled to in the premises

Babo & Peterson

Attys for Plaintiff  
over