

Jefferson County Circuit Court
Case file - Civil

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November 1867 # 119

Rinalder, John

vs

Borman, Daniel H.

Debt

Debt \$163.73 judgment from Macoupin
County, Illinois, from 1858

UNITED STATES OF AMERICA,
State of Illinois,
Macoupin COUNTY.

ss. In Circuit Court, *March* Term, A. D. ~~185~~ 1858

PLEAS, before the Honorable *Edward J. Rice* Judge of the
Eighteenth Judicial Circuit of the State of Illinois, and sole presiding Judge of the Circuit Court
of *Macoupin* County, in the State aforesaid, and at a term thereof begun and held at the Court
House in the *Town* of *Carlinville* in said County, on the *fourth*
Monday, (being the *twenty second* day) of *March* in the year of our Lord
one thousand eight hundred and *fifty eight* and of the Independence of the said United
States the eighty

Present, Honorable

Edward J. Rice

Judge of the *18th* Judicial
Circuit of the State of Illinois.

James B. White

States Attorney.

Milton Mc Clure

Sheriff.

Attest,

Alfred S. Mayfield Clerk.

Be it remembered that heretofore, to wit: on the
second day of April A. D. 1858, there was filed in the
office of the clerk of said court a declaration, which
^{& copy of note}
became a part of the records of said court and which
is in the words and figures following to wit:

STATE OF ILLINOIS, }
MACOUPIN COUNTY. } SS.

In the Circuit Court of Macoupin County,
of the Term, A. D. 1886

John I. Rinaker plaintiff in this suit by *Samuel Pitman* his attorney complains of *Daniel H. Dorman* defendant in custody to of a plea of trespass on the case on promises

FOR THAT WHEREAS, the said defendant on the twenty first day of March in the year of our Lord One Thousand and Eight Hundred and fifty seven at Carlinville to-wit: at the County of Macoupin and State of Illinois

made a certain note in writing, commonly called a promissory note, bearing date the day and year last aforesaid, and then and there delivered the said note to one Martin Pocklington

by which said note the said defendant... promised to pay nine months after the date thereof to the order of the said Martin Pocklington the sum of one hundred and sixty one dollars for value received and the said Martin Pocklington then and there endorsed and delivered the said note to one John Pence

John Pence
for value received. And the said John Pence to whom, or to whose order the payment of the said sum of money in the said note specified was to be made aforesaid, afterwards, and before the payment of the said sum of money mentioned in the said note, or any part thereof, and also before the time limited and appointed by the note for the payment thereof, to-wit: on the same day and year, and at the place aforesaid, indorsed the said note in writing, and by that indorsement ordered and appointed the contents of the said note to be paid to the plaintiff or order, and then and there delivered the said note, so endorsed to the said plaintiff of which said endorsement so made thereon as aforesaid, the said defendant afterwards, to-wit: on the same day and year, and at the place aforesaid had notice. By reason whereof, and by force of the statute in such case made and provided the said defendant became liable to pay to the said plaintiff the said sum of money in the note specified, according to the tenor and effect of the said note, and of the said endorsement so thereon made as aforesaid. And being so liable, the said defendant in consideration thereof, afterwards, to-wit: on the same day and year, and at the place aforesaid, undertook, and faithfully promised the said plaintiff well and truly to pay to the said plaintiff the said sum of money in the said note specified, according to the tenor and effect of the said note, and of the said indorsement so thereon made as aforesaid. And whereas, also, the defendant afterwards, to-wit: on the first day of March in the year of our Lord One Thousand eight Hundred and fifty seven at the place aforesaid was further indebted to the said plaintiff in the sum of Four Hundred

 Dollars, lawful money of the United States of America, for money before that time lent and advanced by the said plaintiff to the said defendant and at the special instance and request of the said defendant. And for other money by the said plaintiff before that time paid, laid out, and expended for the said defendant and at the like request of the said defendant. And for other money by the said defendant before that time had and received to and for the use of the said plaintiff.— And being so indebted, the said defendant in consideration thereof, afterwards, to-wit: on the same day and year last aforesaid, and at the place aforesaid, undertook, and then and there faithfully promised the said plaintiff well and truly to pay unto the said plaintiff the said sum of money in this count mentioned, when the said defendant should be thereunto afterwards requested. And whereas, also, the said defendant afterwards, to-wit: on the same day and year last aforesaid, and at the place aforesaid, accounted together with the said plaintiff, of and concerning divers other sums of money that time due and owing from the said defendant to the said plaintiff, and, then and there being in arrear and unpaid; and upon such accounting the said defendant then and there was found to be in arrear and indebted to the said plaintiff

in the further sum of Four Hundred dollars, of like lawful money as aforesaid; and being so found in arrear and indebted to the said plaintiff the said defendant in consideration thereof afterwards, to-wit: on the same day and year last aforesaid, and at the place aforesaid, undertook, and then and there faithfully promised the said plaintiff well and truly to pay unto the said plaintiff the said sum of money last mentioned, when the said defendant should be thereunto afterwards requested. Nevertheless, the said defendant (although often requested, &c.,) has not yet paid the several sums of money above mentioned, or any or either of them, or any part thereof, to the said plaintiff but to pay the same, or any part thereof, to the said plaintiff the said defendant has hitherto altogether refused, and still do refuse, to the damage of the said plaintiff of Five Hundred

 dollars—And therefore the said plaintiff brings suit, &c.

Samuel Pitman

\$161.

Carlinville Ill March 21. 1857

Five months after date I promise to pay to the order of Martin Pocklington one hundred & sixty one dollars value received

Daniel H. Dorman

Upon which said declaration appears the following endorsement to wit:

"Filed April 2^d 1858

A McKim Dubois CLK "

And afterwards to wit on the day last aforesaid there was filed in the office of the clerk of said Court a certain promissory note which became a part of the records of said Court and which is in the words and figures following to wit:

\$161.⁰⁰

Carlinville Ill March 21. 1857

Five months after date I promise to pay to the order of Martin Pocklington one hundred & sixty one dollars value received
Due Dec 21st

Daniel H. Dorman

Upon which said promissory note appear the following endorsements to wit:

"Martin Pocklington"
"John Pence"

"Filed Apr 2^d 1858 A McKim Dubois CLK "

And afterwards to wit on the day last aforesaid there was filed in the office of the clerk of said Court a warrant of attorney which became a part of the records of said Court and which is in the words and figures following to wit:

To John M. Palmer, or any other attorney-at-law of the State of Illinois.

You or any of you are hereby fully authorized and empowered to appear for me in any Court of Record in the County of Macoupin, or any other County in the State of Illinois or in the Circuit Court of the United States for the Southern District of Illinois at the next or any subsequent term of any of said Courts, and then and there waive process,

Enter my appearance and accept a declaration in the name of John I. Penaker or whoever may be the legal holder of the note of which the following is a copy

\$141⁰⁰/₁₀₀

Carlinville Ill March 21 1857

Five months after date. I promise to pay to the order of Martin Pocklington one hundred & sixty one dollars value received

Due Dec 21st

Daniel N. Dorman

Indorsed

Martin Pocklington

John Pence

and in my name place and stead, confess a judgment for the full amount due on said note with all the legal damages, costs and charges of such proceeding and judgment.

And for so doing this shall be your sufficient Warrant. Given under my hand and seal this 22nd day of March A.D. 1858

Daniel N. Dorman Seal

James Lee

Seal

LS

LS

Upon which said Warrant of attorney appears the following endorsement to wit:

"Filed 2^d April 1858

A McKim Dubois, Clerk "

And afterwards to wit: on the day last aforesaid it being still one of the days of said term

first aforesaid of the said Circuit Court, then
being held at & as aforesaid, present to as afore-
said, the following proceedings were had and
because of record in said Court to wit:

470 John I. Rinaker
vs { Assumpuit
Daniel A. Dorman

Came the plaintiff by his
attorney and produced filed and proved a
warrant of attorney executed by said defend-
ant, authorizing John M. Palmer Esq^r or any
other attorney at law of the State of Illinois
to confess a Judgment as follows: and thereupon
came into court John M. Palmer Esq^r and as
attorney of said defendant, waiving service of
process, releasing all errors, accepted a declara-
tion, and confessed the said defendant to be
indebted to said plaintiff in the sum of one
hundred and sixty three dollars and seventy
three cents; It is therefore considered by the
court that the said plaintiff recover of said
defendant by way of damages the said sum
of one hundred and sixty three dollars and
and seventy three cents so confessed as afore-
said, together with his costs by him about this
suit expended.

And afterwards to wit on the 24th day of May A.D. 1858 this writ was
issued out of the office of the Clerk of said Court a writ of fieri facias
which became a part of the records of said Court and which reads the
words and figures following to wit

State of Illinois,
MACOUPIN COUNTY.

The People of the State of Illinois:
ss. To the Sheriff of said County, Greeting:

We Command You,

That of the Goods and Chattels, Lands and Tenements of

Daniel H. Dorman

late of your County, you cause to be made the sum of One hundred and
Sixty three Dollars, and Seventy three Cents,

with legal interest, to be computed thereon from the 2^d day of April A. D.,
1868 until paid, which John I. Renaker

lately in a certain action of Assumpsit
in our Circuit Court, for Macoupin County, at the March Term thereof,
A. D., 1868 recovered against the said Daniel H. Dorman

for his damages; And also the sum of three
Dollars and ten Cents,
which were adjudged to the said John I. Renaker
by our said Court, for costs and charges about his suit in that behalf made and
expended, whereof the said Daniel H. Dorman is

convicted as appears to us of record; And that you have that money at the clerk's office
of our said circuit court, at Carlinville, within ninety days from the date hereof, to render
the said John I. Renaker his damages

interests and costs aforesaid; And have you then and there this Writ with due
return thereof—

Witness, A McKim Dubois
A. S. Mayfield, Clerk of said Circuit Court,
and the Seal thereof at Carlinville, this
24 day of May, in the
year of our Lord One Thousand Eight
Hundred and Fifty eight

A McKim Dubois Clerk.



Upon which said writ of fieri facias appear the following endorsements to wit:

"Came to hand May 26th 1858 at 10. O'clock PM

"

all M^{rs} June Shff me

"

by M. J. Chantz WS

"This execution is returned unsatisfied no property found
"on which to levy

"

M. Mcclure Shff me

"Aug 27th 1858 Ret 10¢

"Filed August 27-1858

"A. M. Dubois Clk.



IN MACOUPIN CIRCUIT COURT.

VS.

FI. FA.

FEE BOOK.....PAGE.....

EX'N. DOCKET.....PAGE.....

-X-

DEBT.....\$.....

DAMAGES.....\$.....

PLAINTIFF'S COST.....\$.....

DEFENDANT'S COST.....\$.....

\$.....

INTEREST SINCE JUDG'T.....\$.....

SHERIFF'S COST ON EX'N.....\$.....

\$.....

Filed.....A. D. 1858.....

CLERK.

DATE OF JUDG'T.....A. D. 1858.....

ATTORNEY FOR PLAINTIFF.

State of Illinois } Macoupin Circuit Court
Macoupin County } ss March Term 1858
John I. Rinkler

vs

In Assumpsit

Daniel A. Dorman

Docketing suit 10	Entering appearance of Attorney 10	20
Entering appearance of party 05		05
filing 4 papers in progress of suit		20
Entering 1 orders for		20
Entering final Judgment or decree		25
ordering clerk to assess damages 20	Motion clerk assess damages ²⁰	40
assessing damages on note 20	making report 20	40
Entering satisfaction of Judgment 15		15
Making bill of costs & copy of same		30
Docketing Judgment		<u>25</u> 3.10

A Copy

Attest A M^r Kim Dubois

Clk

And afterwards to wit: on the third day of December
A.D. 1840, there were issued out of the office of the
Clerk of said Court an alias writ of fieri facias & fieri bill
which became a part of the records of said Court
and which are in the words and figures following
to wit:

State of Illinois, }
MACOUPIN COUNTY. }

The People of the State of Illinois:
ss. To the Sheriff of *Macoupin* County, Greeting:

We Command You, as we have before commanded You
That of the Goods and Chattels, Lands and Tenements of
Daniel H. Dorman

late of your County, you cause to be made the sum of *One hundred and*
sixty three Dollars, and *seventy three* Cents,

with legal interest, to be computed thereon from the *2nd* day of *April* A. D.,
1868 until paid, which *John I. Renaker*

lately in a certain action of *Assumpsit*
in our Circuit Court, for *Macoupin* County, at the *March* Term thereof,
A. D., *1868* recovered against the said *Daniel H. Dorman*

for *his damages*; And also the sum of *four*
Dollars and *forty* Cents,
which were adjudged to the said *John I. Renaker*
by our said Court, for costs and charges about *his* suit in that behalf made and
expended, whereof the said *Daniel H. Dorman* is

convicted as appears to us of record; And that you have that money at the clerk's office
of our said circuit court, at *Carlinville*, within ninety days from the date hereof, to render
the said *John I. Renaker* *his damages*

interests and costs aforesaid; And have you then and there this Writ with due
return thereof—

Witness, *Wth* *Mayfield*, Clerk of said Circuit Court,
and the Seal thereof at *Carlinville*, this
3rd day of *Decmbr*, in the
year of our Lord One Thousand Eight
Hundred and Sixty—*68*

Alfred S. Mayfield Clerk.



Upon which said writ of *Fieri Facias* appear the following Endorsements to wit:

"This execution is entitled to a credit of one hundred and six dollars Oct. 1859

John I. Renaker *plff*

"A S Mayfield *cr*

" Dec 3. 1860

" Came to hand Dec 3rd 1860 at 4 O'clock P.M

" M. N. Willis *shff* me
by J. D. Kerr *deft*

" Returned no property found May 10th 1861

" Ret 10

M. N. Willis *shff* me

" Filed May 11 1861

A S Mayfield *cr*



IN MACOUPIN CIRCUIT COURT.

VS.

FI. FA.

FEE BOOK.....PAGE.....

EXN. DOCKET.....PAGE.....

DEBT.....

DAMAGES.....

PLAINTIFF'S COST.....

DEFENDANT'S COST.....

INTEREST SINCE JUDG'T.....

SHERIFF'S COST ON EXN'.....

Filed

A. D. 186

CLERK,

DATE OF JUDG'T..... A. D. 186.....

ATTORNEY FOR PLAINTIFF.

State of Illinois
Macoupin County *ss*
John I Renaker

Macoupin Circuit Court
March Term 1858

vs

In Assumpsit

Daniel W. Dorman

Docketing suit 10	Entering appearance of attorney 10 =	20
Entering appearance of party 05		05
Filing 4 papers in progress of suit		20
Entering 1 order for 10		10
Entering final judgment or decree 25		25
Ordering clerk to assess damages 20 Motion clerk assess damages 20 =		40
Assessing damages on note 20 Making report 20		40
Entering satisfaction of Judgment 15		15
Making bill of costs and copy of same		30
Docketing Judgment		25
		<u>3.10</u>

A Copy

Attest A McKim Dubois *cl*

Additional fees made by plaintiff and to be paid by
defendant

Filing fees for, viz, docket, entering return on & filing alias fi fa 70	
Copying original fee bill 20 Making alias 30	<u>50</u>
Returning original fi fa by Sheriff McClure	10
	<u>4.40</u>

A Copy

Attest Alfred S Mayfield *cl*

I, Alfred S Mayfield Clerk of the Circuit Court of
Macoupin County, in the State aforesaid, do hereby certify the above and foregoing to be a true,
perfect and complete copy of the records and of all papers filed
in a certain cause
pending in said Court on the Common Law side thereof, wherein
John D. Reinaker is plaintiff and
Samuel H. Dorman is Defendant.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the Seal of said Court, at Carlinville this
12th day of October A. D. 1867
Alfred S Mayfield Clerk.



No 119

Transcript of Proceedings
IN SUIT.

CIRCUIT COURT.

Macoupin County,
State of Illinois
March Term, 1868

In the matter of

John D. Penaster

vs.

Daniel H. Dorman

Culver, Page & Hoyne, Stationers, Chicago.

Filed Oct 16th 1868
Elias & Henry Cox

State of Illinois
Macoupin County

I Edward Y Rine Judge of the
18th Judicial Circuit of the State of Illinois
in and for said County of Macoupin do
hereby certify that Alfred F Mayfield whose
signature appears to the foregoing certificate
was on the day of the date thereof Clerk
of the Circuit Court in and for said
County of Macoupin duly commissioned
qualified that his signature to the same is genuine
and that said certificate is in due form
of law and by the proper Officers
and as such ~~same~~ is entitled to
full faith and credit

Witness my hand and seal
October 14th 1868. E Y Rine. (Seal)

Judge 18th Cir Ill

John I. Rinaker, Plaintiff
vs
Daniel H. Dorman, deft } In the Jefferson
Circuit Court.
Nov Term 1867.

Plaintiff states that on the 2nd day of April 1858, in the Circuit Court of Macoupin County in the State of Illinois, he recovered judgment against defendant, upon the petition of Plaintiff and the confession of defendant, for the sum of one hundred and sixty three $\frac{73}{100}$ dollars for his damages four $\frac{40}{100}$ dollars for his costs: that on the day of Oct. 1859 there was due upon said a Manuscript of which judgment is herewith filed. That on the — day of October 1859, there was due upon said judgment Twenty four $\frac{55}{100}$ dollars interest which and the four $\frac{40}{100}$ costs being added to same made it amount to one hundred & ninety two $\frac{68}{100}$ dollars and that at the date last of said defendant paid on said judgment one hundred and six dollars leaving a balance of Eighty six $\frac{68}{100}$ dollars due Plaintiff which has not paid and for which and the interest thereon Plaintiff asks judgment.

John L. Thomas
Atty for Plaintiff.

John St. Another

or

David H. Danner

Relation or Indignment

Filed Oct. 16th 1867

Geo. W. Henry Clerk

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Daniel H. Dorman*

*if he be found in your County, that
he be and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of Hillsboro,
within and for the County of Jefferson, on the first Monday after the
fourth Monday of November next, then and there to answer unto
John I. Rinaker*

*upon his original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.*

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Sixteenth day of *October* A. D. 1867

Elias F. Honey
Clerk Circuit Court.

By *E. J. Irvine Depk*

20119

2571

JEFFERSON CIRCUIT COURT.

Term, 1867

Richard P. Ketchum

= 24 =

D. H. Donnan

Original

John Williams

Sheriff for

\$1.00

Sent Oct 19th 1867

I Executed this Writ in Jefferson County Missouri
on the 19th Day of Oct 1867 By Delivering to
D H Donnan ~~the~~ a true copy of this Writ and
Petition as furnished By the Clerk
John Williams Sheriff

John J. Kinahan Plaintiff

vs
Daniel H. Dorman
Def.

In the Circuit
Court of Jefferson
County Mo.

Defendant for answer Plaintiff's
petition heretofore filed in this cause
states that he admits that on the
day and year stated in petition a
judgment was rendered against him
in the Circuit Court of Macoupin
County in the State of Illinois
for the sum of one hundred and
sixty three $73\frac{1}{2}$ dollars and four
cents dollars cost.

Defendant denies that on the
day of October 1859 there was due
upon said judgment twenty four ³³/₁₀₀
dollars, interest, or any other sum
Defendant ~~admits~~ ^{rather states} that he paid
on said judgment on or about the month
of October, 1859 and after the rendition
of said judgment the full amount
of said judgment and all costs -
Therefore he says that he does not
owe said plaintiff the said sum
of eighty six $86\frac{1}{2}$ dollars, on said
judgment as charged in petition or

or any other sum, and asks to be
discharged with his costs.

J. P. Pipkin
Attorney for Defendant,

John J. Brinker

—

Samuel H. Dorman

—

Wm. A. Dorman

—

Wm. A. Dorman

Wm. A. Dorman

John J. Rinaker } In the Jefferson
vs } Circuit Court
Daniel H. Darnes } Nov. Term 1867

Now comes defendant and moves
the Court to rule the above named
plaintiff to security for costs.

Because

1. The said plaintiff is a non
resident of the State of Wisconsin

P. P. P. P.

Deft Atty.

John J. Pinckney

my

Darwin St. Arman

Mountain & Bill
Hoff & Co. County for
Cash,

Filed Nov 7 1867
E. J. Money Clerk

Rivaker, Plaintiff }
D. H. Dorman, Defendant } Execution from
Circuit Court of
Jefferson Co. Mo.

To E. C. Sanderson Garnisher in the
above entitled cause

Interrogatories

At the time of the service of the garnishment
on you did you owe D. H. Dorman
any thing and if so how much or do
you owe him any thing now?

John A. Thomas

Answer of E. C. Sanderson Garnisher in this
case.

Amate

Alma

Incorporated to

Sumner

Chiles Nov 1848 to 85

C. A. Honey D.

July 25 or 26

For #13655 to 5574

Sub 6 ops

Donner 1. Heavy off per 25° 00050 75-

with #1. exp 10° dies 20° down 10° and 10° 1. 55-

motion 20° rule 20° time band 35° 75-

Sub 35° July 25 00020 and July 10° 1. 15-

making each 25° 31.13. 73°

1. 00
31.20

John Williams July 25 or 26 #1.

Penner and Simon } Judg. 10th 5-~~10~~ 34 600
 Fred Bill

136,08

E. H. Kiny @ 1/2 cap per. 25 cas 50 doct¹⁰
 milk top ^{4,10} files 20 leave to Aug. 30 motion 20 Rules 20
 leave to follow 35 cont 25 sub 35 Judg 50 ord 20 Judg each 50
 Judg each 30 milk each 30 410 10- exc 50
 1,85-
 1,90
 2,15-
1,20
 6,10

John Williams Keft

dem sept \$100

Cales

120

1,20

Paucker
to

Dorman

Free Bill