

8806

No. _____

Supreme Court of Illinois

Wm. B. Thorn

vs.

Joel F. Watson, Admr.

71641  7

4

Wm B. Thorn

✓

Joel F. Watson,
Admr &c —

disposed of Dec
Term, 1848 —

4

8806

Am B Home

Let ⁱⁿ J. Watson admr.
of James Hams decd.

Jefferson Co. Court
Aug. term 1848

Francis J. Hams being duly
sworn says she attended two days as a witness
in the above case at the instance of Jff
Subc? Sworn to before me
this 23rd day of Aug. 1848 Francis J. Hams

A Ridgway clk

Know all men by these presents that we William
B Thom and William Edwards are held and stand
firmly bound unto Joel F Watson adm^r of James
Hann dec^d in the full sum of two hundred dollars
the payment of which well and truly to be made
we bind ourselves our heirs Exrs and admors
jointly and severally firmly by these presents, sealed
with our seals and dated this 1st day of November

A D 1848 The condition of the above obligation is
such that whereas at the August term A D 1848 of
the Jefferson Circuit Court the said Joel F Watson as
administrator as aforesaid, in a certain matter then
at issue, obtained a judgment against the said
William B Thom for the cost of said amending
to ff

from which said judgment the said William B
Thom taking an appeal to the Supreme Court of the
State of Illinois for the Southern District.

Now if the said William B Thom shall prosecute
his appeal with effect, or in case said appeal shall
be dismissed ~~shall~~ judgment of the Circuit Court aforesaid
shall well and truly pay or cause to be paid, whatever
judgment the said Supreme Court shall award
against him in the premises. Then the above obligation
shall be null and void otherwise to remain in full
force and virtue in law

Approved Nov. 1. 1848

A Ridgway CLK

J M Hinds D.C.

W B Thom

Edw

Wm Edwards

Mr B of 8806

Dr 3 Paid to S.C.

Dr H Watson acc.
of James H and dr.

Dec 1. 50 Nov 1848

Pleas at a Circuit Court commenced
and holden at the Court House in the
town of M'Winn County of Jefferson
and State of Illinois on the 21st day
of August in the year of our Lord
one thousand eight hundred and forty
eight, before the Honorable William
A. Denning, one of the Justices of the
Supreme Court and sole presiding
Judge of the Third Judicial Circuit
of the State of Illinois

It is remembered that hitherto, to wit, on the 30th day
of June in the year of our Lord one thousand eight hundred
and forty eight, came William B. Thom. and filed herein
the following transcript which is in the words and figures fol-
lowing to wit

Transcript

William B. Thom

vs
Joel F. Watson

Debt by ac

\$ 19.62

June The 8th 1848. The said Joel F. Watson
waives process and the parties by mutual consent enter into
trial on the 8th June 1848. Parties and witnesses appeared,
Witnesses sworn and examined relative to the accounts.
It is ordered and adjudged that plaintiffs claim is just
and will be allowed if the assets found belonging to the estate
of Ham in the hands of the administrator not inventoried or
accounted for, but not otherwise, his plaintiffs claim not
being proved in two years as the law requires

State of Illinois }
Jefferson County } I William Godds Probate Justice of
the peace in and for the County and State afore-
said do hereby Certify that the above proceedings is a true
and correct copy of the original on record in my office
given under my hand and seal this 28th day of June
AD 1848.

Justice per

W Godds (P. J. P. & S.)

Doctating 12th Judgment 25-
Appeal 25 Transcript 25-

And Afterwards, to wit, on the said 30th day of June in the year of
our Lord one thousand eight hundred and forty eight the
following summons was issued, to wit

State of Illinois }
Jefferson County } The people of the State of Illinois to the Sheriff
of said County greeting,
We Command you to summon Joel

summons

I motion, if to be found in your county, to be and appear before
the Circuit Court on the first day ^{personally} ~~of the~~ first term thereof
to be commenced and holden at the Court House in Morrow
in said County, on the 3rd Monday of August - next then and
there to answer William B. Thorne in an appeal taken taken
from the docket of William Dadds Probate Justice of the
peace in and for said County as is alleged: and hereof
make due return to our said Court as the law directs.
(J.S.) Witness Edward H. Ridgway Clerk of our said
Court and the Judicial Hall thereof at Office in
Morrow this 30th day of June A.D. 1848.
E. H. Ridgway Clerk
pr W. B. Thorne

Return
Upon which Sermons the Sheriff made the following
return in the words and figures following to wit, July 25th
1848 Executed the within by reading to the defendant
serving and returning to the Elijah Piper Shff, &c.

And afterwards to wit on the 22nd day of August in the
year of our Lord one thousand eight hundred and forty eight
at a Circuit Court Court held at the Circuit
aforesaid, the following order was made in the premises
in words and figures following to wit,
William B. Thorne

vs
Joel F. Watson attorney } Appeal
of James Ham dand }

This day came the plaintiff, by Scots
his attorney, and the defendant by Baugh his attorney
and by consent this cause is submitted to the Court, the
Court having heard the proofs and being fully advised
in the premises find for the defendant. It is therefore
considered by the Court that the said defendant recover
of the said Plaintiff his costs and charges by him in
and about this suit in this behalf expended &c.

Afterwards to wit on the day and year last above mentioned
the plaintiff filed his bill of exceptions taken in this cause
which said bill of exceptions is in words and figures following
to wit.

William B. Thorne

vs
Joel F. Watson attorney } August term Supreme Court Court
of James Ham dand } Appeal from the Court of Probate

Be it remembered that on the trial of
this cause the plaintiff introduced the following accounts

Acct Master A
Debits

James Ham

To W B Shaw Dr

1839			
Dec 2	pr Mrs Rogers	\$	10.00
1840			
Jan 10	Leash		10.00
June 13	1 Hide 22 1/2 c g		2.02 1/2
Sept 19	" " 18 "		1.02
1841 Feb 22	" " 15 1/2 "		1.39 1/2
April 8	Leash		10.00
" "	7 lbs Deer Skins c g		67 1/2
" "	pr James Johnson		50
May 11	5 lbs lbs Deer Skins c g		47
June 22	3 " " " "		27
Oct 14	Leash		3.00
1842 Jan 17	2 Saddles bridles & Martingales		50.00
" "	2 Saddles		56.50
" "	pr Enoch Martini		1.68 3/4
" "	1 Bridle		4.50
" 8	pr Arden Isaac Follenburg		11.25
April 20	35 lbs Hides c g		3.15
May 20	4 Hides each 22-16-18- & 33 lbs		6.57
" "	Arden on Bruce		4.18 3/4
July 11	Hide per Morris 26 lb c g		2.34
" "	Bridle with Stirrup & Mohan		17.00
Aug 18	1 Morris		25
1844	Bridle and Martingale pr Wright		6.75
	14 9 3/4 lbs Hides c g		13.27 1/4
May 22	Cotton girth		25
1845 Feb 17	25 lbs Hides c g		2.16
Mar 27	2 bridle bits and buckles		50
May 31	2 Saddles		39.00
" "	1 pr Stirrup irons		25
1846 Feb 22	Collar & harness		2.50
April 7	Repairing bridles per Johnson		50
June 21	24 1/2 lbs Hides per Mat. Morris, c g		2.20
1847 July 2	Tacks, Saddle & brass		25
" "	1 pr boot trace		50
Sept 3	1 pr calf shoes		2.00
1848 May 1	pr Harness & collar		250
Dec 2	Repairing bridles & Martingales per Morris		75
1844	15 9 3/4 lbs Hides c g		14.37
July 27	Cotton girth		25
June 2	Repairing Saddle & thump leathers		1.00
" "	24 1 side saddle		20.00
" "	Repairing saddle		25
1845 May 19	1 bridle bit and buckles & Martingale & nose leather		1.50
	1 half skin 110 lb skin		308.20

Acct. A
Credits

James Ham Credits

1839

\$

16.73

Aug 28 by Deer skins & hamap leather

7.12 1/2

Sept 7 19 lbs Skirting

3.25-

21 1 side black bridle

14.12 1/2

27 1 dog deer skins

6.00

" " 2 sides bridle leather

9.18 1/2

Nov 27 4 1/2 lbs Skirting c 37 1/2

27.83 1/4

1840 Jan 29 37 deer skins

10.81 1/4

" " sides black harness 31 1/4 c 37 1/2

10.54 1/4

Feb 19 28 lbs Skirting c 37 1/2

1.00

" " 1 Deer skin

2.00

July 16 2 " "

10.00

1841 Feb 12 3 sides black bridle

13.68 1/4

Mar 17 Sundry leather

2.50

April 28 1 side black bridle

3.00

Sept 27 1 side Skirting leather

2.75-

" 29 1 " "

24.75-

Oct 14 66 lbs Skirting c 37 1/2

10.00

" " 3 sides black bridle

3.00

1842 Jan 8 4 skins

9.75-

" " 3 sides black bridle

3.25-

" " 22 lbs Harness c 37 1/2

20.81 1/4

Mar 11 55 lbs Skirting c 37 1/2

3.75-

" " 11 Deer skins & sheep skin

25-

Aug 18 Settled per Marria

7.00

" " 2 sides black bridle

13.65-

" " 2 Harness c 37 1/2

1.75-

" " 11 Deer skins

3.50

1843 April 27 1/2 skins

12.18 3/4

Nov 11 20 Deer skins

18.00

1844 May 1 60 lbs black Harness c 30

1.00

1845 April 2 1 skin calf

1.00

July 1 7 lbs hair

6.25-

~~1842~~ July 1 skins &c

3.27

1842

July 25 8 1/2 lbs harness c 37 1/2

\$ 289.73 1/2

Thorns Account

309.37 1/4

Ham Accounts & Credits

289.75 1/2

Due Thorn

\$ 19.62 1/2

The following is the account filed marked B which is in the words and figures as follows, to wit:

James Ham dead

184 to 1849 Thore

1848 January for Enock Martin

To 1 ball shoe Thread

18

Feb. 10

1 Calf skin

36

" "

34 1/4 lbs dried hides c 10

3.215-

" "

129 lbs gun " c 5-

6.415-

" "

23 1/2 lbs dried hides

3.57 1/2

March 1

2 Horse Collars

1 1/2 each

3.00

" "

1 wolf skin

1

April 30

2 Blk collar buckles

12 1/2

" "

2 hides 1 weighed 18 & one 20 lbs

3.80

20.74

and called Francis H Edwards as a witness who being duly sworn stated that he was an apprentice to plaintiff during the years 1841 & 1842. that during that time plaintiff kept no clerk. That he was a sader. That he bought and sold and made Saddle harness &c. That he had dealt with plaintiff and that plaintiff had kept correct accounts in his dealings with him, and he believes he kept correct books. That the entries in plaintiffs books against said Ham were in plaintiffs hand writing. said witness further proved that plaintiff and decedent had frequent dealings together during the time witness lived with plaintiff for hides and other articles - but witness could not recollect - particularly of the delivery of but 2 saddles some shoe thread & some rights to decedent. But he knows but he knows that they had frequent dealings and plaintiff mostly sold & kept his own accounts - but that sometimes his apprentices in his absence sold small articles - such as bridle and martingals

Plaintiff also called Francis Ham the widow of decedent who being duly sworn stated that she knew that plaintiff and decedent had frequent dealings together, and that she recollect of decedent getting two saddles and a bridle & some collars, and that decedent got hides at different times from plaintiff. Mr Morris was also called and sworn by plaintiff - who stated that he lived with decedent five or six years last past. That decedent was a tanner, and was in the habit of getting hides of plaintiff frequently, and from Hams own statements that he got a good many hides of plaintiff - he knows of decedent getting a Loh saddle of plaintiff in June 1845 - for Sarah Hams daughter, and also a wolf skin he the decedent got of plaintiff the same year

which decedent sold to a Mr Bradford. He stated that a common sheep skin ~~was~~ worth one dollar & fifty cents and the wolf skin was worth as much as a ~~sheep~~ skin. That witness on several occasions got things of plaintiff by the orders of decedent. He stated that a Mr Bright also got articles of plaintiff by the orders of decedent - That Ham had on some occasions sent witness to get repairing done that on one occasion he witness took for Ham a broken bridle bit to plaintiff which plaintiff got mended by a Smith, Mr Matting, & had the mending charged to him plaintiff & that the plaintiff also repaired the bridle, witness also came over ^{once} with a waggon for Ham and got Hides of plaintiff the hides were hauled by a Mr Smith, &

Defendant called John Hans, who was sworn as a witness to prove the books of said decedent. Whereupon it was admitted by the plaintiff that the accounts were all correct as far as they went, but that they did not include all the plaintiff's account against said Hans on the credit side, and defendant called and swore Henry M. Matron who stated he was an apprentice to plaintiff from 15th June 1815 to 15th June 1818 with the exception of one day which plaintiff let him off. That during that time he knew of but one dispute between plaintiff and his customers, and that was for a saddle not charged on plaintiff's books. The purchaser of the saddle, a Mr Summers thought that plaintiff had agreed to let him have it for two dollars and plaintiff thought it was twelve dollars, the impression of witness at the time was at the time twelve dollars and that he never heard or knew of any other difficulty or dispute. On cross examination witness stated that he knew of no dealings between plaintiff & decedent. He stated that plaintiff kept no clerk during the time he was with him, that plaintiff mostly did all the selling & book keeping except when absent his apprentice would sell small articles such as bridles; and that he believed plaintiff kept correct books. The books accounts admitted by the plaintiff is as follows—

William M Thome. Dr

To James Ham

Sept. 6)

1839.

§

Aug 27 Sleek skins & Harniss

Pl 73

Sept 6 19 lbs shooting at 374

~~412 1/2~~

" 19. i side black bridles

324

27 1 doz Deer Skins

14.1292

2 Sicel's Bride & Hamess

6.00

Nov 27. 24 1/2 lbs Skirting @ 37 1/2

9. 18³/₄

1840. July 22 27 dus strains 27.871. 3 birds black hair 3/4 the 3/4 39.68

39.68

Feb 18. 28 lbs Shrimps at 37¢ 10.54¢ 1 Gar skin 1.00

17.54 $\frac{1}{4}$

Acct. C Continued

1841. Feb 16	3 sides black bridle	\$ 16.00
Mar 17	Sundry leathers	15.68
April 28	1 side black bridle	2.50
Sept. 25	1 side Stirrup leather 2.75- 1 side stirrup 3.00, 3.75-	
Oct. 14	66 lbs stitching at 37 1/2 24.75- 3 sides bridle 34.75-	
1842. January 7	4 skins 8.00, 3 sides black bridle 9.75-	12.75-
"	22 lbs black harness at 37 1/2 8.25-	8.25-
Mar 5	55 1/2 lbs stitching at 37 1/2, 20 81 1/2, 5 deer skins & sheep skin 25.50 1/2	
Aug 18	2 sides black bridle 7.00 2 sides black harness 17 1/2 @ 37 1/2 6.65-	13.65-
"	2 Deer skins	1.75-
1843 April 27	Skins	3.50
Nov 11	12 Deer skins	12.18 3/4
1844. -	60 lbs black harness at 30	18.00
1845-		1.00
April 2.	1 calf skin	1.00
July 1-	7 bushels hair	1.00
Feb. 28. +	Skins &c	6.28
1830		\$ 280. 23 1/4

Dr

1839. Dec. 2.	By Mother-in-law	10.00
1840. Aug 10.	By Cash	10.00
June 13	1 hide 22 1/2 at 9	2.02 1/2
Sept 30	1 hide 18 lbs	1.62 1/2
1841. Feb 22	1 hide 15 1/2 lbs at 9	1.39 1/2
April 9.	Cash 10.00 7 1/2 lbs deer skins at 9. 67 1/2	10.67 1/2
" "	Patrus Johnson	30
May 1	Deer skins 5 1/2 lbs	1.17
June 22	3 lb deer skins	.27
Oct 14	Cash	3.00
1842 Jan 8	Order with Isaac Foubert & J P Baugh	11.25-
" 17	2 saddles bridle & martingales	50.00
" "	2 Saddles	56.50
" "	Enoch Martin	1.68
" "	1 Bridle	4.50
April 20	35 lbs hides at 9	3.15-
May 28.	11 hides each 22 lbs 16. 18 lbs & 35 lb grain	6.57
" "	Order on Bruce	4.18
July 1	26 lbs hides @ 2.35 per James M Morris	2.34
" "	Order with Kirby & Mahan	17.00
Aug 18	By J. J. Morris	.25-
Nov 11.	By Knight for Bridle & martingales	6.75
" "	11 3/4 lbs hides at 9	13.27 1/2
1844. May 22	Cotton Girth	.25-
1845. Feb 17	21 lbs hide. at 9	2.16
Mar 27	Bridle Bits & Buckles	50
May 31	2 Saddles 39.00 per Stamp iron 25-	39.25-
		\$ 259. 57 1/2

It was further admitted by the defendant - that the Estate of James
Hasson deceased defendant's intestate is entirely solvent - and that
there will be a large surplus to distribute to the children of
deceased. It was further admitted by the plaintiff that the account
sued on by plaintiff was not sued on until a few days after
the expiration of two years from the issuing of letters of administration
to the defendant. Defendant further admitted that there had
not been a final settlement of the Estate of said Defendant.

The foregoing was all the testimony before the Court in this
cause whereupon the Court found for the defendant under the
Statute of Mills & Testaments, that the plaintiffs claim was
barred by section 115 of said Act - and Thompson refused
to ascertain the balance due said plaintiffs. And to render
a judgment therefor to be collected out of future discovered
assets - but a judgment against the plaintiffs for the costs
of suit to which several findings opinions orders and judgments
the plaintiffs then and there excepted and prays that his
bill of exceptions to be signed sealed and allowed of which
is done accordingly by

W. A. Denning Clerk

State of Illinois
Jefferson County } ss

I John Milbanks Clerk of the Circuit Court
in and for said County do hereby certify that the
foregoing are true and correct transcripts of the record
and proceedings had in said Cause now on file in my
Office

In testimony whereof I have hereunto set my hand
and affixed the Judicial Seal of said Court.
At Mount Vernon this 5th day of December
AD 1848.

John Milbanks Clerk
per Lewis L. Casey Sec.

Wm B. Thom

December Term Sup Court

^v
Earl H. Watson admr
of James Heam decd }

And the said plff by Walter B. Seates
his Counsel comes & says that in the
record and in the proceedings and

the rendition of judgment in this cause in the circuit Court
there is manifest error in this viz:

First The circuit Court decided that plff's claim & demand against the
intestate's estate was barred by the statute of limitations in the 115th
section of the Statute of Mills - because it had not been filed within
two years from the issuing of ^{the} letters of administration to decd.

Second The circuit Court refused to audit, adjust, settle & determine the
indebtedness between the parties, until the plff should discover
assets & effects not inventoried & accounted for by the decd.

Third The circuit Court refused to give a judgment in the nature
of a judgment quand acciderint in favor of the plff
for the amount proven to be due said plaintiff upon a
full & fair settlement of accounts between said plff & decd's intestate

Fourth The circuit Court found for the defendant, when by the proofs
and testimony it ought to have found for the plaintiff

Fifth The circuit Court gave judgment for costs against the
plaintiff - when by the law & the testimony judgment
should have been given in his favor.

Wherefore for the errors aforesaid and others apparent upon
the record in the proceedings, orders findings & judgment
of the Court, he prays that the same may be reversed
annulled and for nothing esteemed, and he restored
to all his rights in the premises & that he recover
his costs &c.

Walter B. Seates for Plff in error

Supreme Court - 18

William B. Horn

vs Raphael Sam Lippman

Jed S Watson Plaintiff

vs James Sam Lippman

Filed Dec 7th 1848

J. W. L. and Co. Clk

per Sam L. Lippman

Disposed of - judgment
affirmed December
Term, 1848 -

William B Thom

vs

Jacob T Watson Adm^r
of the Est^o of James Ham Dick

Proceda

The Court will please issue subpo
for Francis Ham & James M M Morris to testify on
part of Plaintiff August Term 1848

W. B. Thom
"

Wm Thorn

21

J. F. Watson Adm^r
of Jms Ham Est
August Term 1848

Filed 18th Augt 1848
L. B. Rayway Clk

Epl

Wm B. Thorn

vs
Sol J. Watson admr
of James Ham decd

August Term 1848, Off circuit
Appeal from the Court of Probate

Be it remembered that on the trial of this cause - The plaintiff introduced the following accounts (here insert accounts marked A & B.) and called Francis H. Edwards as a witness who, being duly sworn stated, that he was an apprentice to plff during the years 1841 & 1842 - that during that time plff kept no chit - that he was a saddler - that he bought & sold - & made & sold saddlery, harness &c - that he had dealt with plff and that plff had kept correct accounts in his dealings with him, and he believed he kept correct books - that the entries in plaintiff's books against said Ham were in plaintiff's hand writing - ~~and that the items on the plaintiff's account so far as they were entered in the books of plaintiff were the same as those on the books~~ - said witness further proved that plaintiff and decedent had frequent dealings together during the time witness lived with plaintiff for hides and other articles - but ^{witness} plaintiff could not recollect particularly of the delivery of but two saddles ^{some shoes, thread & some hides} to decedent.

but he knows that they had frequent dealings - and, ^{plff} mostly sold & kept his own accounts - but that sometimes his apprentices, in his absence sold small articles - such as bridles & martingales.

Plff also called Frances Ham the widow of decedent, who being duly sworn stated that she knew that plff and decedent had frequent dealings together - and that recollects of decedent getting seven saddles - 4 men's & three women's saddles - and a bridle & some collars, and that decedent got hides at different times from plaintiff.

Mr Morris was also called & sworn by plff - who stated that he lived with decedent five or 6 years last past

That decedent was a tanner - and was in the habit of getting hides of plaintiff frequently - and from Ham's own statements that he got a good many hides of plff - he knows of decedent getting a side saddle of plff in June 1845 - for Jacob Ham's daughter and also a wolf skin he decedent got of plff the same year which decedent sold to a Mr Bradford He stated that a common sheep skin was worth one dollar & fifty Cents - and the wolf skin was worth as much as a sheep skin. That witness on several occasions got things of plff by the orders of decedent. He stated that a Mr Wright also got articles of plff by the orders of decedent - that Ham had on some occasions sent witness to get repairing done - that on one occasion he witness took for Ham a broken bridle-bit to plff - which plaintiff got mended by a Smith Mr Battist - & had the mending charged to him plaintiff - & that plaintiff also repaired the bridle. Witness also came once with a waggon for Ham & got hides of plaintiff - the hides were hauled by a Mr Smith

Defendant also called John Ham who was sworn as a witness to prove the books of said decedent - whereupon it was admitted by the plaintiff that the accounts on the books of decedent were all correct as far as they went - but that they did not include all the plaintiff's account against said Ham on the creditor side - thereupon said witness stood aside - and deft called and swore Harry M. Watson - who stated that he was an apprentice to plaintiff from 15th June 1845 to 15th June 1848 - with the exception of one day which plff let him off - that during that time he knew of but one dispute between plaintiff & his customers - and that was ~~was~~ for a saddle not charged on plaintiff's books. The purchaser of the saddle a Mr Summers thought that plff

had agreed to let him have it for ten dollars and plaintiff thought it was twelve dollars - the impression of witness at the time was that it was for twelve and that he never heard or knew of any other difficulty or dispute - On cross examination witness stated that he knew of no dealings between plaintiff and decedent - He stated that plaintiff kept no clerk during the time he was with him - that plaintiff mostly did all the selling & book keeping - except when about his apprentices would sell small articles such as buidles & that he believes plaintiff kept correct books

The book account of decedent admitted by the plaintiff is as follows - (here insert copy of Book account marked C)

It was further admitted by the defendant that the estate of James Ham deceased, defendant's intestate is entirely solvent and that there will be a large surplus to distribute to the children of deceased. It was further admitted by the plaintiff that the account sued on by plaintiff was not sued on until a few days after the expiration of two years from the issuing of letters of administration to the defendant. Defendant further admitted that there had not been a final settlement of the estate of said decedent

The foregoing was all the testimony before the court in this cause - whereupon the cause was submitted to the court - ~~The~~ Defendant pleading all the statutes of limitations. Whereupon the court found for the defendant under the statute of Wills & testaments that the plaintiff's claim was barred by section 115 of said act - and thereupon refused to ascertain the balance due said plaintiff - and to render a judgment therefor to be collected out of future discovered assets - but

a judgment against the plaintiff for the cost of suit
to which several findings, opinions, orders and
judgments the plaintiff then and there excepted
and prays this his bill of exceptions to be
signed sealed & allowed, which is done accordingly

W. A. Denning Seal

Very True Affirm. against Court

1828

William B. Thorne

v

Edw. J. Watson & James H. Hume (Dea)

Bill of Exceptions

Filed Dec 4th 1828

John M. Bunker & John D. Bunker

Attorneys for Dea

Held at a Circuit Court
commenced and holden at the Court
House in the town of Mount Vernon
County of Jefferson, and State of Illinois
on the 31st day of August in the year
of our Lord eighteen hundred and forty
eight, before the Honorable William A
Lanning one of the Justices of the Supreme
Court and sole presiding Judge of the
third Judicial Circuit of the State of
Illinois.

It is remembered that heretofore, to wit; on the 30th
day of June in the year of our Lord one thousand eight
hundred and forty eight came William B Horn and filed
herein the following transcript, which is in the words and
figures following to wit:

Transcript

William B Horn }
vs }
Jed P Watson adm^r } Libt by ap - \$19.62
of Cyrus Ham ac^t. }
Jed P Watson waives process and the parties by mutual consent
enter into trial on the 8th June 1848. Parties and witnesses
appeared. Witnesses sworn and examined relative to the
account. It is ordered and adjudged that plaintiffs claim
is just and will be allowed if other assets ^{found} belonging to the
estate of Ham, in the hands of the administrator not
inventoried or accounted for, but not otherwise his plaintiffs claim
not being proven in two years as the law requires.
W Dodds (J.P.)

State of Illinois
Jefferson County ss I William Dodge Probate Justice of the
peace in and for the County and State aforesaid do hereby certify
that the above proceedings is a true and correct copy of the
original on record in my office. Given under my hand
and seal this 28th day of June A.D. 1848.
Notices for W Dodds (J.P.)

Docketing 12 1/2 Judgment 25
appeal 25 Trans. 25

And afterwarde to wit, in the said 30th day of June in the year of our Lord eighteen hundred and forty eight, the following summons was issued, to wit:

Summons

State of Illinois
Jefferson County ss The People of the State of Illinois to the Sheriff of said County Greeting:

We command you to summon Joel A Watson if to be found in your County personally to be and appear before the Circuit Court on the first day of the next term thereof, to be commenced and holden at the Court House in Mount Vernon, in said county, on the 30th monday of August next, then and there to answer William B Thorn in an appeal taken from the docket of William Dodge Probate Justice of the peace in and for said County as is alleged; and hereof make return to our said Court as the law directs

Witness Edward A Ridgway Clerk of our said Court and the Judicial seal thereof at office, in Mount Vernon this 30th day of June A.D. 1848
A Ridgway Clerk
per R A Wingate D.C.

Return

Upon which said summons, the Sheriff made his return in the words and figure following, to wit: July 25th 1848.
Executed by reading the within to the defendant - Serving and returning. 42 1/2
G Piper Shff. J.C.

+

The following account, marked A, was filed by the parties, which is in the words and figure following to wit

Ac. marked A.
Debits

Samuel Ham		Jo Wm B Thorn	Dr
1839			
Dec. 2	for Mrs Rogers		\$ 10.00
1840	Cash		10.00
Jan. 10			
June 13	1 Hide 22 1/2 c 9		2.02 1/2
Sept. 19	1 " 18 "		1.62
1841	1 " 15 1/2 "		1.39 1/2
Oct 22			
April 8	Cash		10.00
" "	7 lbs Deer skins c 9		17 1/2

1841	April 8	per Sal. Johnson	50
	May 4	5 1/4 lbs deer skins c 9	47
	June 22	3 lbs " " "	27
	Oct 14	Cush	3 00
1842	July 17	2 Saddles bridle Martingale	50.00
	" "	2 Saddles	56.50
	" "	per Enock Martin	1 68 3/4
	" "	1 Bridle	4 50
	" 8	per Order Isaac Faulkner	11.25
	April 20	35 lbs Hides c 9	3 15
	May 20	4 hides each 22-16-18 & 33 lbs	6.57
	" "	Order on Prince	4.18 3/4
	July 11	Hides per Morris 26 lbs c 9	2.34
	" "	Order with Kirby & Rahne	17.00
	Aug 18	J Morris	25
1844		Bridle & martingale per Wright	6.75
		149 3/4 lbs Hides c 9	13.27 3/4
	May 22	Cotton girth	25
1845	Feb 17	25 lbs Hides c 9	2.16
	Mar 27	2 bridle bits & buckles	50
	May 31	2 Saddles	39.00
	" "	1 pr. strap irons	.25
1846	Feb 22	Collar & harness	2.50
	April 7	Repairing bridle for Johnson	50
	June 21	24 1/2 lbs. hides for Mat. Morris c 9	2.20
1847	July 1	tacks, saddles & brass	25
	" "	1 pr. boot tray	50
	Sept 3	1 pr. Calf shoe	2.00
1848	May	1 pr. Harness & collar	2.50
	Dec 2	Repairing bridle & martingale for Morris	75
1849		159 3/4 lbs Hides c 9	14.37
	July 29	Collar & girth	25
	Aug 2	Repairing saddle & strap leathers	1.00
	" 24	1 Side saddle	20.00
	Nov. 15	Repairing saddle	25
1845	May 17	1 Bridle bit, buckles & martingale rings per Sal.	1 50
		1 Wolf skin	308.20
			1.25

Appl. marked A James Ham Cr.

Credits

1839

Aug 28	By	dur skin + harness leather	16.73
Sep: 7		19 ^{lb} Skirting	7.12 ¹ / ₂
" 21		1 Side black trials	3.25
" 27		1 doz dur skin	14.12 ¹ / ₂
" "		2 Sides trials leather	6.00
Nov 27		4 ¹ / ₂ lb. Skirting c 37 ¹ / ₂	9.18 ³ / ₄
1840 Jan 29		37 dur skin	27.87 ¹ / ₂
" "		3 sides black harness 31 ¹ / ₂ lb c 37 ¹ / ₂	11.87 ¹ / ₄
Feb 19		28 ^{lb} Skirting c 37 ¹ / ₂	10.54 ³ / ₄
" "		1 dur skin	1.00
July 16		2 " "	2.00
1841 Feb 22		3 Sides black trials	10.00
Mar 17		Sundry leathers	13.68 ³ / ₄
April 28		1 Side black trials	2.50
Sep: 27		1 Side stump leather	3.00
29		1 " " "	2.75
Oct 14		66 ^{lb} Skirting c 37 ¹ / ₂	24.75
" "		3 Sides black trials	10.00
1842 Jan 8		4 skins	3.00
" "		3 Sides black trials	9.75
" "		22 ^{lb} Harness c 37 ¹ / ₂	8.25
Mar 11		55 ^{lb} Skirting c 37 ¹ / ₂	20.87 ¹ / ₄
" "		4 dur skin + cheap skin	3.75
Aug 18		Settles for Morris	25
" "		2 Sides black trials	7.00
" "		2 " " harness c 37 ¹ / ₂	13.65
" "		4 dur skins	1.75
1843 April 27		Skins	3.50
Nov: 11		20 dur skin	12.18 ³ / ₄
1844 May 1		60 ^{lb} black harness c 30.	18.00
1845 April 2		1 Skin calf	1.00
July 1		7 Bu. Hair	1.00
" "		Skins &c	6.25
1842 July 25		83 ¹ / ₄ lb harness c 37 ¹ / ₂	3.27
			289.75

Thorns account 309. 37 $\frac{3}{4}$
 Hams account & Credits 289. 75 $\frac{1}{2}$

Due to Horn 419. 62 $\frac{1}{4}$

The following is the account filed marked B. which is in the words and figures following to wit:

James Ham dec.
 Dr to Wm B Horn

1842
 Jan. 1. To Enoch Martin .18
 " 1 Bull shoe thread .36
 Feb 10 " 1 Calf skin .36
 " " " 3 $\frac{1}{4}$ lbs dried hides c. 10 .45
 " " " 12 $\frac{1}{4}$ lbs green hides c 5 .45
 " " " 23 $\frac{3}{4}$ lbs dried hides 33 $\frac{1}{2}$
 Mar 1. " 2 Horse Collars 1 $\frac{1}{2}$ each 300
 " " " 1 Wolf skin
 April 20. " 2 B.H. Collar buckles 12 $\frac{1}{2}$
 " " " 2 Hides 1 weighed 18 & 120 $\frac{1}{4}$ 3.80
 20.74

And afterwards to wit at the August term eighteen hundred and forty eight, of the Jefferson Circuit Court, on the second day thereof, the following proceedings were had in said case to wit:

William B Horn
 vs
 J. T. Watson adm^r of
 James Ham deced^t

Appeal

This day came the plaintiff by Seates his attorney, and the defendant by Raugh his attorney, and by consent this cause is submitted to the Court; the Court having heard the proofs, and being fully advised in the premises, find for the defendant. It is

therefore considered by the Court that the said defendant
recover of the said plaintiff his costs and charges by him
in and about his suit in this behalf expended &c

And afterwards to wit, on the first day of November
A D 1848 came the said William B Thorn and
filed the following bond. to wit:

Bond
Know all men by these presents that we William B Thorn
and William Edwards are held and stand firmly bound unto
Sol J Watson admr. of James Ham decd in the
sum of two hundred dollars, the payment of which
we and truly to be made and bind ourselves our heirs Exors
and admrs jointly and severally firmly by these presents
sealed with our seals and dated this first day of November
A D 1848

The condition of the above obligation is such
that whereas at the August term A D 1848 of the
Jefferson Circuit Court the said Sol J Watson as admr.
of James Ham decd in a certain matter then at issue
in an Appeal obtained a judgment against the said
William B Thorn for the cost of suit, amounting to
\$ — from which said judgment the said
William B Thorn takes an appeal to the Supreme
Court of the State of Illinois for the Southern District
Now if the said William B Thorn shall prosecute his
appeal with effect, or in case said appeal shall be
dismissed or the judgment of the Circuit Court affirmed
shall well and truly pay or cause to be paid, whatever
judgment the said Supreme Court shall award against
him in the premises; then the above obligation shall
be null and void, otherwise in full force & virtue in law

W B Thorn Seal

Wm Edwards Seal

Approved Nov. 1. 1848

J. H. Ridgway, Clerk
J. M. Hindes, Secy.

172
346

State of Illinois
Jefferson County ss.

I Edward A Ridgway
Clerk of the Circuit Court in and for said County do
hereby certify that the foregoing are true and correct
transcripts of the records and proceedings had in said
case, now on file in my office.

In testimony whereof I have hereunto set
my hand and affixed the judicial seal of
said Court at Mt Vernon this first
day of November A.D. 1848

E A Ridgway Clerk

Supreme Court S.D.
William B. Horn
per E. Horn from Jefferson
Sol. J. Watson admr. of
Samuel Horn dec. 2
Filed November 1st 1848
J. H. Kinsley Secy. Ex. of C.C.H.
J. H. C. C. H.

William B. Thom

Debtly Sept 12. 62

VS

June the 8th 1848

Joel H Watson admr
of James Ham dead

The said Joel H Watson

moves process and the

parties by mutual

Consent enters into

25 trial on the 8th June / 48

25 parties and witnesses

25 appeared witnesses sworn

8 7 1/2 and Examined Relative to the

account it is Ordered and

adjudged that plaintiffs

Claim is just and will be allowed

if other assets found belonging to

the Estate of Ham in the hands

of the administrator not before

accounted for but in other

his plaintiffs Claim not being

proven in two years as the

law requires

W. Dodd P. J.

State of Illinois

Jefferson County

I Wm Dodd Probate

Justice of the Peace in and for the County and

State of Iowa do hereby Certify that the above

proceedings is a true and correct Copy of the

Original on record in my office

Given under my hand and seal

this 28th day of June A.D. 1848

W. Dodd P. J.

Wm. B. Brown

23 April

Wm. B. Brown

Traverseport

March term 1845

Admission 30th 1845

Attest my seal

Wm. B. Brown

Recd - 11 March

1845

8806

W.B.

Manuscript of
Wm. B. Brown