E42

B55 R2555

Lancaster

James R Massey

vs

Elisha Blackman

Writ in Debt

Wright & McMullan
Plffs Attos

Filed 10 March 1841
Ordered for Judgt same day

S. Beckham
Clk

I ascertain the amount due in this case to be Three hundred & Eighty Seven dollars with interest from first Jany 1840

S. Beckham
Clk

Fi Fa 13 April 1841

Recorded in Book I
page 270

Cl 25
Sh 1 00
15 – 75
2 00
11
5 12
18.12
387
405.12

[DECLARATION ON SEALED NOTE.]

State of South=Carolina, } To wit.
Lancaster District.

Elisha Blackman was attached to answer to James R Maſsey of a plea that Defendant render unto Plaintiff the sum of Three Hundred and Eighty Seven Dollars which to ~~him~~ said Plaintiff he owes and from him unjustly detains and so forth.

And whereupon, the said James R By Wright & McMullan his Attorneys complain that whereas the said Elisha on the Twenty ninth day of December in the year of our Lord one thousand eight hundred and thirty nine at Lancaster Court-House, in the District and State aforesaid, and within the Jurisdiction of this Court, by his certain writing obligatory, commonly called a sealed note ~~certain Bill obligatory,~~ with his seal sealed and to the Court here shewn, the date whereof is the day and year aforesaid, ~~acknowledged~~ ~~to be indebted to the said~~ promised to pay the said James R Maſsey or ~~in the sum of~~ bearer Three Hundred and Eighty Seven Dollars, on or before ~~to be paid to the said~~ the first day of Jany. 1840 for Value ~~or~~ Received

To which payment well and truly to be made, the said Elisha bound himself firmly by the ~~same Bill~~. said Sealed Note

Yet the said Elisha although often required, the said sum of money in the said sealed note ~~Bill~~ contained, or any part thereof, to the said James R has not yet paid, but the same to to pay, hitherto has altogether refused and still doth refuse; to the damage of the said James R One thousand Dollars and therefore he brings suit and so forth.

Wright & McMullan **Plaintiff's Attorney.**

$387 On or before the first day of January 1840 we or either of us promise to pay James R Maſsey (Trustee of Mary Lanier (Decd) or bearer Three Hundred and Eighty Seven Dollars value Recd. Witness our hands and seals this 29 day of Decr. 1839

Attest
H. W. Cheves

"Elisha Blackman (Seal)",
"Uriah Blackman (Seal)"

$387 On or before the first day of January
1840 We or Either of us promise to pay James
R Massey (Trustee of Mary Lanier decd) or
bearer Three Hundred and Eighty seven Dollars
value Recd; Witness our hands and seals
this 29 day of Decr 1839

Attest
H. W. Oliver

Elisha Blackmon (Seal)

Uriah Blackmon (Seal)

Judgt entd & Signed 13 April 1841
S. Beckham
Clk

JUDGMENT BY DEFAULT IN CASE—REFERENCE TO CLERK.
Printed and Sold by W. Riley, 41 Broad-street.

AND now at this day, *to wit*, the first — Monday in April in the year of our Lord one thousand eight hundred and forty one to which day the said Elisha Blackman had leave to answer to the declaration aforesaid of the said James R Murphy before the Justices of the **Court of Common Pleas,** at a Court to be held at Lancaster comes the said plff. by his Attorneys aforesaid, and prays that the said defendant to the declaration aforesaid, may answer; and the said defendant — though solemnly called, doth not come, nor say any thing in bar or preclusion of the action aforesaid, but hath made default; wherefore the said Plaintiff remains against him undefended; wherefore the said Plaintiff ought to recover against the said Defendant damages sustained by reason of the premises; and because the same is a liquidated demand, according to the Act of the General Assembly of the said State, in such case made and provided, it becomes unnecessary to execute a Writ of Inquiry, but only on motion to the Court, to refer the said demand to the Clerk thereof, to ascertain the amount due:—and the same being so referred, the said Clerk, namely, S. Beckham Esqr. finds the amount of the principal ~~and interest~~ to be three hundred & Eighty seven Dollars with interest from the first day of January 1840

Therefore, it is considered, that the said plaintiff do recover against the said defendant as well the said sum of three hundred & Eighty seven Dollars & interest as found, as also Eighteen Dollars 12½ cents for his costs and charges, by him in and about prosecuting his suit in this behalf expended, and to him by the Court, with his assent adjudged, amounting in the whole to four hundred & five Dollars 12½ cents and be the said defendant in mercy, and so forth.

Satisfied

J R Massy
vs } Judgt.
E. Blackman

Apd —— # 387.
D. f. 1 Jany 1840

atty —— 11
Clk —— 5.12½
Shff —— 2
18 12½

[COPY WRIT.]

STATE OF SOUTH-CAROLINA.

TO ALL AND SINGULAR THE SHERIFFS OF THE SAID STATE—GREETING.

YOU, and each of you, are hereby commanded, without delay, to attach the body of Elisha Blackman wheresoever, he may be found within your and each of your respective Districts, so that you compel him to be and appear before the Associate Judges of the said State, at the Court of Common Pleas, to be holden at Lancaster Court-House, in and for the District of Lancaster on the first Monday after the fourth Monday in October instant ~~next,~~ to answer to James R. Massey, the plaintiff of a plea ~~of~~ that Defendant render unto Plaintiff the sum of Three Hundred and Eighty seven dollars, which to said Plaintiff he owes & from him unjustly detains &c — To the damage of the said Plaintiff one Thousand Dollars

And have you there this Writ, before the Clerk of the said Court, fifteen days next before the sitting of the said Court.

WITNESS, S. Beckham *Esquire, Clerk of the Court of Common Pleas, in and for the District of* Lancaster *at* Lancaster *Court-House, the* tenth *day of* October *in the year of our Lord one thousand eight hundred and* forty *and in the* sixty fifth *year of the Sovereignty and Independence of the United States of America.*

S. Beckham
Clk

Wright & McMullan **Plaintiff's Attorney.**

383

Entd 15th Oct 1840
S. Secrest Shff

Lancaster

James R. Massey

vs.

Writ in Debt

Elisha Blackman

Copy left at defendants
Residence
17th Oct 1840
S. Secrest Shff

Cert	25
Ser	1 00
15 miles	75
	2.00

Wright & McMullan

Service proven before me
S. Beckham
Clk

~~Name of A. Daniel read~~
~~made plaintiff in this case~~

(Orig)

FI. FA. IN DEBT.
Printed and sold by W. Riley, 92 Church-st.

The State of South-Carolina.

TO ALL AND SINGULAR THE SHERIFFS OF THE SAID STATE---GREETING.

YOU, and each of you, are hereby commanded, without delay, that of the goods, chattels, houses, and lands, and other hereditaments, and real estates, of Elisha Blackman you cause to be levied a certain debt of four hundred & five Dollars 12½ cts with interest on three hundred & Eighty Seven Dollars from 1 Jany 1840 which James R. Massey in the Court of Common Pleas, before the Justices of the said Court, at Lancaster C.H. lately recovered against the said Elisha Blackman.

~~And Also,~~ for his damages, which sustained, as well by reason of the detention of the said debt, as for his costs and charges, by him expended in and about prosecuting his suit in that behalf, whereof the said defendant is convicted, as appears on record.

And that you have the money before the said Justices of the said Court of Common Pleas, to be holden at Lancaster ~~on the~~ according to law in ~~next~~, to render to the said plaintiff for his debt, damages, costs, and charges, aforesaid.

And have you this Writ, before the Clerk of the said Court, at Lancaster according to law.

Witness, S. Beckham Esquire, *Clerk of the said Court, at* Lancaster C.H. *the* 12th *day of* April *in the year of our Lord one thousand eight hundred and* forty one *and in the* sixty fifth *year of the Sovereignty and Independence of the United States of America.*

Wright McMullan **Plaintiff's Attorney**

BILL OF COSTS.

Attorney—	Writ,	$4 00
	Special Bail,	1 00
	Declaration,	4 00
	Judgment and Execution,	3 00
	Subpœna	
	Demurrer, or Joinder,	3 00
	Argument on trial,	5 00
	Commission to examine witnesses,	8 00
	Jury,	1 00
	Bill of Exceptions,	5 00
Clerk—	Writ,	0 50
	Order for Bail,	0 50
	Declaration,	0 50
	Recording Proceedings,	1 00
	Signing Judgment,	0 50
	Signing Execution,	0 50
	Incidental and other charges where issue is not joined,	1 00
	Filing Plea, Demurrer, or Joinder,	0 50
	Attendance on Trial,	0 50
	Signing Subpœna	
	Signing a Commission,	0 50
Sheriff—	Writ,	1 00
	Bail Bond,	1 00
	Mileage, 5 cents per mile,	
	Subpœna	
	Execution to bind,	0 50

S Beckham C.C.

Entd 14 Apl 1841
H Hancock
Atty

Recd in part this
Case 9 Nov 1841
two Hundred &
ten Dollars, a
rect. given —
H Hancock
Atty

16

Lancaster

J. R. Massey } Fi Fa
vs
E. Blackman } Debt

Wright & McMullan

Debt —— $387.
Int. f. 1 Jany 1840.
Attos. 11
Clk 5.12½
Sheriff 2.00 = 18.12½
on pe fa 9.10

Satisfied 13 Dec 1841
J. Adams

NEW BILL OF COSTS.

Attorney—

Writ, $4; ~~Sp. Bail, $1~~; Declaration, $4;	8
Judgment and Ex. $3; Subpœna	3 – 11
Demurrer or Joinder, $3; Argument on Trial, $5;	
Commission, $8; Jury, $1; Bill of Exceptions, $5;	

Clerk—

Writ, 50 cts.; Declaration, 37 1-2; Rule, 25;	87½
Order for Judgment, 12 1-2;	12½
Plea, Demurrer, or Replication, 25 cts;	12½
Docket, 12 1-2 cts. each term; Trial, 50;	62½
Verdict, 25 cts.; Assessment, 25; Subpœna, 50 ea.	25
Order for final Judgment, 25 cts.; Discount, 25; ..	25
Bail, 50 cts.; Judgment, 75;	75
Rule or Order for Arbitration, 25 cts.;	50
Continuance, 25 cts.; First Execution, 50;	150
Recording Proceedings, $1,50;	
Commission, 75 cts.; Rule of Survey, 50;	~~4.83~~
Bond, $1; Suggestion, 50 cts.;	

Sheriff—

Writ and Entry, $1,25; ~~Bail Bond, $1~~;	1 25
Execution and Entry, 75; Arrest, $2;	
Subpœna and Entry, 75 cts. each;	75
15 m ~~Rule and Entry, $1,75~~; Mileage, 5 cts. per mile;	

Two per ct. on the first $300, and one per ct on the balance; half per cent on all monies received by Plaintiff or Attorney, on Execution, lodged in Sheriff's office.