Roll 14

20

Lancaster

B 15 R 553

William Ellis } Decl
vs } in
John Blackman } Case
$1000

Williams Clinton
Plff atty

Filed July 30th 1821

Ordered for Judgement the same day

We find for the
Plaintiff the sum of
five Dollars
Joseph Massey
fore Man

Recorded

I have recd Blackmans part
of the cost in this case
Wm McKenna

Judgt in Pap & Exn issued
8th September 1823
entd

'j

State of South Carolina } In the Common Pleas
Lancaster district } To wit

John Blackmon was attached to answer William Ellis of a Plea of trespass on the Case and so forth— Whereupon the said William the Plaintiff by Williams and Clinton his attornies Complains, for that whereas the said William before and at the time of the committing of the grievance by the said John as herein after next mentioned was and from thence hitherto hath been and still is lawfully possessed of a certain Messuage and Garden thereto belonging with the appurtenances Situate Lying and being in the district of Lancaster and State aforesaid on that side [illegible] on the waters of Big Lynches Creek, And by reason thereof he the said William, during all the time aforesaid ought to have had and still of right ought to have a certain way out of the said Garden unto, into, through and over a certain Close or plantation of him the said John in the District aforesaid and from and out of the same unto and into a certain Close or plantation Lying situate and being in that section of the district aforesaid known by the name of Piny=woods, in the district aforesaid, and so back again from the said Close or plantation of him the said William in the piny woods aforesaid unto, into, through over and along the said Close of him the said John and from and out of the same unto and into the said Garden of the said William for himself and his servants with his horses and carts and waggons to go, return, pass and repass every year and at all times of the year at his and their free will and pleasure as to the said Messuage and Garden with the appurtenances of the said William belonging and appertaining yet the said John well knowing the premises but wrongfully and unjustly contriving and intending to injure the the said William in that behalf and to deprive him of the use and benefit of his said way whilst he the said William was so possessed of ~~this~~ said Messuage and Garden as aforesaid, to wit, the twenty fifth day of January in the year of our Lord one thousand eight hundred and twenty one and on divers other days and times between that day and the day of ~~which being the [illegible]~~ the commencement of this suit at Lancaster Court House as aforesaid wrongfully and injuriously placed and erected and caused and procured to be placed and erected divers large quantities of boards, planks, rails and wood in and across the said way and put and placed and caused to be put and placed divers other wood of large quantity in the said way and kept and continued the said the planks and rails so placed and erected in and across the said way as aforesaid also the said other wood and timber in the same way as aforesaid for a long space of time to wit, hitherto and thereby during all the time aforesaid, the said way was and still is obstructed and stopped up; and the said William by means thereof during the time aforesaid or any part thereof nor can he now have or enjoy his said way as he of right ought to have done, and is by means of the premises deprived of the use benefit and advantage thereof to wit at ~~the~~ K— as aforesaid— And whereas also the said William before and at the time of Committing the grievances here after mentioned was and from thence hitherto hath been and still is lawfully possessed of a certain other Messuage situate in the district of Lancaster on the waters of Lynches Creek and State aforesaid, by reason thereof he the said William during all the time aforesaid ought to have had and still of right ought to have a certain way from the said Messuage unto, into through and over a certain Close in the district aforesaid and on the waters of the Creek aforesaid unto and into a certain Common and high way Commonally called the Lawyers=Road and so back again from the Publick high way afore=said unto, into through and over the said Close, and from thence into the said Messuage of the said William for his servants and himself to go return pass and repass on foot way year and at all times of the year then and there pleasing, yet the said John well knowing the premises last aforesaid wrongfully intending to injure the said William in that behalf and to deprive him of the use and benefit of his said last mentioned way whilst he the said William was so possessed of the last mentioned messuage to wit on the day and year aforesaid in Lancaster district aforesaid, and on divers other days and times between the day aforesaid and the filing this declaration, wrongfully and injuriously stopped up and obstructed the last mentioned way and the said William by means thereof could not during the time aforesaid nor can he have and enjoy his said last mentioned way as he of right ought to have done and otherwise might and would have done and hath been and is deprived of the use benefit and advantage thereof to wit at C. on &c — whereupon the said William saith that he hath sustained damages to the amount of one thousand dollars and therefore he brings suit &c —

William Clinton
Atty

Roll 8
20
Lancaster
P 15 R 553
William Ellis } Decl
vs } in
John Blackman } Case
$1000 —

William Clinton
Plffs Atty

Filed July 30th 1821
Ordered for Judgment the same day

We find for the Plaintiff the sum of five Dollars
Joseph Massey
fore Man

Recorded

I have rec^d Blackman's part of the cost in this case
Wm McKenna

Judgt in Pnp & Ex issued 8th September 1823
entd

Verdict — $5.00
Int from 1st April 1823 }

Atty — 4.50
Clks — 7.12
Shffs — 2.48 — 14.10
$19.10

J. Corson
The mill road stopped because the mill is moved and the road altered accordingly. J. C.

Calo.
not so good a road as the old road?

of the said William for his servants and himself to go return pass and repass on foot every year and at all times of the year at his and their pleasure, yet the said John well knowing the premises last aforesaid wrongfully intending to injure the said William in that behalf and to deprive him of the use and benefit of his said last mentioned way whilst he the said William was so possessed of the last mentioned messuage to wit on the day and year aforesaid in Lancaster district aforesaid, and on divers other days and times between the day aforesaid and the filing this declaration. wrongfully and injuriously stopped up and obstructed the last mentioned way and the said William by means thereof could not during the time aforesaid nor can he have and enjoy his said last mentioned way as he of right ought to have done and otherwise might and would have done and hath been and is deprived of the use benefit and advantage thereof to wit at &c. on &c — whereupon the said William saith that he hath sustained damage to the amount of one thousand dollars and therefore he brings suit &c —

William Clinton
Plff. atty

Dec

Case
$1000

Plff. atty

the same day

Wm. Ellis
v
Jno. Blackman } Judg.

William Hinton

Lancaster District

And now at this day to wit, on the first Monday after the fourth Monday in October in the year of Our Lord One thousand eight hundred and twenty two before the associate Judges of the Court of Common pleas, at Lancaster Court House for Lancaster District Come the aforesaid William Ellis by his attornies aforesaid, and pray that the said John to the declaration aforesaid may answer, And the said John although Solemnly Called Comes not, nor says any thing in bar or preclusion of the action aforesaid of the said William, but has made default, whereby the said William remains against the said John thereof undefended. Whereupon the said William ought to recover against the said John damages sustained by reason of the premises, but because it is unknown to the said Court what damages the said William hath sustained by reason of the premises Thereupon it is commanded that the Sheriff of the said District do summon forty eight good & lawful Men to be drawn by ballot pursuant to the directions of the acts of the general assembly in that Case made & provided to be and appear immediately before the Judges aforesaid to make a Jury according to the acts aforesaid to enquire what damages the said William hath sustained by reason of the premises, Whereupon the Sheriff aforesaid having made due return of the jurors aforesaid in form aforesaid, & the jurors impanelled & sworn pursuant to the said acts aforesaid having found that the said William hath sustained damages by reason of the premises to five dollars. Thereupon it is considered that the said William do recover against the said John the damages so found by the jurors aforesaid & also the sum of Fourteen dollars & Ten cents for his costs & charges by him expended, in & about his suit, in this behalf to the said William by the said Court, with his assent adjudged, Amounting in the whole to Nineteen — dollars & Ten — Cents & be the said John in Mercy & so forth

Judgment entered up and signed 6th September 1823

Wm McKenna
c c p l

1424 R6

Lancaster

B15 R 553

Wm Ellis } Fi Fa
v } in
Jno Blackman } case

William Clinton

Ver — $5.00

Atty fr Judg & Execution	$4.60
Clk. —	7.02
Shff —	2.48
	$19.10

Renewed 19th May 1825

FI. FA. IN CASE.] [P. CAREY, PRINT. YORKVILLE, S. C.

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 and Chattels, Houses, Lands, and other Hereditaments and Real Estates of John Blackman you cause to be levied the sum of five Dollars Cents, ~~and also the interest on the sum of Dollars Cents from the day of in the year of our Lord one thousand eight hundred and twenty until satisfaction shall be made of this execution;~~ which William Elles in the Court of Common Pleas, before the Judges of the said State, at York Court-House, lately recovered against the said John Blackman for damages sustained by the said William by reason ~~of~~ that the said John prevented the said William from using a certain ~~way~~ way over the close or plantation of the said John, by the said John's erecting or causing to be erected divers wood stone rails & boards over & across the way aforesaid, also the sum of fourteen — dollars & sixty cents for his costs and charges by him expended in and about prosecuting suit in that behalf, whereof the said John is convicted, as appears on record. And that you have the said Monies before the Judges, at the Court of Common Pleas, to be holden at York Court-House, on the first — Monday after the fourth Monday in October next, to render the said William for his debt and damages aforesaid. And have you there this Writ, before the Clerk of the said Court, fifteen days next before the sitting of the said Court.

Wm McKenna
Clk

Witness the Honorable E H Bay — Esquire, Senior Associate Judge of the said State, at Lancaster Court-House, on the first — Monday after the fourth Monday in March in the year of our Lord one thousand eight hundred and twenty-three — and in the forty seventh year of the Sovereignty and Independence of the United States of America.

William Clinton

Plaintiff's Attorney.

Wm McKenna
Clk

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, to

attach the body of John 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 Second Monday after the fourth Monday in March next, to answer to William Ellis

of a Plea of trespass on the case ~~and so forth; also for certain promises and assumptions by the said~~ ~~to the said~~

to the damage of the said ~~made and not performed to the damage of the said~~ William

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, the Honorable Elihu Hall Bay, *Esquire, Senior Associate Judge of the said State, at* Lancaster *Court-House the* Second *Monday after the fourth Monday in* October *in the Year of our Lord one thousand eight hundred and* twenty *and in the forty* fifth *Year of the Sovereignty and Independence of the United States of America.*

William Wharton *Plaintiff's Attorney.*

Entered in my offic
19th March 1821
Perry Shff

Shff —— $2.50

Lancaster

Wm Ellis
vs
Jno Blackman

~~Summ~~
writ
in
Case
$1000

Williams & Clinton

original

YOU are arrested by virtue of, or served with this Writ or Process, to the inten
that you may, by your attorney, be and appear to the Court of Common Pleas, to
Court House, for
be holden at
Monday
District, on the
after the
Monday in
next, in order to make your
defence in this action: and that in case of your refusal or neglect, during the sitting of
the said Court, Judgment may be entered against you by default.

Personally Served the within named Deft with
a Copy of this Writ 23d March 1821
Perry Shff

Entered in my office
21 May 1825
Jno Jeans Shff

Nulla bona. Search
made by my deputy
Wm Williams 14 Septr 1825
12 Miles Jno Jeans Shff

5
60
96
156

12

Lancaster

Wm Ellis
~~ad~~ vs
John W Blackmore

2d Fi Fa in Case

Williams & Whiteside
pl atty

Void — ffs.

Atty —	4.60
do this writ	1.07
Clk —	7.02
Shff —	2.48
do on Executn —	1,52
Clk McKenzie —	0,54

Renewed 22 Decr 1825

Process for atty & costs

F. This is the oldest execution

Lancaster — **District.**

Stereotyped by *J. Howe*....N. York,
For JAMES LYON, Editor of the Pee Dee Gazette.

To all and Singular the Sheriffs of the said State.....**GREETING:**

YOU, and each of you are hereby commanded as you have before been without delay, that of the Goods and Chattels, Houses, Lands and other Hereditaments and Real estates of John W B Cackman

five dollars — you cause to be levied, the sum of

and also the interest which shall accrue on

being the principal sum of the judgment in this case, from the day of in the Year of our Lord one thousand eight hundred and up to the day on which such levy shall be made and satisfaction entered on this execution, which William Elley

in the Court of Common Pleas before the Judges of the said State at Lancaster Court-House, lately recovered against the said John

the said William by reason that the said John for damages sustained by by the said prevented the said William from using a certain way over the as well ~~by reason of promises and assumptions~~ lands the said John &c. also fourteen dollars & ten cents to the said [illegible] for his made and not performed as for Costs and Charges by him expended in and about ~~prosecuting~~ his ~~Suit in~~ judgment in that behalf, whereof the said John is

convicted, as appears on record. And that you have the said Monies before the said Judges, at the Court of Common Pleas, to be holden at Lancaster Court-House, on the first Monday after the fourth Monday in October next to render to the said William for his

Damages, Costs and Charges aforesaid. And have you there this Writ, before the Clerk of the said Court, fifteen days next before the sitting of the said Court.

WITNESS, *the Honorable* E H Bay *Esquire, Senior Associate Judge of the said State, at* Lancaster *Court-House the* first *Monday after the fourth Monday in* March *in the Year of our Lord one thousand eight hundred and* twenty five *and in the* forty Ninth *Year of the Sovereignty and Independence of the United States of America.*

Jno McKenzie ccpl

William McWillie

Plaintiff's Att.

Wm Ellis } Tax
vs
John Blackman } Bill

Atty's Bill

Judgt —	3.21
Execution —	1.29
	4.50

Shffs Bill

	S D
1 personal Service	7.0
18 Miles —	4.6
	S 11.6
	$2.48

Clerks Bill —

Signing & sealing writ	1.0
proving return —	1.6
Filing declaration	0.9
	S 3.3

Brot over	s 3.3
Order for Judgt —	7.0
Docketing case —	1.0
Transferring do —	1.0
Continuance —	1.0
Docketing case —	1.0
Continuance —	1.0
Docketing case —	1.0
Continuance —	1.0
Docketing case —	1.0
Continuance —	1.0
Docketing case	1.0
Attendance —	2.0
Entering on minutes	0.6
Reading Verdict	0.6
Judgment	2.0
Execution —	2.6
Recd. proceedings —	5.0
	£1.12.9
Eql. to	$7.02