

Civil Case: Benjamin Winans vs John Flagg, Adm.

Name in Record	Reason for Being in Record	Date of Record
Benjamin Winans	Copy of account owed him by John Flagg, Adm of estate of N. Blossom	No date
Benjamin B. Winans	Plaintiff	Aug Term 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
John Flagg	Claims charges of Winans are illegal & unjust	
Tilman Rawley	Ordered to appear to sit on jury	Oct. 31, 1843
Joshua Wade	Ordered to appear to sit on jury	
William Shady	Ordered to appear to sit on jury	
James Fuller	Ordered to appear to sit on jury	
Thomas T. Smith	Ordered to appear to sit on jury	
William P. Rice	Ordered to appear to sit on jury	
Isaiah Linns	Ordered to appear to sit on jury	
Benjamin Pillers	Ordered to appear to sit on jury	
William Neal	Ordered to appear to sit on jury	
Roswell Haughton	Ordered to appear to sit on jury	
William Clendennin	Ordered to appear to sit on jury	
John Lenhard	Ordered to appear to sit on jury	
Samuel L. Rugg	Clerk	
A. Fleming	Sheriff; Received order & served to potential jurors	Nov. 1, 1843
Benjamin Winans	Plaintiff; Complaint of non-payment of debt	Nov. Term 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
Nancy Blossom	Died intestate owing Benjamin Winans for her care & funeral costs	
John Curtis	Attorney for Plaintiff	
Benjamin B. Winans	Plaintiff	Nov. 8, 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
Benjamin Winans	Summoned to testify on behalf of plaintiff	
Joseph R. Winans	Summoned to testify on behalf of plaintiff	
Rachael Johnston	Summoned to testify on behalf of plaintiff	
Henry VanClaricum	Summoned to testify on behalf of plaintiff	
Samuel L. Rugg	Clerk	
Benjamin B. Winans	Plaintiff	Nov. 8, 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
Ebinezer Goddard	Summoned to testify on behalf of defendant	
John Pearse	Summoned to testify on behalf of defendant	
John Catterlein	Summoned to testify on behalf of defendant	
Samuel Winans	Summoned to testify on behalf of defendant	
Joseph R. Winans	Summoned to testify on behalf of defendant	
George Heath	Summoned to testify on behalf of defendant	
Rachael Johnson	Summoned to testify on behalf of defendant	
Barbie Heath	Summoned to testify on behalf of defendant	
Samuel L. Rugg	Clerk	
A. Fleming	Sheriff of Adams County, IN; Gives list of jury in Winans vs Flagg	Nov. 13, 1843
Tilghman Rawley	Juror	
Joshua Wade	Juror	
James Fuller	Juror	
Thomas T. Smith	Juror	
Wm. P. Rice	Juror	
Benjamin Pillars	Juror	
Roswile Flaughton	Juror	
John Leinhart	Juror	
John Allen	Juror	
Henry Martz	Juror	
Jeremiah Andrews	Juror	
Francis De Bradrick	Juror	
Benjamin L. Winans	Plaintiff	Nov. 13, 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
Joseph D. Nuttman	Summoned to bring account of burial costs for Nancy Blossom, dec.	
Joseph D. Nuttman	Summoned to testify on behalf of plaintiff	

Samuel L. Rugg	Clerk	
Benjamin Winans	Plaintiff	Nov. 13, 1843
John Flagg	Adm. Of estate of Nancy Blossom; defendant	
Ebenezer A. Goddard	Summoned to testify on behalf of defendant	
John Pierce	Summoned to testify on behalf of defendant	
Samuel L. Rugg	Clerk	
John Flagg	Ordered arrested with bail allowed; charged with contempt	March 17, 1846
Samuel L. Rugg	Clerk	
John Flagg	Was ordered to be arrested for contempt; bail allowed	April 22, 1846
John Flagg	Bound to state on condition of appearing in court	
William B. Nicoles	Bound to state on condition of John Flagg appearing in court	
N. S. Allebaugh	Sheriff of Miami County, Indiana; arrested John Flagg	
F. D. Braddock	Foreman of jury; find for plaintiff	No date
John Flagg	Summoned to answer why judgment of Nov. 1843 has not been paid	Sept. 14, 1847
Samuel L. Rugg	Clerk	
Henry P. Coburn	Clerk of Supreme Court; Verdict of Winans vs Flagg, Adm.	Aug. 23, 1850

Roll no 40 (77)

Benjamin B Wriars
vs

John Flagg Adm

By 14.

State of Indiana } Adams Probate Court of
Adams County, Ind. } Adams County, August Term 1843.

In State of Indiana to the Sheriff of Adams County
Greeting:

Whereas Benjamin B. Winans received
Judgment on the 13th day of November 1843 in the Probate
Court of Adams County, State of Indiana, against John
Flagg, Administrator of the estate of Nancy Blossom
deceased for the sum of forty five dollars and Cost of
Suit, which said Judgment still remains in full
force, unpaid, unsatisfied and unsatisfied upon
which said Judgment no proof of execution ever
issued out of said Court. And whereas said plaintiff
hath brought us for relief and to receive said judg-
ment to have execution thereon. You are therefore
hereby Commanded to summon the said John
Flagg, if he be found in your Jurisdiction to be
and appear before the Judge of the Probate Court
of Adams County on the first day of the next Term
of said Court to be holden at the Court House in
said County on the second Monday of November
next. And then and there to show Cause, if any,
he can why said Judgment should not be
reversed and execution issued thereon to make
for said plaintiff his said Judgment, interest
and Costs. And have you then there this writ.

Witness my hand and the seal
of said Court hereunto affixed the
14th day of September A.D. 1847

Samuel L. May Clerk

By Carson Depty.

State of Indiana } Probate Court of Adams
Adams County } November Term 1843
Benjamin B. Winans }

John Flagg, Adm'r of
Nancy Blossom deceased } Debt \$66.00

Benjamin Winans, Adm'r of
Estate of John Flagg, administrator as aforesaid
vs. of a plea that he to the said Plaintiff the sum
of debts six dollars eighty cents and a half of
unpaid money which he owes to and unjustly detain
from him, but that whereas Nancy Blossom
deceased late of Adams County Indiana
did during her lifetime contract the follow-
ing Debt to wit

For Taking care and Boarding said
deceased ten months during her last
sickness in the parish of La \$60.00
And after her death for money paid
for Coffin to William Avery, \$5.00

We only paid J. T. Putnam for buying
Cloth for said deceased, 18 p.


all of which was furnished by
the said Plaintiff for the use and benefit
of the said Defendant and afterwards
to wit after the death of said Nancy
Blossom who died intestate John Flagg
was by this Court appointed administrator
of said Estate as the record will more
fully show. And then and there being
able to pay said Debt of said deceased
But the said Defendant wholly refuses to
pay said debt or any part thereof, although
often requested to do so and still does
refuse to the damage of said Plaintiff
fifty dollars therefore I am &c. By John Carson

State of Indiana }
Miami County, 1883 }

Whereas by virtue of a certain writ
of Attachment issued out of The Probate Court of
County of Adams State of Indiana to the Sheriff of
Miami County in said State directed the said Sheriff
is Commanded to take into his Custody the body of
one John Hagg if he may be found in his District
and him safely keep and have his body before the Judge
of the said Adams Probate Court on the first day of
the next Term thereof to be holden at the Court
house in the Town of Decatur in said County to
answer the State of Indiana for an alleged Contempt
for refusing to obey the Citation of said Court.
pending against him in said Court. And whereas
by virtue of a certain written endorsement on the back
of said writ under the hand of the Clerk of said
Court the said Sheriff is directed to let the said John
Hagg to bail in the sum of one hundred & fifty dollars
And whereas also as commanded by said writ J.
N. McLaughlin Sheriff as aforesaid have taken into
my Custody the body of the said John Hagg on the
22nd day of April 1886. Therefore be it remembered
that on the 22nd day of April 1886 personally came before
me J. N. McLaughlin Sheriff of said County of Miami the
said John Hagg who acknowledged himself to owe
and be indebted to the State of Indiana in the sum
of one hundred & fifty dollars and William B. Nicols
who also acknowledged himself to owe and be indebted
in a like sum to the said State to be levied of their
Respective goods & Chattels lands & Tenements if default
be made in the following condition which condition
is that the said John Hagg shall personally be and

Appear before the Judge of the Adams Probate Court on the
first day of the next term thereof to be holden at the
Court house in the Town of Decatur in said County
of Adams to answer unto the State of Indiana for an
alleged Contempt for refusing to obey the citation
of said Court. ~~And~~ abide the Judgment of said
the Court Thereon And not depart Therefrom without
leave of said Court

Taken signed sealed and
acknowledged before me
and approved in the
22^d day of April 1846

N. S. Albaugh 

Sherriff Mc

John Flagg



Wm. B. Nicolas



The State of Indiana
Superior Court, May Term A.D. 1850.
Tuesday June the fourth A.D. 1850.
Present the Honorable Judges
Samuel B. Perkins
Thomas S. Smith

John Flagg administrator
of the estate of Abraham
Blossom

vs
Benjamin Strinans

vs
In Error to the Adams
Probate Court.

At this time come the parties by their counsel and the court being sufficiently advised of the premises gave the following opinion and judgment.

Strinans sued Flagg administrator of Blossom for a debt due from the estate of the intestate. Plea. the general issue. Verdict for the plaintiff. Judgment against the defendant de bonis propriis.

This judgment some years after its rendition, was reversed by scire facias.

The judgment on the verdict should have been not against the defendant individually but against the intestate's estate.

It is therefore considered by the Court that the judgment of the Probate Court of error be reversed, and all the proceedings subsequent to the original judgment on the verdict exclusive of the last named judgment be set aside at the cost of the defendant in error, and that this cause be remanded to said Court, which Court are