

NOTRE DAME CIRCUIT COURT Record

Be It Remembered, That, to-wit: on Friday, September 22, 1920, the Notre Dame Circuit Court was duly organized with Hon. Francis J. Vurpillat as regular Judge presiding, and the other officers of said court duly qualified and acting, to-wit:

Henry W. Fritz, Clerk of the Court and Lawrence Morgan, Sheriff of Notre Dame.

Court was opened in due form and the following proceedings were had and orders made, towit:

In re Jury Commissioners for the year 1920-1921: The court appoints Frank J. Coughlin and George C. Wittried, two competent persons, citizens and residents of Notre Dame, Indiana, to act as Jury Commissioners of said court for the year 1920-1921, who now come into open court, accept said trust and are sworn and qualified for the discharge of the duties of such Jury Commissioners.

The following rules of court were promulgated and ordered to be spread of record: (Here insert)

In re Court Stenographers Court now appoints William S. Allen to be official court stenographer of the court for 1920-1921. Comes said Allen, accepts said trust and is sworn to discharge the duties of court stenographer.

CAUSE NO. 1.

Joseph Flick
vs.

George Wittried

Frank J. Coughlin and

Alden J. Cusick,

Attorneys for Plaintiff.

Gerald Craugh and

James L. O'Toole,

Attorneys for Defendant.

Action on account for \$500. Complaint and affidavit of merit filed.

Defendant files answer in two paragraphs and affidavit of merit.

Plaintiff files motion to require defendant to make second paragraph more specific, which is sustained, and defendant files amended second paragraph of answer, alleging accord and satisfaction.

Plaintiff files reply in general denial to second paragraph of answer.

Cause submitted to court, a jury being waived. Trial had, arguments heard.

Court finds for plaintiff and renders judgment for \$500.

CAUSE NO. 2.

Clyde Walsh

vs.

Charles M. Dunn

Charles P. Mooney and

Joseph D. Sanford,

Attorneys for Plaintiff.

Archibold M. Duncan and

George Wittried,

Attorneys for Defendant.

Action in Special Assumpsit. Declaration in one count on a promissory note, demand, \$200. Affidavit of merit filed.

Defendant files general demurrer to the declaration which is overruled, to which ruling defendant excepts.

Defendant files general issue plea of non assumpsit and affidavit of merit. Plea accepted.

Cause submitted to court for trial without a jury. Arguments are

heard and the court announces finding for plaintiff in the sum of \$200 and costs. Judgment accordingly.

CAUSE NO. 3.

James L. O'Toole

vs.

Joseph Sanford, as Administrator,

Charles M. Dunn and

Edmund Meagher,

Attorneys for Plaintiff.

Peter Lish and

Norman Barry,

Attorneys for Defendant.

Action on a claim against the estate of John Doe, deceased.

Complaint in one paragraph against Joseph Sanford, as administrator of the estate of John Doe, deceased.

Defendant filed demurrer to complaint, which plaintiff confesses.

Plaintiff files amended complaint.

Defendant files answer in three paragraphs, general denial, failure of consideration and failure to comply with decedent's estates act.

Plaintiff files motion to strike out the third paragraph of answer which court overrules, to which ruling plaintiff excepts.

Plaintiff files reply in three paragraphs.

Defendant moves to strike out the second and third paragraphs of reply severally. Court sustains motion on ground that paragraphs are argumentative general denials. Plaintiff severally excepts.

Cause at issue is submitted to court for trial, jury waived.

Arguments are heard and court finds for plaintiff for \$300 as against

the administrator of the estate of John Doe, deceased, Joseph Sanford, that said sum is due from said estate and should be paid by said administrator. Judgment accordingly.

CAUSE NO. 4

Henry Blake

vs.

James Washburn

William S. Allen and

Joseph Sanford

Attorneys for Plaintiff.

George D. O'Brien and

Clyde Walsh,

Attorneys for Defendant.

Action in replevin for the recovery of a steer. Declaration and affidavit in replevin filed.

Defendant files plea in two counts, non cepit and non detinet.

Plaintiff files similiter.

Cause submitted to the court without a jury. Trial begun.

Plaintiff closes case in chief.

Defendant moves for nonsuit, which the court overrules, to which ruling defendant excepts.

Trial is concluded and the arguments are heard.

Court finds that the plaintiff is the owner of and entitled to the immediate possession of the steer described in the declaration and that plaintiff have writ of replevin for such property and \$10 damages for its detention. Judgment on the finding.

CAUSE NO. 5

Charles Dressler

vs.

Nellie Cranford and Walter Cranford

This case pending on the trial calendar for trial before a jury.