

Indiana Territory Court Orders Vocabulary List

Named Roles

Administrator	Defendant	Judge
Appellant	Deponent	Juror/Jury
Appellee	Elisor	Next Friend
Arbitrator	Executor	Prisoner
Attorney	Foreman	Prosecutor
Attorney General	Fugitive	Register
Clerk	Garnishee	Sheriff
Constable	Garnisher	Surety
Coroner	Governor	Treasurer
Counsellor	Grand Juror/Jury	Witness
	Guardian	

Social Terms

African-American	Husband	Slave
Child	Indentured	Spanish
Coverture	Indian	Swiss
Esquire	Ireland	Widow
Freeholder	Laborer	Wife
French	Master	Woman
Friend	Orphan	Yeoman
Gentleman	Shoemaker	
Guardian	Shopkeeper	

Legal Terms

Abatement	Constable – anything related to the actions of	Forfeiture
Administration (of estates)	Contempt	Forgery
Affidavit	Conversion – taking another person’s property without any cause or permission	Forma pauperis
Alias – as in a summons issued after a previous summons failed	Coroner – anything related to actions of (see Elisor)	Fraud
Appeal	Counterfeit	Governor – anything related to actions of
Arbitration	Covenant (breach of)	Habeas corpus
Arson	Damages	Indenture (for service)
Assault	Debt	Indian Country
Assumpsit and assumpsit for money had and received	Deceit	Indian
Attorney – anything related to the actions of	Dedimus	Information – an accusation against a person without an indictment
Attorney – as in test for admission, presentation of credentials, or, removal	Detinue	Joinder
Bail	Discovery	Juror, grand
Bigamy	Dismissal	Juror, petit (petty)
Bond	Distrain	Juror, special
Breach of peace	Divorce	Jury, grand
Capias – as in capias ad respondendum & capias ad satisfaciendum	Docket	Jury, petit (petty)
Case – an action to recover damages for which ancient forms will not lie. Abbrev. “Trespass on the case”	Ejectment	Jury, special
Census	Elisor (see coroner and sheriff)	Judgment/Judgement (or decree, or opinion)
Citizenship	Execution (of an attachment)	Kidnapping
Clerk – anything related to the actions of	Execution (of judgement or decree)	Misfeasance
	Execution (as in punishment of bad guy)	Mandamus
	Fieri facias	Misprision
	Fine	Mortgage
		Motion (for judgment, decree, arrest of judgment, etc.)

Legal Terms, cont'd

Murder	Rules (as when Rules day or rules of procedure announced by court)
Non-appearance (of parties)	Sheriff (see Elisor)
Non-appearance (of witness)	Scire facias – show cause why judgment should not prevail
Non-appearance (of significant others)	Selling (without a license)
Nonfeasance	Settlement – illegal residence, for example as in illegal residence on Indian lands
Nonsuit	Slander
Note (absolute promise to pay)	Stay
Oath	Tax
Opinion (decree, judgment)	Trespass
Perjury	Trespass on the case (a suit for received injuries as a result of a wrongful act)
Pleas	Trover – action taken to recover against a person for conversion
Power of attorney	Venire facias – summons a jury
Procedure (as an administrative action of the court – like choosing Rules Day)	Writ of error
Property (real)	
Property (personal)	
Rape	
Reverse judgement (for errors of law)	
Recognizance	
Record (as in transcription record from another court)	
Release	
Replevin	
Return (as when sheriff informs court of time and mode of service or failure)	