

Illinois Agriculture and the Marketplace, 1830-1860

Theme: Comparative History of Major Development

Habits of Mind: Grasp the complexity of historical causation, respect particularity, and avoid excessively abstract generalizations.

Focus: After statehood in 1818, Illinois quickly fulfilled its promise as a major producer of agricultural products. Farmers migrating from the eastern states found that Illinois' rich soil and continental climate (long, hot summers and long, cold winters) were ideal for growing corn, other grains, and for raising livestock. The market for agricultural commodities expanded with the development of the state's transportation network. Improvements in roads, the development of waterways, and the construction of railroads provided the means for getting agricultural commodities to larger markets.

This lesson employs data on the agricultural history of Illinois to help students understand information found in legal documents. The charts that accompany this lesson help students compare the history of major developments in agricultural production, transportation, and population across time. This lesson has excellent potential for integration with the mathematics curriculum, from calculating sums and differences for middle school students to organizing appropriate charts and graphs around statistical data for middle and high school students.

This lesson focuses on a case, *Philip Clark v. Bayless Lake* (1835), regarding the price of corn in markets in Illinois and New Orleans. Students think about the complexity of historical causation, in this instance, the effect of prices on the economic choices available to both producers and consumers. A second case, *B. R. & J. Whitcomb v. Madden* (1854), involves a breach of contract stemming from a sudden increase in the market price for hogs.

Objectives: Students will be able to:

1. Identify non-price determinants for demand and supply.
2. Interpret a graph.
3. Use historical concepts to analyze a historical legal document.

Illinois Learning Standards

15.C.5b: Explain how changes in non-price determinants of supply affect producer decisions.

15.D.5a: Explain how transaction costs affect decisions to produce or consume.

15.D.5c: Explain how technology has affected trade in the areas of transportation, communication, finance, and manufacturing.

Procedures

1. Discovery

A. Illinois Agricultural History, 1830 to 1860.

- 1) From 1830 to 1860, Illinois' population grew from just 25,000 pioneer families to 300,000 families.
- 2) Illinois promised fertile soil and a new beginning for a person who wanted to pursue an agricultural livelihood. Lincoln once said that in order to get ahead in society one needed, "an open field and a fair chance for your industry, enterprise, and intelligence." Illinois harbored those qualities, thus making it an attractive location for settlement and farming.
- 3) By 1830, much of Illinois' population was concentrated along the Mississippi, Wabash, and Ohio Rivers (see Map 1: Illinois in 1830 in the "Moving People through the Prairie State" lesson plan). As settlement continued, newcomers drilled wells to locate water found under the prairie, and settlers migrated into the central part of the state.
- 4) Advances in transportation (including the completion of the Illinois & Michigan Canal in 1848 and the construction of the Illinois Central Railroad and other railroads in the 1850s), further facilitated the opening of the interior of the state as a producer for agricultural markets and as a consumer of manufactured products.
- 5) Farmers found the soil, full of nutrients and minerals, ideal for production of crops and for raising livestock. Farmers utilized modern plows and reapers to increase production. Fencing allowed farmers to manage increased herds of animals and other types of livestock, and kept the animals out of the crops.

B. Agricultural Statistics. Review data from the 6th, 7th, and 8th United States Censuses (attached), which shed light on the agricultural boom in Illinois from 1840 and 1850 through 1860. Note: Students should observe the increase in acreage under production, the increase in agricultural produce, including increased crop production, and the introduction of new crops and types of livestock.

2. Going to Court

A. Linking Economic Concepts to Illinois History through Lincoln Legal Documents.

- 1) Distribute and analyze sections from the Circuit Court Transcript *Phillip Clark v. Bayless Lake* (December 2, 1835). Students will also read from the August 27, 1834 *Declaration and the Ruling In Case*.
- 2) Divide students into groups. Distribute as appropriate the various documents attached to this lesson from *Philip Clark v. Bayless Lake*, 1835.
Teaching Opportunity: To facilitate the distribution of documents found within the Circuit Court Transcript, the documents could be numbered and identified with "plaintiff" or "defendant" notation so that students may be able to study the adversarial sides of a court case. With the documents distributed in this manner,

students may also be divided into “plaintiff” and “defendant” study groups to argue their respective positions.

- 3) Students complete *Analyzing a Lincoln Legal Document* for the document(s) distributed to their group.
- 4) Solving an economic problem: Students will analyze the economic choices made by Clark and Lake. The documents provide information about bushel prices for corn (12 ½ cents in Illinois and 75 cents in the lower Mississippi). Discuss reasons why prices may vary in different places in the Mississippi River Valley.
 - a) Why would the price of corn be different in Illinois than in Natchez or New Orleans?
 - b) Who sets the prices for corn?
 - c) How are the prices affected if the market is saturated with the product or in a shortage?
 - d) How are the producers and consumers affected by the supply and demand of grain?
 - e) What action did consumers take to keep the lower price grain in Illinois? What action did the producers take to affect the price of grain in Illinois? How did the court decide to resolve the dispute between producers and consumers?

B. Breach of Contract and the Price of Hogs: *B. R. & J. Whitcomb v. Madden* (1854). Teacher should use the chalkboard, a transparency, or PowerPoint to present the following case summary.

B. R. & J. Whitcomb v. Madden

Case Summary: In February 1852, the firm of B. R. and J. Whitcomb agreed to purchase from Wright Madden two hundred hogs weighing 180 pounds each for \$3.50 per one hundred pounds net. Madden was to deliver the hogs on or before December 25, 1852, and Benjamin R. and John Whitcomb would pay upon delivery. After Madden failed to deliver the hogs, Whitcomb and Whitcomb retained Abraham Lincoln and Ward Hill Lamon to represent them. Whitcomb and Whitcomb sued Madden in May 1853 for breach of contract and requested \$1,200 in damages. Madden retained Oliver L. Davis and John N. Drake to represent him. Whitcomb and Whitcomb claimed that the market price for the hogs had increased to \$6.50 per one hundred pounds net and that Madden’s failure to deliver the hogs thus cost them substantial profits. The parties reached an agreement, and in May 1854, Judge David Davis ruled for B. R. and J. Whitcomb and awarded \$8.33.

- 3. You be the Judge.** Questions to ask:
- A. What would cause the price of hogs to increase so rapidly within ten months' time?
 - B. Is it possible that Madden broke his contract with the Whitcombs when he realized the price of hogs was increasing and that he could make a substantial profit by selling his hogs to someone else?
 - C. Offer a defense for Madden. Was he merely late delivering the hogs? Why should he not be held liable for a market price that was out of his control?
 - D. If Madden broke the contract by failing to deliver the hogs on time, why did the court award such low damages to the plaintiffs?
 - E. If the Whitcombs' case was based upon their speculations about the price of hogs, which may have been accurate, should Madden, in your opinion, have paid higher damages?
 - F. If you were hearing this case as an appellate judge, would you have concurred with or overturned the courts' rulings in *Philip Clark v. Bayless Lake* and *B. R. & J. Whitcomb v. Madden*?
- 4. Conclusion and Assessment.** Write to Learn. Write three expository paragraphs that describe and assess the changes in population, technology, and agricultural production in Illinois, 1830-1860. The paragraphs must include data from the Agricultural Censuses and information about steel plows, mechanical reapers, and transportation. Consult the rubric to assess students' knowledge, reasoning, and communication skills.

Additional Activities

Illinois History Day Research Project. Students can integrate economics and geography into a History Day project by developing a market simulation where students are assigned as trade negotiators from a specific region of the country during a period in Illinois history. Students will locate the marketable resources and commodities from the region they are researching and negotiate with other regions for necessary goods. Students will need to determine which goods were needed in their region and how people negotiated for the goods. They will need to include the monetary system that was in play, including, perhaps, the barter system. Other economic concepts to include in the finished project might include double coincidence of wants, information costs, and opportunity costs.

Researching Prices: Yesterday and Today. Develop a chart comparing the producer's price for a commodity to the retail price of the commodity. Students can use both historical prices (found through the United States Department of Agriculture) or current day prices. Students can bring this topic into focus by discussing the place of either corn or oil in the market. For example, students can make comparisons between historical supply and demand for corn over time, or investigate recent news concerning oil prices. In completing the latter, students should research why the price of oil today may vary from one region of the nation to another; from one region in Illinois to another; among nearby towns, and indeed, from gas station to gas station in a city town, or neighborhood. Students should draw an informed conclusion regarding why these differences exist.

Sources and Materials

Transparencies of Illinois Agricultural Census Data: 1840, 1850, 1860

How to Analyze a Lincoln Legal Document

Document 3-A: Circuit Court Transcript, *Clark vs. Lake*, 1835

Glossary of Terms

Illinois Agricultural Census Data: 1840, 1850, 1860

1. 1840 – 6th Census of the United States

199,235 horses and mules
626,274 cattle
395,672 sheep
1,495,254 swine
\$309,204 poultry

3,335,393 bushels wheat
82,251 bushels barley
4,988,008 bushels oats
88,197 bushels rye
57,884 bushels buckwheat
22,634,211 bushels Indian corn
650,007 pounds wool
17,742 pounds hops
29,173 pounds wax
2,025,520 bushels Irish and sweet potatoes
164,932 tons hay
1,976 tons hemp and flax
564,326 pounds tobacco
460 pounds rice
200,947 pounds cotton
1,150 pounds silk cocoons
399,813 pounds sugar
134,549 cords of wood
\$428,175 dairy products
\$126,756 orchard products
474 gallons wine
\$993,567 value of family goods
\$22,990 nursery products

2. 1850 - 7th Census of the United States

5,039,545 acres improved farm land
6,997,867 acres unimproved farm land

267,653 horses
10,573 asses and mules
294,671 milk cows
76,156 working oxen
541,209 other cattle
894,043 sheep
1,915,907 swine

9,414,575 bushels wheat
83,364 bushels rye
57,646,984 bushels Indian corn
10,087,241 bushels oats
841,394 pounds tobacco
82,814 bushels peas and beans
157,433 bushels sweet potatoes
184,504 bushels buckwheat
10,787 bushels flaxseed
248,904 pounds maple sugar
869,444 pounds beeswax and honey
2,997 gallons wine
12,526,543 pounds butter
1,278,225 pounds cheese
601,952 tons hay
2,150,113 pounds wool
2,514,861 bushels Irish potatoes
110,795 bushels barley
160,063 pounds flax
47 pounds silk cocoons
8,354 gal. Molasses

3. 1860 – 8th Census of the United States

13,096,374 acres improved farm land
7,815,615 acres unimproved farm land

563,736 horses
38,539 asses and mules
522,634 milk cows
90,380 working oxen
970,799 other cattle
769,135 sheep
2,502,308 swine

23,837,023 bushels wheat
951,281 bushels rye
115,174,777 bushels Indian corn
15,220,029 bushels oats
6,885,262 pounds tobacco
1,482 bales of cotton (400 pounds each)
1,989,567 pounds wool
108,028 bushels peas and beans
5,540,390 bushels Irish potatoes
306,154 bushels sweet potatoes
1,036,338 bushels barley
324,117 bushels buckwheat
\$1,126,323 orchard products
50,690 gallons wine
28,052,551 pounds butter
1,848,557 pounds cheese
1,774,554 tons hay
18,831 bushels clover seed
7,254 pounds hops
1,502 tons hemp
48,235 pounds flax
8,670 bushels flaxseed
1,545 pounds silk cocoons
134,195 pounds maple sugar
20,048 gallons maple molasses
806,589 gallons sorghum
56,730 pounds beeswax
1,346,803 pounds honey

Analyzing a Lincoln Legal Document

Case Brief

Complete Case Name _____

Date of Document: _____

Court(s):

- Justice of the Peace Court
- County Circuit Court
- U.S. District Court
- U.S. Circuit Court
- U.S. Supreme Court
- Illinois Supreme Court

Term of Court _____

Division (check one):

- Chancery
- Common Law
- Criminal
- Probate
- Appellate

Action (check one):

- Debt
- Divorce
- Ejectment
- Injunction
- Trespass
- Trespass on the Case
- Other _____

Open the File: Interrogate the Document

Parties to the case. Who is going to court?

Plaintiff(s) _____

Defendant(s): _____

Legal Counsel:

attorney(s) for the plaintiff(s) _____

attorney(s) for the defendant(s) _____

Who else was in court or is mentioned in the document? _____

Synopsis: Summarize the Contents of the Document

Type of document

What is the plaintiff's allegation?

What is the defendant's position?

What, if any, other information is provided in this legal document?

Why is this issue in the hands of attorneys and other officers of the law?

Lincoln and the Rule of Law.

Why would Lincoln agree to serve as an attorney in this case?

What does this case reveal about Lincoln's law practice?

If you could ask Lincoln or his partner a question about this case, what would it be?

How might you determine the outcome of this case?

Synthesis: Illinois History and the Rule of Law

What evidence in the document helps you understand more about the major historical trends that shaped the history of Illinois?

What evidence in the document helps you understand the relationship between *where* something happened and *what* happened?

Does this document include any "quotable-quotes," or examples of a regional speech or period expressions?

What evidence in the document helps you understand the values, beliefs, and ideals of people who lived in Illinois when this document was written?

What evidence in the document helps you understand how conflict among individuals and/or businesses would be resolved through the rule of law?

What evidence in the document helps you understand the patterns of daily life and the concerns of the common people in Illinois?

Document 3-A (transcription)

Clark v. Lake

Case Summary: In 1822, the legislature passed an act declaring the Sangamon River navigable between its mouth and the third principal meridian and prohibiting dams or other obstructions that would impede navigation. On April 15, 1834, Bayless Lake's mill dam impeded Philip Clark's flatboat, which was loaded with 2,500 bushels of corn, en route to Natchez or New Orleans. Five days later, the flatboat sank, destroying the corn. Clark retained Cyrus Walker, Daniel Stone, and Stephen T. Logan to represent him. In September 1834, Clark sued Lake in a common law suit and requested \$2,000 in damages, claiming that the corn was worth \$0.12 per bushel in Illinois and \$0.75 per bushel in the "lower markets." Lake retained John Todd Stuart and Henry Dummer and pleaded not guilty. Lake presented a witness who testified that a second dam, downstream from Lake's, likewise would have impeded the boat. The jury found Lake not guilty in July 1835, and Clark appealed to the Illinois Supreme Court on the grounds that the court should have sustained his objection to Lake's witness. In December 1835, the supreme court agreed and reversed and remanded the case. Justice Samuel D. Lockwood reasoned that the circuit court should only admit such testimony in mitigation of damages, but Clark had not sought to recover damages for an amount greater than the boat and the corn's value. Lockwood wrote that the testimony led the jury to believe "that if the plaintiff could have passed the defendant's dam he would not have been benefitted by it, as he inevitably would have been stopped by the lower dam down the river." However, the law was "well settled" that every person obstructing a public highway was "liable for all the injuries that result from it." The lower court should have rejected the testimony because it failed to prove the issue and was "calculated to lead the jury astray." The parties later reached an agreement at the remanded trial, and in March 1839, the court dismissed the case at Lake's cost. Abraham Lincoln assisted Stuart at the remanded trial.

Circuit Court Transcript (excerpts)

2 December 1835

[Praecipe]

Sangamon County Circuit Court

Philip Clark

vs

Bayless Lake

Trespass on the case for destroying plaintiff's boat and Cargo. Damages \$2000.

To C. R. Matheny Clerk, Circuit Court.

Issue Summons as above returnable to the next term.

Aug. 23^d 1834.

Logan & Stone plaintiffs attorneys.

[Summons]

The People of the State of Illinois
To the Sheriff of Sangamon County, Greeting:

You are commanded to summon Bayless Lake to be & appear before the Circuit Court of Sangamon County on the first day of the next term, to be holden at Springfield, on the second monday in the month of September next, to answer Philip Clark in a plea of trespass on the case for destroying plttfs boat & cargo, damages \$2,000.

And have you then there this writ. Witness the Honorable Samuel D Lockwood, Judge of our said Court at Springfield, this 23^d day of August 1834.

C. R. Matheny clk.

[Sheriff's Return]

Executed August 26th 1834 ac[cor]d[ing] to law. Service 50. travel 12 M[iles]. 75. returning 12 ½
G. Elkin Sh[erif]f S[angamon]. C[ounty].

[Declaration]

State of Illinois

Of September Term 1834.

Sangamon County & Circuit Sc[ilice]t

Philip Clark complains of Bayless Lake in custody &c of a plea of Trespass on the Case. For that whereas by an act of the people of the State of Illinois represented in the General Assembly entitled "An act declaring the Sangamon River a navigable stream" "Approved December 26, 1822" it is enacted as follows towit, "Be it enacted by the people of the State of Illinois represented in the General Assembly that the Sangamon River from its mouth (following the main channel) to the third principal maridian be and the same is hereby declared a navigable stream that no dam of any description or other obstruction shall be placed in the River so as to impede the navigation thereof or drive the the water from its natural channel so as to overflow the bottoms or produce stagnant waters in any place" and whereas after the making [and the pa]ssing of the act and by virtue thereof up to and after the time of committing the several grievances hereinafter mentioned the said Sangamon river from its mouth following the main channel to the third principal meridian was and of right ought to have been a navigable stream and was and of right ought to have been a public highway and was and of right ought to have been free and open for all the good citizens of the State of Illinois and others to navigate the same at all [times] from any obstruction, with their Canoes, skiffs, pirogues, flat Boats barges and steam Boats. And whereas neither the said Defendant nor any other person had any right to obstruct or impede the navigation of the said Sangamon river from its mouth following the main channel to the third principal meridian by the erection or maintenance of any mill mill dam, mill house, abutment, but^tress mill wheel or any other thing. and whereas before and at the time of committing the several grievances hereinafter mention[ed] the said plaintiff had a flat Bottomed boat of Great [va]lue towit of the value of \$150 loaded with a large quantity of corn, towit 2500 bushels of corn the prop[erty] [. . .] plaintiff of [great]^ [. . .] of the value of \$500 proceeding in and up the said navigable stream between the mouth thereof and the third principal meridian following the main channel thereof towit on the 15th day of April 1834 at the state, county, and circuit aforesaid. Yet the said defendant well knowing the previous but contriving and wrongfully and unjustly intending to injure and prejudice the said plaintiff in this respect and to deprive him of the use and benefit of the said navigable stream and to delay hinder [a]nd detain the plaintiff in navigating the said Sangamon River with his said flat

bottomed boat loaded as aforesaid and to sink detain and destroy the said flat bottomed boat and the corn loaded therein towit on the said 15th day of April 1834 and at the state, county, and circuit aforesaid did erect and make in upon and across the main channel of the said Sangamon River between the mouth thereof and the third principal meridian one mill dam, one mill house, one mill wheel with long arms thereto & two abutments whereby the navigation of the said navigable stream towit was greatly impeaded & totally obstructed and the same so made and erected did keep and continue from that day to the commencement of this suit. By reason whereof whilst the said flat bottomed boat of the plaintiff ^{^loaded^} with the large quantity of corn aforesaid was decending the navigable stream aforesaid towit the Sangamon river between its mouth and the third principal meridian the said plaintiff with his flat bottomed boat aforesaid loaded with the large quantity of corn aforesaid was stopped delayed hindered and detain[ed] from proceeding on down the said navigable stream by the mill dam, mill house mill wheel and abutments of the plaintiff aforesaid in ~~and~~ upon and across the navigable stream aforesaid and whereby also the plaintiff lost the advantage of proceeding to market with his said boat loaded with corn towit on the said 15th day of April ^{^1834^} at the state, county and circuit aforesaid and whereby also the plaintiff^{s^} said boat loaded with corn as aforesaid has been hind[e]red delayed and detained from thence up to the present time and by reason whereof the said boat of the plaintiff loaded with corn as aforesaid afterward towit on the 20th day of April 1834 at the state county and circuit aforesaid sunk and was destroyed in the said Sangamon River and the said boat and all the corn of the plaintiff aforesaid loaded thereon was wholly lost and destroyed towit by reason of said hinderance delay and detention aforesaid. By means of all which the plaintiff hath been injured & sustained damages to \$2000 and therefore he sues &c

D. Stone. & S. T. Logan.

[First Order]

Philip Clark

vs

Trespass on the case.

Bayless Lake

By consent of the parties this cause is continued until the next term of this court.

[Second Order]

Philip Clark

vs

T. O. C

Bayless Lake

Continued.

[Third Order]

Philip Clark

vs

In Case.

Bayless Lake

On motion of the plaintiff by his attorney a rule is awarded him against the defendant to file his plea herein by tomorrow morning eight O'clock.

[Plea]

Clark

vs

Lake

Of the Special July Term of the
Circuit Court for Sangamon County

And the said defendant comes & defends the wrong & injury when &c. and says he is not guilty in manner & form as the plaintiff hath above thereof in his said declaration complained against him & this he prays may be enquired of by the country &c.

Stuart & Dummer P.D

[Similiter]

And plaintiff likewise

Walker p.q.

[Fourth Order]

Philip Clark

vs

Bayless Lake

Trespass on the case.

This day came the parties by their attorneys, and it is commanded that a jury come to try the issue joined between the parties and thereupon came a Jury towit: James Taylor, Elijah Duncan, William Ramsey, Alexander Garrett, Alexander Ritchey, Joseph Bondurant, Jonas Whitey, Hugh M Armstrong, Charles Morgan, James W Keys, Robert Sattley & George Stout, who being impaneled tried and sworn, well & truly to try the issue joined as aforesaid, and having heard the evidence adduced by the parties and part of the argument of counsel and it being too late to progress farther with the trial, were adjourned over until tomorrow morning eight O'clock.

[Fifth Order]

Philip Clark

vs

Bayless Lake

Trespass on the case.

This day again came the parties by their attorneys, and thereupon came the jury sworn in this cause on yesterday towit: James Taylor, Elijah Duncan, William Ramsey, Alexander Garrett, Alexander Ritchey, Joseph Bondurant, Jonas Whitney, Charles Morgan, James W Keys, Robert Sattley, and George Stout, who having heard the argument of counsel retired, and afterwards returned into court the following verdict towit: "We of the jury find for the defendant." It is therefore considered by the court that the defendant recover of the plaintiff his costs by him about his defence in this behalf expended.

[Sixth Order]

Philip Clark

vs

Bayless Lake

In case.

This day came the parties aforesaid by their attorneys and the plaintiff produced his bill of exceptions which was signed and sealed by the Court, and ordered to be made part of the record

[Bill of Exceptions]

Clark

vs

In Case

Lake

Be it remembered that on the trial of this case the plaintiff gave evidence conducing to prove that he built a flat bottomed boat and loaded her with 2500 bushels of corn and with a sufficient tide to descend the river (had it not been obstructed by artificial obstructions) that said plaintiff descended the Sangamon River (intending to go to the lower market Natches or Orleans) till within 3 quarters of a mile of the defendant's mill dam on said River where he stopped upon hearing the sound of the mill and went to explore the obstruction: that the Defendant had previous to this time & after the passage of the law [referred to in the] plaintiff's declaration (which plaintiff also read to the Jury) and which Law is as follows (to wit) "Be it enacted by the people of the State of Illinois represented in the general assembly That the Sangamon River from its mouth (following the main channel) to the third principal meridian be and the same is hereby declared a navigable stream; that [no] dam of any description or other obstruction shall be placed in the river so as to impede the navigation thereof or drive the water from its natural channel so as to overflow the bottoms or produce stagnant waters in any place" having erected said dam and mill and was the owner thereof which impeded the navigation of said River and was between the 3rd meridian referred to in the said law and the mouth of the river that owing to said dam impeding the navigation of said river plaintiff would not descend with said boat and load & was stopt so that the water fell & the plaintiff's boat in consequence was sunk & corn lost by being drowned; that said corn was worth when it was lost 12 ½ cents per bushel and at the lower markets aforesaid about 75 cts per Bushel.

After the foregoing evidence had been given the Defendant asked a witness whether there was not another mill dam across said river below the defendant's mill dam erected in violation of said law which was higher than the defendant's mill dam and whether said lower dam would not have prevented plaintiff from proceeding to the lower markets [in] Natchez or New Orleans as it was late in the season and no other tide might take place in the river during that season, even if the plaintiff could have gone over the Defendant's mill dam, to which the plaintiff's counsel objected, but the court overruled the objection and permitted the question to be asked & the defendant to prove that fact to the Jury by said witness, to which opinion & Judgement of the court the plaintiff by his counsel excepts & prays that this his bill of exceptions may be signed sealed [and] enrolled & which is done accordingly

Richard M Young
Presiding as Judge of the Sangamon Circuit
by exchange &c.

Glossary Of Terms

abutment: a structure that supports the end of an arch or a bridge.

barter: exchange of goods or services without the use of money.

bill of exceptions: a list of written objections to a trial judge's rulings or instructions.

breach of contract: the failure to do what one has promised to do in a formal agreement.

bushel: a unit of dry measure equal to 32 quarts or 35.24 liters.

channel: the bed where a natural stream of water flows; the deeper part of a river.

commodity: anything bought or sold, an article of commerce; any basic item or product of agriculture or mining.

counsel: a lawyer appointed or hired to represent a client in legal matters.

declaration: a written statement by a plaintiff in a common law action that sets forth the facts and the legal basis for his or her case.

defendant: the person against whom someone brings a legal action. In criminal cases, the defendant is the person accused of a crime. In civil cases, the defendant is the person being sued. In some civil cases, the defendant is called the respondent.

demand: the amount of a good or service people can and will purchase at a certain price.

execute: to complete a task.

impanel: to choose individuals to serve on a jury.

impede: to obstruct or slow down.

inflation: a continuing rise in the prices of goods and services.

market: a region in which goods and services are exchanged; a desire to buy, demand.

market price: the price that a good or service brings when sold.

meridian: a line from which degrees of longitude are measured on a map or globe.

navigable: deep enough and wide enough to allow boats or ships to pass.

p.d.: *pro defendente*; representing the defendant.

p.q.: *pro querente*; representing the plaintiff.

piroque: any canoe-shaped boat.

plaintiff: the person who initiates a lawsuit. In some civil cases, the plaintiff is called the petitioner.

plea: a defendant's answer to a plaintiff's claim in a lawsuit.

praecipe: a document from an attorney or a plaintiff instructing the clerk of the court to issue a specified writ.

presiding: to occupy the place of authority.

remand: to send a case back to the original court, usually with instructions on how to proceed.

retail price: the price at which goods or services are sold directly to the general public.

scilicet: "to wit"; that is to say.

shortage: a lack in the quantity or amount needed or expected.

similiter: a statement written on a document declaring that the parties have agreed to disagree and to let the court decide the case between them.

skiff: any of various small boats, especially a flat-bottomed rowboat.

summons: a document notifying a person that an action has been brought against him or her and requiring him or her to appear in court.

supply: the amount of a good or service that a producer will offer at a given price.

transcript: a certified copy of court proceedings (including all documents), prepared by a court official.

trespass: a legal action to obtain compensation for a wrong committed with force by the defendant against the plaintiff.

trespass on the case: a legal action to obtain compensation for a wrong committed by the defendant against the plaintiff, when the situation did not fit the technical requirements for an action of trespass. Trespass on the case applied where the injury to the plaintiff was indirect rather than direct or where it was accidental with no force.

verdict: the decision of a jury or a judge on matters submitted to them in a trial. In criminal cases, the verdict is usually expressed as "guilty" or "not guilty." In civil cases, the verdict is a finding for the plaintiff or for the defendant.

writ: a written order from a court forbidding or requiring some action.