

Tofferson County Circuit Court
Case Files - Civil

Box

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Folder 64

January 1869

Bliss, William

vs

Bissett, Charles H.

Appeal

Defendant appealed from JP
William Cook on \$20 note

~~William~~

William Bled

Charles H. Booth

Alfred
& Spence
proche

I acknowledge myself
bound to her all except
that have occurred in my
career in the above cases
the passed a Jan 1st the
plaintiff

Henry D. Wells

all Bills
to the effect

Bond for calls
before the Justice

Approved this 14th day of

January 1869

Wm. H. Justice

Filed Jan'y 9th 1869

C. W. Henry Cl

The State of Missouri to the Constable of Central
Township in Jefferson County greeting We command
you to summon W Bissett to appear before the
undersigned one of the Justices of the Peace of
Central Township in Jefferson County on the 1.
day of January 1869 at ten of the clock in the
forenoon of that day at my office in Willbros
in the same township to answer the complaint
of Wm B Biles. Given under my hand this 25 day
of December 1869 William Clark Justice of the Peace

Wm D B Liss

To H. Bissell

Bdlt - \$26,00

Justice fees, 95

Constable fee 65-

Recd Aug 9 1869

E P Money & Co

I executed the within
Writ at the County
of Centre Jefferson
County Missouri on
the 26th day of December
1868 in the within

named Defendant
C. H. Bissell by
Reading the writ
to him in his presence
and hearing

E P Money & Co
By John Wingard
Clerk

William P. Bliss

vs.

Chas. H. Bissett

} Before, William Cook, Justice of
the Peace,

This Affiant States that
the application for an appeal, by Chas H Bissett
Plaintiff in the above entitled Cause, is
not made for vexation or delay but, because
this affiant Believes that the appealant
is injured, by the Judgment, of the Justice
Subscribed, & sworn to before me
this 1st day of June A D 1869.—

Charles, H. Bissett

William P. Bliss
vs
Charles H. Bisset
Appidavit per an
appeal

Filed Jan 9 1869
E. F. Honey C,

William Bliss Plaintiff Before, William
 Against Cook Justice of
Charles, H. Bissett the Peace

We the undersigned Charles H. Bissett and Charles Vinyard Senr. acknowledge oursel-
ves indebted to ^{Wm. P. Bliss} the State of Missouri
in the sum of \$60.00 dollars to be void upon
this condition: Whereas Charles H. Bissett
has appealed from the Judgment of
William Cook A Justice of the Peace
in an action Between William P. Bliss
Plaintiff and Charles H. Bissett Defend-
ant. Now for such appeal the
Judgment of the Justice be affirmed
or if on the trial anew in the appellate
court Judgment be given against
the appellant and he shall satisfy
said Judgment or if his appeal
shall be dismissed and he shall pay
the Judgment of the Justice together
with the costs of the appeal, this Bond
shall be void.

Charles W. Bissett
Cheerless ring and

Approved this 1st day of ~~the~~ ^{the} June
A D 1869. William Cook Justice of

William T. Bliss
vs
C. H. Bissett

Bond for an appeal

Filed July 9th 1869
E. P. Honey, C.

William P. Bliss
vs
C. H. Bissett }

Plaintiff filed. December 25-1868 for suit
a. note executed to him by defendant for twenty six
dollars. due sixty days after date and dated 31 August
1868. and directed a. summons to issue which is done
and delivered to John Wingard. deputy Constable
made returnable first day of January 1869. my regular
lawday

Wm. Cook Justice of the peace
January first. 1869. The summons issued in this
case is returned executed as the law directs and the
case coming on to be heard the defendant appeared
in court and made a. motion to rule plaintiff to
security for costs. whereupon Henry P. Bates. tendered
his bond for the payment of costs which is deemed
sufficient by the Justice. it is therefore considered by
the Justice that plaintiff recover of defendant the
sum of twenty six dollars for his debt. also one dollar
and ninety five cents for his costs of suit and that
he have execution therefor. William Cook J. P.

Whereupon defendant tendered ^{his} affidavit and appeal bond
for sixty dollars of himself and Charles Wingard as
security. and prayed an appeal to the circuit court from
our said Judgment which being deemed sufficient it is
ordered that an appeal as prayed be allowed. defendant
William Cook J. P.

Justices fees. docket 10. summons 35. bond for costs before the Justice 35
Judgment ~~35~~ affidavit 35 bond for appeal 35. This Transcript of 1.00
Constable fees 65) \$ 2.00
3.00

Wm Bliss
vs
Chas H Bissett

2682

Transcript
of
appeal

Wm Bliss
vs
Chas H Bissett

Filed Jan'y 9th 1869
Olias F Honey
clerk circuit
Recorder

State of Missouri }
County of Jefferson } S.

William P. Bliss. plaintiff

against

Charles H. Bissett.

I William Cook a Justice of the within and for the
Township Central in the county of Jefferson aforesaid
herely certify that the above and foregoing is a full
true and complete transcript of all the entries
made in my docket relating to said case of
William P. Bliss. plaintiff against Charles H.
Bissett defendant and that such transcript is
accompanied by all the process and other papers filed
with the Justice relating to such suit

Given under my hand this 6 day of January 1869

William Cook Justice of the peace

William D. Bliss, - plaintiff
 vs.
 C. W. Bristol - defendant } In the Circuit
 Court of Jef-
 ferson County
 Appeal.

The Defendant moves the Court
 to dismiss this cause of action, for the follow-
 ing reasons;

- 1 - Because the summons was not issued
 within the time required by law,
- 2 - Because the summons was not served on
 the Defendant six days before the Justice's
 law day,
- 3 - Defendant therefore had no sufficient legal
 notice,
- 4 - The objection to going into trial before
 the Justice, & his objection was overruled,
 It was not waived by the Defendant,
- 5 - The Justice had no jurisdiction to try
 the case, - by reason of the summons not
 being served within the time required by law,

} Abner Neal
 Atty. for Deft.

W. P. Bliss

vs,
C. H. Minnett

Motion
to dismiss
suit,

Filed May 11 1869

Elias O. Henry cler.
By S. H. Lefford & Co