

Jefferson County Circuit Court
Case Files-Civil

March 1869

Box 22 Folder 66

Jones, William, assignee of
Jones, Marshal

vs.

Alexander, William
Drinner, Joshua

Appeal

Plaintiff appealed from JP William
Cook on \$55 note



For Value received, we or either of us
acknowledge to pay to you or your order
the sum of Eighty five dollars, twelve
months after date.

This note to be negotiable and payable
without discount and without drawing
interest at the rate of ten per cent
from date.

Y^{rs} Wm
Hosley & Wm W. Hamer

I sign the will in
the 10th 23rd day

over
into the Wash & L Jones
Farmers 1868.
William B. A. A. A. A.
A. A. A.

For value received I assign the within note to
William Jones this 18th day of Feb. 1869

Wm. B. A. A. A.

Witness this 18 day of February 1869

Wm. B. A. A. A.

The State of Missouri,

To the Constable of

Central

Township, in

Jefferson County, GREETING:

We Command You to Summon

fore the undersigned, one of the Justices of the Peace of *John A. Bender* to appear be-

Township, in Jef-

erson County, on the

3rd day of

March

A. D. 1869,

at *10* of the clock, in the

forenoon, at the office of *James H. Jones* Justice of the Peace

in said Township, to answer to the com-

plaint of *William Jones*

Given under my hand this *18th* day of

February

A. D. 1869

William Jones

Justice of the Peace.

I have entered the within writ at the Township of Newmarket
in Jefferson County Missouri on the 18th day of February 1869
on Judson Johnson and William Alexander by reading the
same to each of them in ~~their~~ presence and hearing

E. Caves Constable
By John Briggs Deft

Wm Jones

Joshua Drenen to
Wm Alexander

Debt

\$53.70

Interest due

Feb. 18th 1869

8 20

Total = \$63.70

Justice fees

35

Docket

10

Judgment

50
95

Constable fee

1 70

THE STATE OF MISSOURI,

TO

Marshall S. Jones & John Russell

CREETING :

You are hereby commanded to be and appear personally before me

William Leach

one of the Justices of the Peace within and for

Central

Township, in the

County of Jefferson, on the

5

day of

March

1869

at the hour of 10

of the clock in the forenoon of that day, at my office in the township and county aforesaid, to testify on the trial of a cause wherein

William Jones

is plaintiff, and

William Alexander & John Turner

is defendant, in behalf of

the

defendants and hereof fail not at your peril.

Witness my signature this

22

day of

February

1869.

Wm. Leach

Justice of the Peace.

William Jones

William Alexander
Joshua Drimmer

Subpoena

Justice fees. 35
Constable fee 95

I executed the within writ
at the Township of Miamack
Jefferson County Missouri
on the 2nd day of March 1869
on Marshal Jones by reading
this writ to him in his presence
and hearing

E. Eaves Constable
By John Wingard Sept

I executed the will in and
at the Township of Merimack
Jefferson County New Brunswick
Joseph Sprinzen and William
Alexander by teaching the will
to each of them in their presence
and having this February 22nd
1869

E. Eaves Constable
By John Burry Clerk

William Jones,
vs,
William Alexander
& Joshua Drennan } Before William Cook, Esq,
a Justice of the Peace,

The Defendants come, and move
the Court to quash the writ, and dismiss the pro=
ceedings in the above entitled cause, for the follow=
ing reasons;

- 1 - Because the Plaintiff has not ^{filed} any account
or statement of the cause of action, as required
by law,
- 2 - The suit is not founded on the Note, so far
as William Alexander is concerned, and no
statement is filed against him,
- 3 - There is a misjoinder in the parties defend=
ants,

Abner Green
Attorney for Defendants

W^m₁₁ Jones

vs.

W^m₁₁ Alexander
& Joshua Brennan

motion

to dismiss

Filed this 5 day of

March 1864

Wm Cook J^r

Filed Mch. 12. 1869

Elia S. Honeyels

William Jones } Before
Joshua Driven } William Cook
Justice of the
Peace

This affiant the Plaintiff on
his oath says that the
application for an appeal by
the Plaintiff from the
Judgment in the above
entitled Cause, ~~for~~ is not
made for resation or delay
but because the affiant
believes the Plaintiff is aggrieved
by the Judgment of the Justice

Sworn to and
Subscribed before
me this March 5th 1869 } Wm William C Jones
William Cook
Justice of the Peace

Wm Jones
Joshua Drinin

Affidavit
for appeal

Filed this 5 day of
March 1869

William Clark J.S.

Filed Mch 12 1869
Elias J. Keeney et al.

William Jones } Before William
us } Cook Justice of
Joshua Drinen } the Peace

We the undersigned acknowledge
~~swear~~ ourselves to be indebted
unto Joshua Drinen in the sum
of fifty dollars to be paid
upon the following Conditions
Whereas William Jones has
appealed from the judgment
of William Cook a Justice of the
Peace in an action between
William Jones plaintiff and
Joshua Drinen Defendant now
if on such appeal the judgment
of the Justice be affirmed or if on
a trial come in the Appellate
Court judgment be given against
the appellant and he shall
satisfy such 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
Recognizance shall be void

Approved March
5th 1869 William Cook

William C Jones
Marshall Jones

Justice of
the Peace

William Jones
^{vs}
Joshua Drinin

Appeal Bond

Filed this 5 day of
March 1869
Wm Cook JSD

Filed March 12 1869
Elias F. Henry clk

William Jones

vs
William Alexander & } \$

Joshua Grinnon

Plaintiff filed. February 18th 1867 for suit a note executed to William Alexander by T. N. Jones and Joshua Grinnon and assigned by William Alexander to Marshal Jones and assigned by Marshal Jones to William Jones for fifty five dollars bearing interest at the rate of ten percent per annum from date. and dated July 13th 1867 and directed summons to issue which is done and delivered to John Vinyard, deputy Constable, made returnable March 5th 1867, my regular lawday Wm. Cook, J. P. On this fifth day of March 1867. the summons in the above cause is returned executed as the law directs and the trial coming on to be heard the defendants by their attorney filed a motion to wit. The defendants come and move the court to quash the writ and dismiss the proceedings
1- Because the Plaintiff has not filed any account or statement of the cause of action as required by law.
2 The suit is not founded on the note so for as William Alexander is concerned and no statement is filed against him.
3 There is a misjoinder in the parties defendants whereupon the motion to dismiss was sustained by the Justice so far as William Alexander is concerned and the ^{same} dismissed and proceeded to hear the evidence against Joshua Grinnon after hearing the evidence it was considered by the Justice that defendant recover of plaintiff the same of four dollars and ten cents for the costs of this suit and that he have execution therefor William Cook, Justice

Whereupon plaintiff tendered his affidavit and appeal
bond for fifty dollars of him self and Marshal. Jones
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.
plaintiff . William Cook. Justice of the peace

State of Missouri }
County of Jefferson } \$

William Jones. plaintiff

against

Joshua Drinnen. dependant

I William Cook. a Justice of the peace within and for
the Township of Central in the County of Jefferson
aforesaid hereby 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
Jones plaintiff against Joshua Drinnen dependant
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 11.
day of March 1869. William Cook Justice of the peace

~~Justices fees docketed this case to~~

~~Summons~~ — 35

~~Subpoena~~ — 25

~~Judgment~~ — 50

~~Securing depositions & each~~ 15

~~bond~~

Justices fees

docketed this case - - - - -	10
Summons - - - - -	35
Subpoenas - - - - -	35
Swearng 4 witnesses 5 cents each	20
Judgment - - - - -	50
affidavit for an appeal - - -	35
bond for an appeal	35
certificate to Transcript	35
this Transcript - - -	\$1.00
	<u>\$3.55</u>

Constable fees

Summons - - - - -	\$1.70
Subpoena	0.95
	<u>\$2.65</u>

J. William Cook

Justice of the peace within and for Central
Township, in the County of Jefferson, hereby certify
that the above and fee Bill, is true and correct as
shown upon my Docket. Given under my hand
this 11 day of March, 1869. - Wm. Cook Justice of the peace

Williams Jones

Joshua Drinnen

Transcript

2267

Filed March 12th 1869.

Elias F. Honey
Clerk Circuit Ct