

Jefferson County Circuit Court
Case Files - Civil
November 1869, No. 338

Box 25 Folder 21

Thomas, John L.

vs.

Powers, James C.

Mortimer, John W.

Ejectment

109 acres in S1T40R4E,
\$100 damages

John L. Thomas, Plaintiff

vs
James B. Power, Defendant

In the Superior
Court.
November Term
1869.

Plaintiff states that on the 1st day of June 1869 he was entitled to the possession of the following real estate situated in Jefferson Co. Mo. viz: Lot two of the North West qr. of Section one, Township Forty Range from East containing one hundred and nine $\frac{56}{100}$ acres, and that being so entitled to the possession thereof the Defendant afterwards viz on the 2nd day of June 1869 entered into said premises and now unlawfully withholds from Plaintiff the possession thereof to his damage in the sum of one hundred dollars.

Wherefore Plaintiff demands judgment for the recovery of the possession of said premises and one hundred dollars damages for the unlawfully withholding from Plaintiff the possession thereof and for other proper relief.

John L. Thomas
Plaintiff.

John L. Thomas
James L. Powers

Exhibit:

Filed Sept. 18th 1869
Wm. J. Hoovey
clerk

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

James C. Power

if he be found in your County, that
he be and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of Hillsboro,
within and for the County of Jefferson, on the ~~Sunday~~ Monday after the
fourth Monday of ~~September~~ next, then and there to answer unto

John S. Thomas

upon *his* original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Eighth day of *September* A. D. 18

Elias F. Honey
Clerk Circuit Court.

The within was Served this 25th Day of September A. D. 1869 in Jefferson County Missouri, by deliv-

ering a copy of the Writ and the within Petition, as furnished to me by the Clerk of the Circuit Court
to the within named Defendant James C. Powers, at Jefferson County
Missouri

Fees 1.00

Fred Luchtmeier Sheriff
By Fred Vollmuth

Deputy

338

TO

JEFFERSON CIRCUIT COURT.

Term, 1869

John. L. Monrad

vs.

James C. Powers

Original

Received

Sept. 20 1869

John L. Thomas, plaintiff, } In the Jefferson Circuit Court
against } November, Term, 1869.
James C. Power, defendant. }

Defendant, by leave of the Court here first had and obtained, files this, his answer to plaintiff's petition and thereby ~~says~~ denies that plaintiff was on the first day of June, 1869, or at any other time, entitled to the possession of the real Estate mentioned and described in his petition, or any part thereof.

Defendant, denies that he, on the 2nd day of June, 1869, or at any time, entered into said premises, and ~~denies~~ that he now unlawfully withholds from plaintiff the possession thereof.

He denies that plaintiff is damaged in any sum whatsoever, by any act of defendant in relation to said real Estate.

Defendant asks hence to be discharged, and judgment for his costs

By John W. Colvin,
his atty.

In the Jefferson Circuit
Court Nov. Term, 1869,

John L. Thomas,

vs

James C. Power.

Answer of deft.

Filed March 12th 1870
Elias D. Honey
Clerk

By L. H. Aelford D.C.

John + Power

John L. Thomas, plaintiff.) In the Jefferson Circuit Court,
against) November Term, 1869,
James L. Power, defendant. }

John M. Mortimer, under whom the said defendant James L. Power, claims title to the real estate, described in plaintiff's petition, having on motion, been made a codefendant in said cause, by leave of the Court here, first had and obtained filed this his ~~answer~~ answer, and denies that plaintiff was, on the first day of June 1869, or at any other time entitled to the possession of the real estate, mentioned and described in his petition, or any part thereof.

He denies, that defendant James L. Power, on the 2nd day of June 1869, or at any time, entered into said premises and now unlawfully withholds from plaintiff the possession thereof ^{to plaintiff's damage} in any sum whatsoever.

By John M. Colvin &
James L. Power,
his attys.

In the Jefferson Circuit
Court, Nov. Term, 1869.

John L. Thomas,

vs

James L. Power,

Ans. of co-defendant,
John W. Mortimer

Filed March 1st 1870

Elias D. Hooney ckr

By L. H. Alford St.

Colvin & Power