

Jefferson County Circuit Court
Case Files - Civil
September 1870

Box

27 Folder 33

Graham, Madison
vs

Gibson, Parilee
Gibson, Robert M.

Appeal

Defendant appealed from JP
Solomon B. Wilson on \$37.48
account for sugar, jug, cash,
and other items

Parillee Anderson in account with Madison Dr

1869	Aug 29	To sugar		2; 00
		To coffee		1, 00
		Sallarathin		15
		Malasfer		65
		one Aug		25
		one Dipper		80
		one two gallon Jar		40
		16 pounds of lard		3, 20
		to cash in February		15, 00
August	2 nd	1 Broom		45
		1 Horse whip		1, 25
		To Sundres		5, 75
1868	April 10 th	to one Handkerchief		20
Augus	10	to one bottle auger killer		1, 00
		To one Box worm candy		25
		To lamp wick		5
Nov	24	to Logwood		15
1869	Oct 2 nd	To three pounds lard		60
		To tax	31, 33	\$ 53, 15
		by one cow	27, 00	433
		Balance	41, 33	37, 48

Met the 2nd day
of January 1840

J. B. Nelson d. J.

SUMMONS.

THE STATE OF MISSOURI,

JEFFERSON COUNTY.

To the Constable of *Big River* Township,

in the County of *Jefferson*

GREENTING.

We Command you to Summon *Charles Anderson*

to appear before the undersigned, one of the Justices of the Peace of *Big River* Township, in *Jefferson* County, on the *5th* day of *February*, 18*70*, at 10 o'clock in the forenoon, at his office, in the said Township, to answer the complaint of *William Graham* on account for the sum of *\$37.48* cents

Given under my hand, this *2nd* day of *February*, A. D. 18*70*

State of Missouri

J. W. Wilson

Justice of the Peace.

County of *Jefferson*

of *and* *original* *summons*

that the above is a true
subscribed and sworn to at *Big River* *Missouri* the *26th* day of *February* 18*70*

J. W. Wilson

Madison Graham

✓
Parille Anderson

Debt \$ 37.48

Lustus 1.05

Conit fur 35

Mile age 35

Provisional '81

done & the within by reading in the
presence hearing of Charles Anderson
January the 28th 1870 at St. Louis the Comtable

Madison Graham Plaintiff

Before J. B. Gibson & Co

against
J. Miller Anderson defendant }
This affiant states that the
application for an appeal ^{plaintiff} Madison Graham for Miller
Anderson is deficient in the above entitled case is not made
for vacation or delay but because this ~~affiant~~ ^{plaintiff} believes that
the plaintiff is injured by the disagreement of the Justice
submitted and desires to before me
this 11th day of February 1878

J. B. Gibson

J. B. Gibson & Co

J. B. Gibson & Co

Filed the 11th day
of February 1890
S. B. Wilson L.O.

(Hadarit

Received 22.00 29.00 1.00

State of Missouri
County of Jefferson } we

The undersigned R. H. Gibson as principal
and Edward Ryan as security acknowledge
ourselves indebted to Madison Graham in
The sum of Eighty Dollars to be paid upon
this condition whoever Paralee Anderson (so
called) has appealed from the judgment of
S. B. Wilson a Justice of the Peace in an
action between Madison Graham -
Plaintiff & Paralee Anderson - so called
Defendant now if on such an appeal
the judgment of the Justice be affirmed
or if on the trial and in circuit court
judgment given against the appellant and
he shall satisfy such judgment or if his
appeal be dismissed and he shall pay
the judgment of the Justice together with
the cost of the appeal the Recourse
shall be void

Taken and acknowledged before
me this 11th day of February 1870

S. B. Wilson J. P.

R. H. Gibson
Edward Ryan

Manuscript
Mr. Graham
or
Parale Anderson

Filed Feb'y 24th 1870

Elias P. Henry at
By L. H. Appleton

Filed the 11th day of February
1870
J. B. Nelson J. P.

Madison Graham

vs

Before Solomon B. Wilson J. P.

Perille Anderson

} Action of debt on account for the
sum of \$37, 48 cents the summons issued the 27th day of January
1870 returnable to the 5th day of February the same year now
on the return day the summons returned by the constable served
and the plaintiff appeared in person and Robert M. Gibson
for the defendant as agent at the hour of twelve o'clock
of said day and a trial is had by the Justice and after hearing
the proofs and allegations the Justice enters Judgment against
the defendant Perille Anderson for the sum of \$37, 48 cents with
costs of suit February the 5th 1870 now on the same day the agent
Robert M. Gibson prayed an appeal and on the 11th day of February
1870 filed his affidavit and recognizance and an appeal is
allowed to the next circuit court &c

State of Missouri }
County of Jefferson }

Madison Graham plaintiff }
against }
Perille Anderson defendant }

I Solomon B. Wilson a Justice of the peace within and for the Township
of Big River 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 the said case of Madison Graham plaintiff against Perille Anderson
defendant and that such transcript is accompanied by all the proofs and other
papers filed with the Justice relating to such suit

Given under my hand this 11th day of February 1870 } Solomon B. Wilson
Justice of the peace }

Madison Graham Plaintiff }
against }
Parille Anderson Defendant }

Fee Bill

Before Solomon B. Wilson J. P.

Justus for summons	.25
For entry	.10
For indexing	.10
For 3 subpoenas	\$1.05
For recognizance	.35
For judgment	.50
For affidavit	.35
For 3 oaths	.15
For 250 words	.25
Justus fees in full	\$2.50
Constables fees summons	.70
For 3 subpoenas	35
Mileage	75
Constables fees in full	15
Witness fees	\$1.25
William White one day	.70
Pedrick Buttz one day	.95
Witness fees in full	50
	50
	\$1.00

February the 11th 1870

Solomon B. Wilson
Justice of the peace

Free Bill
Madison Graham

Patience Anderson

COUNTY OF JEFFERSON,

The State of Missouri.

To Fred Ruff William White

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 9th day of March at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein Madison Graham

Plaintiff, and

Charles Jackson

Defendant, on the part of Plaintiff and herein

you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with

the seal thereof hereto affixed, at office, this 24 day of

July A. D. 1870

Elias F. Honey Clerk.

By J. H. Ayers Deputy

March Term 1870

M. Graham

^{vs}
Pavlee Andusen

for Plaintiff

~~Pavlee~~

Fred Bütz
vs
White

Served the within Subpoena this 25th day of March. 1870
by reading the same to the within named Fred Bütz
and Mr Maile at Jefferson County Ore

Shed Luck Ten days ahead
by Street & Allen and

fees \$ 1.00

Depm^y

The State of Missouri,

To the Constable of

Big River Township, in

Jefferson County, GREETING:

We Command You to Summon

For the undersigned, one of the Justices of the Peace of Big River Township, in Jefferson County, on the

7th day of

July,

A. D. 1870, at 10 of the clock, in the

forenoon, at the office of

J. B. Wilson

in said Township, to answer to the complaint of

William

on account for the sum of \$37.48

Given under my hand this 2nd day of

June

A. D. 1870

J. B. Wilson Justice of the Peace.

State of Missouri
County of Jefferson
Do hereby certify that the

above is a true copy of the original
of J. B. Wilson J. P.

Madison Graham
 Robert M Gibson
 Parille Gibson
 Debt \$37,48
 Dist. fees 1,40
 Const. fees 70
 Mileage 70

I received the within by recording in the
 bearing of Parille Gibson & M. M. Gibson
 sale of Jefferson County Mo. this sum
 I have here of date 23rd 1870

J. M. Lee County

Madison Graham, - Plaintiff }
 Against }
 Parolee Gibson, and }
 Robert M. Gibson, her }
 husband, — Defendants }
 Before Solomon }
 B. Wilson, a }
 Justice of the }
 Peace, of Big }
 River Township in Jef- }
 ferson County Missouri }

The above Plaintiff, Madison Graham, states that the above named Defendants, Parolee Gibson, and Robert M. Gibson, her husband, owe Plaintiff the sum of Thirty Seven dollars, and forty eight Cents, for goods sold and delivered by Plaintiff to the said Parolee Gibson, while she was a single woman and before her said marriage with the said Robert M. Gibson, - and for money advanced and paid by Plaintiff for said Parolee Gibson, before her said marriage & whilst sole, - The particulars of which Account, and the Credits thereon are as follows: To wit,

	Parolee Gibson & Robert M. Gibson,	To Madison Graham Dr,
1867, July 27 th	To Sugar \$3.00, & Coffee, \$1.00 =	\$ 3.00
" " "	To Salaratus .15 ^{cts} & molasses \$2.65, =	.80
" " "	" One Jug. .25 ^{cts} - 1 Tupper .80 ^{cts} =	1.05
" " "	" 1 Two-gallon Jar, 40 ^{cts} - 16 lbs. Lard \$3.20 =	3.60
" " "	" Cash in February	15.00
" Aug. 2 nd	" 1 Broom .45 ^{cts} - 1 horse-whip \$1.25 =	1.70
" " "	" Sundries \$5.75 - 1 Hamsterchief .20 ^{cts} =	5.95
" " "	" 1 Bottle Aqua Killer \$1.00, - 1 Box worm Candy 25 ^{cts} =	1.25
" " "	" Lamp Wick 5 ^{cts} , & Log. wood, 15 ^{cts} =	.20
" " "	" lbs of Lard, 60, & cash pd, Lard, \$31.33 =	31.93
		\$ 64.48
	Contra Cr, By 1 Cow,	27.00
	Balance due Plaintiff	\$ 37.48

The Plaintiff states that the balance due him from
Defendants, after all credits have been given, is ^{up to} seven
dollars, and forty eight cents, and for which
he asks judgment.

W. Madison Graham
Plaintiff

Filed the 2nd
day of April 1890
S. B. Wilson J. P.

Marion Graham
vs,
Pardee Gibson &
R. M. Gibson

Plaintiff's
Account & Statement
of the case

Madison Graham

Plaintiff

vs. Wm. Gibson & S. Gibson

Before S. B. Wilson Jr

The defendant states
The application for an appeal by Wm. Gibson
Plaintiff in the above entitled cause is not made
for vacation or delay but ^{the application is for} because
is urged by the defendant of the justice
subscribed and sworn
to before me this 16th
day of May 1870

S. B. Wilson Jr

Wm. Gibson

Filed the 16th
day of May 1870
S. B. Wilson S. B.

Affidavit

We the undersigned R W Gibson &
Edward Ryan acknowledge ourselves
Indebted to Madison Graham in the sum
of eighty five Dollars to be void upon the
conditions whairas R W Gibson has appealed
from the judgement of S B Wilson Justice
of Peace in an action between Madison Graham
Plaintiff & R W Gibson & Paralee Gibson
Defendants & on such appeal the judgement
of the Justice affirmed or if on the trial
a new is the appellate Court judgement be
given against the appellant and he shall
satisfy such judgement or if his appeal
be dismissed and he shall pay the
judgement of the Justice with the cost of
appeal his Recourse shall be void

Approved the 16th
day of May 1870

S. B. Wilson J.P.

R. W. Gibson

Edward Ryan

Filed the 16
day of May
1870

S. B. Wilson
S. B.

Recognizance

Madison Graham vs Before Solomon B.
Plaintiff vs Wilson a Justice of

vs
Parilee Gibson }
R. M. Gibson } the peace of Big River
Defendants } Township Jefferson
} County Missouri
} Action of debt or acc
} unt for the sum of

\$37,48 cents the summons issued the 2nd day of
April 1870 returnable to the 7th day of May the
same year now on the return day the summons
returned by the constable served (signed) L. H.
constable and the above named defendants
failing to appear and the plaintiff appearing
in person half after twelve of said day and a
trial is had by default and after hearing the proof
and allegations the Justice enters judgment
against the above named defendants by default
for the sum of \$37,48 cents with costs of suit
now on the 16th day of May 1870 R. M. Gibson the de-
fendant prayed an appeal and the same day filed
his affidavit and recognizance and an appeal is
allowed to the next circuit court to

State of Missouri
County of Jefferson

J. B. Wilson J. R.

Madison Graham Plaintiff
against

Parilee Gibson & R. M. Gibson
defendants

2957

Shuman

Gifts of

410 188

appeal dismissed
Sept 8th 1870

I, Solomon B. Wilson a Justice of the peace
within and for the Township of Big River
in the County aforesaid Hereby certify that
above and foregoing is a full true and
complete transcript of all the entries
made in my docket relating to said
case Madison Graham Plaintiff against
Paul Gibson & R. M. Gibson defendants
and that such transcript is accompanied
by all the process and other papers
filed with the Justice relating to such
Given under my hand the 20th May
1870

S. B. Wilson J. P.

Free Bill

Wickham Graham

Defendant

Before J. B. B. B. B.

Charles Gibson & B. M. Gibson

Defendants

he are for this

Am this fee for 2 summons 70 Defendant bound by

for entry

10

for undocking

50

for dredging

10

for 200 lbs

35

for of advice

35

for recognition

20 \$240

for 200 words

70

for table for drawing

70 \$140

J. B. B. B. B.

Madison Graham, - Plaintiff
 Against
 Parolee Gibson, and }
 R. H. Gibson, - Defendants } In the Circuit
 Court of Jefferson
 County Mis-
 souri, - Appeal,
 September Term 1870,

The Plaintiff moves the Court to
 dismiss the appeal in the above entitled
 cause, for the following reasons;

- 1- Because the judgment rendered by
 the Justice for Plaintiff is a judgment
 by default, and the Defendant took the
 appeal, without first moving the Justice
 to set aside the default and grant a
 new trial,
- 2- Because the Defendant failed to make
 a motion before the Justice to set aside
 the judgment by default, before taking
 his appeal, - and the Justice's Trans-
 cript shows that no such motion
 was made and overruled, by the Justice,
 before the appeal was allowed, - and
 therefore the granting of an appeal by
 the Justice was contrary to law,

{ Abner Green
 Attorney for Plaintiff

In Circuit Court
Jefferson County

Madison Graham
vs,

Daniel Gibson
J. R. M. Gibson

Motion to
dismiss appeal

Filed Sept 6 1870
Elias J. Henry at

Madison Graham, } a special dismissed Sept 8th 1870,
 Pardee & McElhannon, } North 6 page 176,

J. B. Wilson Justice,

2nd Jan^y 70 Buty 10 Miles 10 Buget 50 30 30-
 20 with affo recog

Chas 200 mnd of fig 20

~~100~~ 20

2,200

Crutall fees, for 2nd Jan 70 mileage 40 1,440

E. J. Hony 20th 7 files 35 motion 20 20 Cash 35

Acc 10 10 pa 25

Shackles 2 files 100

W. S. Boy 10 10 10 Buget 10 making cash, 30 50

Graham

no

Gibson

Bill of Costs