

Jefferson County Circuit Court
Case Files-Civil
February 1872

Williams, Joseph J., adm
Wiat, Henry M.

^{vs.}
White, Joseph

Appeal

Defendant appealed from JP
Sullivan Frazier on \$20 note

Box 29 Folder 10

\$ 20.00

\$2.14

In or before the
1st of October 1870, I prom-
-ise & bind myself, heirs & as-
s-igns. to grant to Christy
(an) deed or deed, the just
& full sum of twenty
dollar. for valore second
with 16 per cent. after due

March 29th 1870

Joseph White

Interest \$2.58
Principal 20.00
22.58

Wm. D. Boyer
1872

Dec 11 1871

1871

SUMMONS.

State of Missouri,

JEFFERSON COUNTY.

To the Constable of *Central* Township, in the County of
Jefferson, GREETING:

We Command you to summon *Joseph White*

to appear before the undersigned, one of the Justices of the Peace of *Central*
Township, in Jefferson County, on the *12th* day of *January*
1871, at *10* o'clock in the forenoon, at his office, in the said

Township, to answer the complaint of ~~*Robert L. Williams*~~ *Joseph L. Williams*
~~*Comptrol*~~ *Administrator of the Estate of*
Henry M. Wiatt

Given under My hand, this *28* day of *December*, A. D. 1871.
Sullivan Hargrave

Justice of the Peace.

Summons
Schmidt & Son
Bank of White

Debt to the bank \$12,58
Interest 1,03-
\$13,61

Attest
Court fees 65

63rd

Wm. J. W. 1872
to John C. W.

Presented the within summons in Jefferson County
on the 3rd day of January 1872 to Joseph White by
Reading the same to him

Chas. Corine Constable
By Wm. W. Corine Deputy

SUBPÆNA.

THE STATE OF MISSOURI

To *Levin Campbell*

Greeting:

You are hereby commanded to be and appear personally before me, *Sullivan Krazus*, one of the Justices of the Peace within and for *Levinthal* Township, in the County of Jefferson, on the *12th* day of *January*, 187*2*, 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 *Levin Campbell* is plaintiff, and *Joseph White* is defendant, in behalf of *defendant* and hereof fail not at your peril. Witness my signature this *5th* day of *January* 187*2*.

Sullivan Krazus

Justice of the Peace.

SUBPÆNA.

THE STATE OF MISSOURI

To

Greeting :

You are hereby commanded to be and appear personally before me,
_____, one of the Justices of the Peace within and
for _____ Township, in the County of Jefferson, on the
_____ day of _____, 187 , 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 _____
_____ is plaintiff, and _____ is defend-
ant, in behalf of _____ and hereof fail not at your
peril. Witness my signature this _____ day of _____ 187 .

Justice of the Peace.

Lulphaena

Lehris Lemple

Justice Peas, 30

W. W. Horine
Deputy Constable 80

11th

9^{am}

Filed July 1st 1872,

W. W. Horine

*I executed the within supra in Jefferson County
Mo on the 11th day of January 1872 by Christopher
Cable by reading the same to him.*

Thos Horine Constable
By W. W. Horine Deputy

Joseph J. Williams Admin- } Before
 istrator of the Estate of Henry } Sullivan
 M. Watt, deceased, - Plaintiff } Frazier, a
 Against } Justice of
 Joseph White, - Defendant } the Peace
 State of Missouri }
 County of Jefferson } ss,

Joseph White, the above named De-
 fendant, being by me duly sworn, on
 his oath states, that his application
 for an Appeal from the Judgment of
 the Justice in the above entitled case,
 is not made for vexation or delay
 but because he believes that he, the said Ap-
 pellant, is injured by the Judgment of the
 Justice

sworn to and Joseph White
 Subscribed before me
 this January 29th 1872
 W. J. Joyce Clerk,
 J. J. McCreary Dep't.

J. J. Williams
Sam'l H. M. White

vs,

Joseph White.

Affiant

Filed July 1982

W. J. Gayce & Co.,

Joseph J. Williams, Adm^r
of H. M. Watt, dec^d. - Pl^{ff}
Against
Joseph White, - (Defendant)

Before
Sullivan Frazier
Justice of the Peace,

We, the undersigned Joseph White
and William Clark acknowledge ourselves
indebted to Joseph J. Williams Adm^r, of the Estate
of Henry M. Watt, in the sum of Fifty dollars,
to be void upon this condition; Whereas the said
Joseph White has appealed from the judgment
of Sullivan Frazier, a justice of the Peace, in an
action between Joseph J. Williams, Administrator of
the Estate of Henry M. Watt, deceased, Plaintiff,
and Joseph White, defendant, - Now, if on such
appeal, the judgment of the justice be affirmed,
or if, on a trial anew in the appellate Court, judg-
ment be given against the appellant, and
he shall satisfy such judgment, or if his ap-
peal shall be dismissed, and he shall pay
the judgment of the Justice, together with the
costs of the appeal, this recognizance shall be
void; otherwise to remain in full force,

Witness our hands & seals this 22nd day of
January 1870.

Approved this 23rd
day of January 1870
Sullivan Frazier Justice
of the Peace

Joseph White (seal)
Wm Clark (seal)

J. J. Williams, And-
of W. M. Winter

vs,

J. White

Bond
for appearance

Filed Feb 6 1872,
W. A. Boyce cl.

Justice fees }
Docket 10 Christopher Campbell

Index 10
Sums 35 Joseph White

Supra 35 Plaintiff filed December
Judgt 50 28th 1871 for suit on a note March 29th

Super. Witness 5 1870 payable on or before the first day of
\$1.45 October 1870 for \$20.00 with ten percent

Const fees \$1.45 Interest after due

Witness and ordered a Summons to issue which
Christopher Campbell is done and delivered to Mr W. Marine Dpty
this transcript Constable made Returnable the 12th day of
and certificate, 80 January 1872 my Regular Sunday

Sullivan, J. P.

January 12th 1872 the Summons in this ~~same~~ cause is
Returned Executed as the Law directs and the cause
coming on to be heard the parties appeared in open
Court and Plaintiff asked Leave to amend the Summ
ons in this case so as to Read Joseph J. Williams
Administrator of the Estate of H. M. West vs Joseph White
to, instead of Christopher Campbell vs Joseph White
which amendment was objected too by the defendant
but the Court overruled the objection and allowed the
Summons to be amended as ^{asked} by Plaintiff the defend
ant then appeared and answer to the pleadings it is therefore
considered by the Justice that the Plaintiff J. J. Williams
Administrator of the Estate of H. M. West have judgement
against the defendant for the sum of \$23.63 for his
Debt and \$3.40 for Costs and that he have
Execution therefor Sullivan, J. P.

Stated at Missouri January 22nd 1872 the defendant of files offi'
County of Jefferson) David and Bond and prays an appeal
J. J. Williams Administrator of the Estate of H. M. West. Plaintiff
Joseph White defendant

I Sullivan Frazer 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 J. J. Williams Administrator of the Estate of
H. M. Meatt Plaintiff against Joseph White
defendant and that such transcript is accompa-
nied by all the process and other papers filed with
the justice Relating to such suit given under my
hand this 6th day of February 1872 Sullivan Frazer
Justice of the Peace

J. J. Williams Adm of the
Estate of H. Alb. West

against
Sarah White

Transcript

justice fees — \$225-

1,45-

Cost "

50

Witness "

July 6

Wm. J. Payne &
J. J. Payne &
J. J. Payne &
J. J. Payne &
J. J. Payne &

4,36441

Joseph J. Williams, Administrator
 of the Estate of W. M. Wiatt, - Plaintiff }
 Against }
 Joseph White, - Defendant }
 { In the Circuit Court of
 { Jefferson County, Missouri

The above Defendant moves the Court
 to dismiss the above suit, for the following
 reasons;

- 1 - Because the Transcript of the Justice filed in
 said Cause, shows that the summons was is-
 sued against Defendant, requiring him to
 appear to answer the Complaint of Christo-
 pher Campbell, - and that the Justice gave
 leave to Plaintiff to amend, (against the
 objections of Defendant) so as to strike out
 of the summons the name of Christopher
Campbell, and insert in lieu thereof, the
 name of Joseph J. Williams Administrator
of the Estate of W. M. Wiatt.
- 2 - Because such amendment entirely
 changed the nature and cause of action
 and ~~was~~ ^{is} not allowed by law, -
- 3 - That said Justice had no authority by
 law, to substitute, on the trial of a cause,
 one Plaintiff for another, - and his
 proceeding is, therefore illegal and void,

4 - Because the Justice had no Jurisdiction of the case, - the alteration made by him, in the summons, rendered it null and void, - and therefore the Justice had no Jurisdiction of the Person of Defendant,

5 -

Abner Green
} Attorney for Defendant

J. J. Williams
Attorn^r of M. M. White

vs.
Joseph White

Motion

to dismiss the
Cause of action

Filed May 14th 1872
W. S. Doyce Clk.

Jas J. Williams Adm^r Fed^r Mar^r } An Note
 Joseph White^{vs} }
 Dec Bill,

S. Trauger Justice, \$ 2,25
 Chas McConne Const. 1,45
 Wm Trip Geo Campbell 50
 \$ 4,20

W. S. Boyce Clerk
 1 file³⁰ ~~order~~ order to supply rec³⁵ 65
 motion & rule²⁰ & ord to dis²⁰ Judgt³⁰ 1,28
 Dec bill¹⁰ making cash²⁰ 30
 \$ 2,80