

Jefferson County Circuit Court
Case Files-Civil
March 1872

Box 29 Folder 22

Graham, Samuel S.

vs.

Graves, Stanford

Graves, Richard S.

Debt, note

Debt \$650

Samuel S. Graham Plaintiff } In the Circuit Court of
 15 } Jefferson County
 Stanford Graves & } State of Missouri
 Richard S. Graves } March Term 1872
 Defendants }

Now at this day comes the plaintiff in the above entitled cause and states that the above named defendants Stanford Graves and the said Richard S. Graves by the name of R. S. Graves executed and delivered to the plaintiff their promissory note dated St. Louis September 8th 1870, whereby they promised five months after the date thereof to pay to the plaintiff by the name of S. S. Graham or order Six Hundred and fifty five dollars for value received without discount or deduction with interest at ten (10) per cent from date which said note is herewith filed. And that the plaintiff is the legal owner and holder of said note and that the same is long since past due and remains unpaid; Wherefore the plaintiff sues and asks for judgment against said defendants on said note for said sum of Six Hundred and fifty five dollars and ten per cent interest thereon from Sept 8th 1870 and for costs -

Joseph A. Brown
 Attorney for Plaintiff

No 59

Circuit Court of Jefferson County
March term 1872

Samuel S. Graham

vs

Mayord Graves &
Richard C. Graves

Suit on note

J. A. Brown
attorney for Df

Filed July 20 1872

W. S. Frye, cc. cl.

J. C. McQuinn
Deputy

Samuel S. Graham Plaintiff } In the Circuit Court
v. } of Jefferson County
Stanford Graves & Richard S. Graves } State of Missouri
Defendants } March Term 1872.

Now at this day comes the plaintiff in the above entitled cause and states that the above named Defendants, Stanford Graves, and the said Richard S. Graves, ^{by the name of R. S. Graves} executed and delivered to the plaintiff their promissory note dated St. Louis September 8th 1870 whereby they promised five months after the date thereof to pay to the Plaintiff by the name of S. S. Graham or order Six Hundred and fifty five dollars for value received without discount or deduction, with interest at ten (10) per cent from date which said note is herewith filed, and that the plaintiff is the legal owner and holder of said note and that the same is long since due and remains unpaid, Wherefore the Plaintiff sues and asks for judgment against said Defendants on said note for said sum of Six hundred and fifty five dollars and ten percent interest thereon from Sept 8th 1870 and for costs.

Joseph A. Brown Attorney for Plaintiff

A true copy of the original petition now on file in my office.

Witness W. S. Buyer clerk of said court with the seal thereof hereunto affixed this 20th day of February 1872.

W. S. Buyer Clerk,
By C. H. Hume Deputy

Samuel S. Graham Plaintiff }
 against }
 Stanford Graves & Richard S. Graves }
 Defendants }
 In the Circuit }
 Court of Jefferson }
 County State of }
 Missouri }
 March Term 1872

Now at this day comes the plaintiff in the above entitled cause and states that the above named Defendants Stanford Graves, and the said Richard S. Graves by the name of R. S. Graves executed and delivered to the plaintiff their promissory note dated St. Louis September 8th 1870 whereby they promised five months after the date thereof to pay to the Plaintiff by the name of S. S. Graham or order Six Hundred and fifty five dollars for value received without discount or defalcation with interest at ten (10) per cent from date which said note is herewith filed, And that the Plaintiff is the legal owner and holder of said note and that the same is long since ^{past} due and remains unpaid; Wherefore the plaintiff sues and asks for judgment against said defendants on said note for said sum of Six Hundred and fifty five dollars and ten per cent interest thereon from Sept. 8th 1870 and for costs.

Joseph A. Brown attorney for Plaintiff

A true copy of the original petition now on file in my office.

Witness: W. S. Boyer Clerk of said Court with
 the seal thereof hereunto affixed this 20th
 day of February 1872.

W. S. Boyer Clerk.
 By Chas. H. Quine Deputy

The State of Missouri, } SS.
COUNTY OF JEFFERSON.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF ~~JEFFERSON~~ *St. Louis* GREETING:

We command you, that you summon

Richard S. Graves

if he be found in your County, that he be and appear before the Honorable 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 *third* ~~Monday after the fourth~~ Monday of *March* next, then and there to answer unto

Samuel S. Graham

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *20th*

day of *February* A. D. 18*72*

W. S. Boyce Clerk Circuit Court.

By

W. H. Quinn Deputy.

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon.....

Stanford Graves

if he be found in your County, that he be and appear before the Honorable 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 *third*
~~Monday after the fourth~~ Monday of *March* next, then and there
to answer unto

Samuel S. Graham,

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto af-
fixed, at office in Hillsboro, this *20th*

day of *February* A. D. 18*72*

W. S. Boyce
Clerk Circuit Court.

By

Chas. H. Hume Deputy.

I. Served the within writ in the county of Jefferson
State of Missourie on the within named ~~Defendant~~ ^{Stanford Ogden} by
leaving a true copy of the within writ and annexed
petition as furnished me by the clerk at his usual
place of abode in said county with a white member
of his family over fifteen years of age

The 22. day of Feb^y 1872

John. Williams Shutt
By T. B. Mox Lupton

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Samuel D. Graham,

vs
Stanford Ogden
et al

Original

Circuit Court
Jefferson County State
of Missouri May Term 1892

Samuel S. Graham
Plaintiff

vs
Stanford Graves

Richard S. Graves
Defendants

Defendants
Stanford Graves and Richard S.
Graves move the Court to rule
the Plaintiff to security for costs
because of his inability to pay
the Cost of this suit

Stanford Graves
Atty for
Defendants

J. S. Graham

per

Stanford Gram

Richd J. Gram

Motion for deed
for cash

Diles May 13 1872
W. S. Boyce & Co

Samuel S. Graham	} In the Circuit Court of Jefferson County State of Missouri May Term AD 1892
vs Plaintiff	
Stanford Graves & Richard S. Graves,	
Defendants	

Defendants admit that they executed to the Plaintiff and delivered to him the promissory note mentioned and fully described in Plaintiffs Petition and that said Plaintiff is the legal holder of said note ^{and that said note is unpaid} but the Defendant for further answer says that said note was fraudulently and by false representations obtained from said Defendants and that no consideration ^{or value} was obtained by said Defendants for giving the same

Stanford Graves
Deft. Attorney

J. J. Graham

25

Stanford Young
at alt.

Andrew

Diles May 14 1872
W. L. Boyce & Co
By C. H. Gaine
DEPR

Samuel S Graham
vs
Stanford Graves &
Richard S Graves

In the Circuit Court
of Jefferson County
May Term 1872

Now at this day comes the plaintiff, and
moves the court to rescind the Rule this
day made in the above entitled cause,
requiring the plaintiff to give security for
cost of suit:

- 1 Because the rule was improperly and
and improvidently grant
 - 2 Because there exists no legal ground
for said Rule
 - 3 Because the plaintiff is a resident
of this state and has been for many years,
and is able to pay the cost, and has in
this state property subject to execution
of the value of ten thousand dollars
- J A Brown
Atty for Plff

No 39

S. J. Graham

vs

Weyloner Graves &
R. J. Graves

Motion to rescind the
Rule for cost by
Plaintiff

Brown
att

Filed May 14 1872
W. S. Boyce Clk.

Samuel S Graham

vs

Stanford Graves &

Richard S Graves

In the Circuit Court of
Jefferson County State
of Missouri
May Term 1872

Now at this day comes the plaintiff and for reply
to the answer of the defendants herein, states that
it is not "true," "That said note was fraudulently
(and by false representations obtained from
(said defendants and that no consideration or
(value was obtained by said defendants for
(giving the same"

And The plaintiff asks for judgment against the said
defendants on the note sued on for the sum of
Six Hundred and fifty five dollars and ten (10) per
cent interest thereon from Sept 8th 1870 and for costs

Brown

Atty for Plff

Samuel J. Graham

vs

Stanford Graves &

R. J. Graves

Reply to defendants answer

Brown
att'y

Dated May 15th 1878
W. S. Boyce, Atty.

STATE OF MISSOURI,
COUNTY OF JEFFERSON.

To William Graves

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 23rd day of May 1872 at 11 o'clock A.M., 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 Samuel Graves is Plaintiff, and Stearns Graves et al

are Defendant's, on the part of Plaintiff; and herein you are in no wise to fail.

Witness, W. S. BOYCE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 16th day of May A. D. 1872

W. S. Boyce Clerk.

R. C. McNamee Deput.

if Return ~~Within~~ not served the Within
named Samuel S. Graves not being
found in ^{my} County

John Williams
Sherriff

Samuel S. Graves

as

Stephen Graves &
R. S. Graves -

William Graves
Wimp per pldg -
formerly lived on
the Graves farm at
mouth of Big River

Sherriff fee 25

Samuel J. Graham Circuit Court Jefferson
vs : } county May term
Stanford Group AD 1892
Richard S. Green

To the above named Samuel J. Graham
his attorney Joseph E. Brown

Take notice that I shall
apply to the court for a Change of
Venue in the above case

Stanford Group
Defendant
att for Richard S. Green

Date 23rd day of
May AD 1892

Notizen

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Ergebnisse

Samuel S. Graham
 vs
 Stanford Graess
 Richard S. Graess
 Librants

Circuit Court of
 Jefferson County
 May Term 1872

The above named
 Defendant Stanford Graess asks for a
 change of venue in the above entitled
 cause for the reason that The Hon Philp
 Peppin judge of said Court is prejudiced
 against him the said Defendant Stanford
 Graess. Defendant further says that the
 knowledge of the existence of said cause
 for change of venue first came to
 this Defendant after filing of the answer
 to the merits of said cause ^{on the 2nd day of this term of this court} And the
 said Defendant has just cause to believe
 that he cannot have a fair trial
 on account of the causes alleged
 Stanford Graess

Personally appeared before me Stanford Graess
 who being sworn says that the facts set forth
 in the foregoing petition are true and that
 he has cause to believe that he cannot
 have a fair trial on account of the causes
 alleged
 Stanford Graess

Subscribed & sworn to before me this
 May 23rd 1872
 J. D. Dance Clerk
 Du C. & H. Boone Dept.

Filed May 28 1872
W. J. Davis & Co

Samuel S. Graham

vs

Stanford Graves

Richard S. Graves

Circuit Court September Term

A.D. 1872 of Jefferson County

Missouri

Motion to compel the Clerk
of said Circuit Court of said County to
place the above entitled cause on the
Docket for the September Term A.D. 1872 of
said Court and ~~to restore the papers in~~
~~said cause to their proper files in the~~
~~office~~

Stanford Graves
Attorney for Defendants

L. L. Graham

no

Graves & Graves

Motion

Filed Sept 9 1882
W. J. Grace Clerk

Circuit Court Jefferson
County September Term
1872

Samuel S. Graham
vs
Stanford Graves
Richard S. Graves }

The above named
Defendants by their Attorney make this
motion that an entry be made on the
minutes of this Court in the words
following to wit

Whereas the Clerk of this Court under
the seal thereof and without any authority
whatsoever from this Court has made out
a Transcript of the proceedings in the
above entitled Cause. Wrongfully and
illegally transmitting with said Transcript
an Order for a change of Venue in said
Cause to Johnson County in this State
when in fact no such order had ever
been given by this Court - It is therefore
ordered by the Court that a copy of this or-
der be sent by the Clerk of this Court to the
Clerk of the Circuit Court of Johnson County
in this State requesting him to return
the Transcript in said Cause which
now stands for trial on the Docket of
this Court

Stanford Graves
Attorney for himself
& Defendants

Graham
to
Graves & Graves

Filed Sept. 18 78/2
W. L. Bayce

Samuel S. Graham vs. Stanford Graves et al. In the Circuit Court of Jefferson County - Missouri January Term 1873

Now at this day comes the above named plaintiff by his attorney and appearing alone for the purposes of the following motion, and not otherwise, Moves the Court to strike from the Docket, at the cost of the defendants the above entitled cause for the following reasons:
1st Because the case is improperly on the Docket and the re-docketing thereof was without authority of law and is improvidently and unadvisedly done.

2nd Because, at the time aforesaid, the Court had no jurisdiction of the cause of action or the suit or the parties thereto

3rd Because on the day of May 1872 there was legally granted a Change of Venue in said cause, to the defendants by this tribunal, on the petition and affidavit of the defendant and that after said Change of Venue was granted as aforesaid, this Court was divested of all jurisdiction over said suit and the parties thereto

4th Because the said suit and the parties thereto at the time of the re-docketing aforesaid were within the jurisdiction of the Circuit Court of Jefferson County, in this state, in which tribunal said cause was then pending and has since been prosecuted to final judgment

5th Because after the Circuit Court of Johnson County
acquired jurisdiction as aforesaid, it alone was
the forum in which the parties could be
heard

Joseph A. Rogers
Attorney for Plaintiff

W. H. Graham

vs

Clayton Graves, et al

Motion of J. A. Rogers to strike
from the Docket

Rogers
Attorney for Plaintiff

Filed June 14th 1873
W. S. Boyer Clerk

No. 3330

Circuit Court.

Term, 18

Samuel S. Graham

vs.

Richard S. Graves
Stanford Graves

Judgment, - - \$

Date 18

Fee Book No. Page

Judg't Docket, Page

Venue to
Johnson & Co

Plaintiff's Atty.

ATTORNEYS: Exercise care and return promptly.

C. F. Chamberlin & Co., Printers and Stationers, St. Louis,