

Jefferson County Circuit Court
Case Files - Civil
May 1874

Box 32 Folder 44

Hensly, William A

vs

Hensly, James Estate

Appeal

Defendant appealed from
Probate Court on \$90 account
for board, wheat, and work

The Estate of James Hensley Sr. in
account with J A Hensley Jr

1864	To 75 bushels wheat @ \$2.25 per bushel	168.75
1868 & 1869	To cutting and hauling fire wood	75.00
1873	To cutting & making rails, cutting ground chanks, hauling rails and ground chanks and building and repairing fence	35.00

1873	To Boarding, nursing and waiting on said James Hensley for two months, in his last sickness, and furnishing him and his wife with provisions during that time,	\$ 100.00
		<u>\$ 378.75</u>

W. A. Hensley
-w
Esq. James Hensley &

Police reviewed in
Court

affidavit to
offsets made

William A. Hensley

To The Estate of James Hensley Sr.

1873	8 Hogs Taken after the death of of James Hensley Sr. @ \$2 ⁰⁰ per head.	+ \$ 16.00
"	One Pork Hog killed by said W. A. Hensley after the death of Jas Hensley Sr	+ 7.50
"	Cash taken out of the wardrobe of Jas Hensley Sr by W. A. Hensley after the death of Jas Hensley Sr.	+ 10.00
"	100 bushels Corn @ 50 cts	50.00
"	Boarding of William A. Hensley and family from 1 st of March 1873 to the 23 of May 1873	150.00
"	Am't of provisions on hand when said James Hensley died	+ 25.00
"	Old Irons taken off of the dec'd place +	10.00
"	Cash at different times	50.00
"	Three Board Fees	15.00
"	Hire wood, rails & ties taken off of deceased land after the death of Jas Hensley	+ 50.00
"	40 acres of land sold to H. P. Houwick for Jas Hensley Sr.	25.00
	Total	\$ 408.50

W^m Hensley
W^m James Hensley

(offset)

Filed March

11th 1874

J^{as} S. Williams

Judge of Probate

William A. Hensley Plaintiff
against
Estate of James Hensley Jr.
H. P. Adair Pub. Admr
having in charge said
Estate Defendant.

In The Probate
Court of Jefferson
County Mo.
March Term 1874

Now at this day comes
the Defendant by attorneys & moves
the court to rule the Plaintiff to give
security for costs in the above case
for the following reasons to wit:
1st Because Plaintiff is unable to pay
costs -

2nd Because the costs could not be
made out of Plaintiff by law.

3rd Because is insolvent

John L. Thomas & Son
Attys for Defendant.

Wm. A. Hensley

vs

Estate of James Hensley, Jr.

Motion to require
Plaintiff to give
security for
costs

Filed March 9th

1877

Wm. Williams

Judge of Probate

William A. Hensley, - In the Probate
vs. {Plaintiff} Court of Jefferson
The Estate of James } County Missouri
Hensley, - Dec? - Defendant, }

I, John Williams do hereby
bind myself to pay all costs, that has
accrued, or that may accrue in the above
entitled Cause in the above Court, and
be adjudged against the Plaintiff, -
This 11th day of March } John Williams
1874

Am A. Hensley
vs.

Est. Jas. Hensley

Bona

for Costs

Filed March
11th 1874
and approved
Joseph Williams
Judge of Probate

William A. Hensley Plaintiff
against
The Estate of James Hensley Jr. Deft.

In the Probate
Court of
Jefferson
County Missouri

^{one of the attorneys for defendant}
This Affiant, states that the application
for an appeal by H. P. Adair Prob.
Adm'r having in charge the estate
of James Hensley Jr. The defendant
in the above ~~cause~~ entitled cause
is not made for vexation or delay, but
because this affiant believes that the
appellout is injured by the judg-
ment of the Probate Court.

W. H. H. Thomas

Subscribed and sworn to before
me this 12th day of March 1874

J. G. Williams
Judge of Probate

W A Hensley

Wm Hensley

Affidavit for
appeal

Filed March
12th 1874

Jos Williams
Jus Sec of Probate

Wm A. Hensley } in the Probate Court
The Estate of James Hensley } of Jefferson County Missouri

In the Record of Proceedings of said Court March 11-1874 the
following appears of Record To Wit
"Wm A. Hensley

vs } on account
The Estate of James Hensley }

Now at this day come
The Plaintiff and the Administrator of
said Estate also comes and said
Administrator files his offset to Plaintiff's
account and thereupon both parties
being ready for trial & a Jury being
called Peter Jenni, Isham Shelton,
Louis Partney, John Elliott, Jacob
Clements and Wm Bowen are sworn
as Jurors to try said cause both
parties consenting to try said
cause with said Jurors without
more who having heard the evidence
offered by both parties return into
Court here the following verdict,
"We the ^{Jurors} find for the Plaintiff
the sum of ninety Dollars Peter
Jenni Foreman" Whereupon it is
considered and adjudged that the
Plaintiff have and recover off and
from the Estate of James Hensley the
said sum of ninety Dollars so found

by the Jury as aforesaid together
with his Costs herein said out and
expended and that the same be classed
in the fifth class,

And thereafter, to wit, on the 12th day of
March 1874 the following appears
of Record in the Record of proceedings
of said Probate Court for that day

viz,

Wm A. Hensley

The Estate of James Hensley } on account

Now at this day
The Administrator of said Estate
comes and files his affidavit for
an appeal of said Cause to the
Circuit Court which appeal
is granted, Ordered, that the
same be duly Certified and filed
in the office of the Clerk of the Circuit
Court of this County,

State of Missouri } The foregoing is a
County of Jefferson } True copy of the entry
of final judgment also
of order granting an appeal in the
foregoing Cause of Wm A. Hensley
against the Estate of James Hensley

as fully as the same is of Record in
my office which is herewith returned
with the original papers on file before
me Except an order sustaining the
motion of Defendant for a rule on
Plaintiff to file Bond for costs and an
order approving the Bond filed by
Plaintiff which is also returned
herewith,

Witness my hand and the
Seal of the Probate Court
of said County at Office
in Hillsboro May 27 1874
J. S. Williams
Judge of Probate



W.A. Hensley } Fee Bill
 Estate James Hensley }

Fees of Judge of Probate
 Filing Claim ⁰⁵ offset ⁰⁵ Continuance ¹⁰ 20
 Affidavit ⁰⁵ subpoena ²⁵ 30
 Venue for jury 25
 Swearing & entering jury 35
 Entering verdict & judgment 25
 Swearing 4 witnesses ²⁰ certifying allowance ⁰⁵ 25
 Abstracting same ⁰⁵ indexing same ¹⁰ 15
 Certifying & filing affidavit for appeal 30
 Entering appeal 30
 Filing motion for security for costs 05
 Taking, filing & approving bond for costs 50
 This Transcript 100 cert. & seal 50 150
 Fee Bill & certificate & seal to same 50 60
 amt due J.F. Williams Judge of Probate = \$ 5.00

Sheriffs fees -

J.B. Moss Sheriff Fees
 Summoning jury 1.00
 Serving subpoena 50
 \$1.50

Jury Fees
 Peter Jennie \$1.00 Isham Shelton 1.00
 Louis Hartney 1.00 Jacob Clements 1.00
 John Elliott 1.00 Wm Bowen 1.00
 \$3.00 \$3.00 = \$6.00
 Witness Fees
 Allen Huskey \$1.00 + 3 miles 48c 1.48
 \$13.98

33-60

Wm A Hendry

vs
Estate James Hendry
Free Will within

Sub 35 probt 50
213 14 costs 10
800
2-11-00

85
20
~~10~~
130
100
30
135
20
115

The within a True fee Bill
Witness my hand and official
Seal at office in Hillsboro Mo,
at May 2nd AD 1874
J. S. William B
Judge of Probate

Filed May 2nd 1874
W. S. Boyer
Clerk