

Jefferson County Circuit Court
Case Files - Civil
January 1875, No. 21

Box 33 Folder 47

Hiney, Bazile

vs

Inhabitants of the town of Victoria.

Debt

Debt \$65 warrant, \$45.70 on 2 warrants
assigned by J. L. Symonds, \$5 for repairing
gravel streets

No 109

Victoria Mo Aug. 26th 1873

The Treasurers of the Inhabitants of the Town of Victoria
will pay Bazile Hines sixty five Dollars out of any money in the
Treasury not otherwise appropriated (\$65.)

This warrant is issued in lieu of Balance due on warrant
No 107 and drawn interest at the rate of 10p per annum
from date of this warrant

Attest

W. M. Clingan
Clerk BA

James E. Lees
Ch. Rec

Paid on the within warrant
this 2nd day of September
1873. Twenty Dollars (\$20)
J. M. [unclear]
W. H. Clingman

Received Feb 23rd 1874
Pay to [unclear]

1078

Victoria March 22^d/72

The Treasurer of the inhabitants
of the Town of Victoria will
pay J. L. Symonds Twenty five
Dollars ~~Twenty five~~ out
of any money in the Treasury
\$25.70

Chas Vinyard
Ch Bd

W. N. Leigan
clerk.

Endorsed - Registered March 23/72

1077

Victoria Mo. March 22^d/72

The Treasurer of the Inhabitants
of the Town of Victoria will pay
J. L. Symonds Twenty Dollars
out of any money in the
Treasury

Chas Vinyard
Ch Bd

W. N. Leigan \$20.
clerk

Endorsed Regst March 23^d/72

The within is
a
copy left
by order of
Court

The within
is a
copy left
by order of
Court

Bazile Hiney, Plaintiff } In the Circuit
vs } Court of
The inhabitants of the Town } Jefferson
of Victoria, (~~Jefferson County~~ } County,
~~Missouri~~) Defendant } Missouri

Plaintiff states that the Defendant is
& was on the 26th August 1873 a duly
incorporated & Constituted Corporation
under and by virtue of the Laws
of the State of Missouri and being
such Corporation the Plaintiff
says that Defendant was on
that day indebted to Plaintiff in
the sum of sixty five Dollars for
which the Chairman of the Board
of Trustees of Defendant on that
day issued a warrant which is
herewith filed in Plaintiff's favor
on the Treasurer of Defendant for
that sum on which was paid \$20.
on the 7th of September 1873 that
Plaintiff demanded the balance due
on said warrant Feb. 23rd 1874 the
payment of which was refused &
is still due Plaintiff with interest
for which Plaintiff asks judgment

Plaintiff further states that the
Defendant being such corporation

on the 22nd of March 1872 being in
~~debt~~ owing & indebted to J. L. Symonds
in the sum of Twenty Dollars The
President of the Board of Trustees
on that day drew ~~a~~ a warrant
for that amount in favor of the
Said Symonds on defendants
Treasurer, ^{which warrant is herewith filed} payment of which
was duly demanded March 23rd @
1872 which payment was refused
& which said Symonds sold and
delivered for value to plaintiff
on the day of its date & which
with the interest is still due the
plaintiff & for which with interest
plaintiff asks judgment,

Plaintiff further states that on the
22nd day of March 1872 defendant
being then a duly incorporated
Corporation owed J. L. Symonds
a further sum of Twenty five
& $\frac{70}{100}$ Dollars and on that day the
Chairman of the Board of Trustees
made & delivered to said Symonds
a warrant for such amount on
the Treasurer of defendant paym-
ent of which was demanded by
said Symonds on the 23rd day of March
1872 and refused

Plaintiff states that said warrant which is filed herewith was sold & delivered by said Simonas to the Plaintiff the 25th March 1872 & is still due Plaintiff with interest & for which Plaintiff asks judgment,

Plaintiff further states that the Defendant being such corporation on the 14th of March 1874 became indebted to the Plaintiff for work & Labor performed by Plaintiff for the Defendant at its request ~~for~~ in the repairing of gravel streets in the Town of Victoria in said Jefferson County being streets in defendant's corporate limits to wit streets on the boundaries of Lots 15 & 16 in said Town in the sum of five dollars which sum was, on that day demanded by Plaintiff of Defendant but which Defendant has failed & still fails to pay to Plaintiff & which is due him & for which with interest he asks judgment

Joseph Williams,
Attorney for Plaintiff

Bazil Honey
vs
The inhabitants of
the Town of
Victoria
Action on warrants
Original

Filed Dec. 26th 74
W J Bryce
CLK

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 *the inhabitants of*
the town of Victoria

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 *second*
Monday after the fourth Monday of *January* next, then and there to
answer unto

David Hume

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 *24th*
day of *December* A. D. 18*74*

W S Boyce Clerk Circuit Court.

By *C. M. H. H. H. H. H.* Deputy.

21 3892

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

January TERM, 1875.

David W. Conner

vs

The Merchants
of the Town of
Victoria.

Original

Shuff's fee \$1.00

I execute this writ at the County of Jefferson in the State of Missouri this 26th day of December AD 1874 By delivering to J. B. Coffin President of the Board of the Inhabitants of the Town of Victoria. a true copy of the within writ and Petition as furnished me by the Clerk of the Circuit Court at Hillston Mo

T. B. Dross Sheriff
By Wm. T. Mockbe Deft

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *Chas Vineyard & Wm Clinger*
Jose Elders

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 *15th* day of *January*, 187*8*, 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 *B. W. Wray* is Plaintiff, and *The Inhabitants of the Town of Victoria* is Defendant, on the part of *Sept*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the
seal thereof hereto affixed, at office, this *14th* day
of *January* A. D., 187*8*.
C. Tho. Horine, CLERK.

Served the within
by receiving to
them

pus 103-

J B Clifton

449
228
79 1/1

2.68
3.82
6.10

Victoria

Almy

3.50
52
1.10
1.10
2.50



Bazile Hiney	} In Circuit Court
Jeff	
Against	
The inhabitants of the	
Town of Victoria	Jeff. Co. vs
Sept	Jany Term 1875

Now comes the Defendant by attorney and with leave of Court first had so to do, makes answer to plaintiffs petition and ~~denies~~ ^{admits} that on the 26th day of August 1873 the Defendant was indebted to plaintiff in the sum of sixty five dollars and for which the chair man of the Board of trustees of said Town issued a warrant in plaintiffs favor, on the Treasurer of said town, and that the sum of twenty dollars was paid thereon Sept 7th 1873, but deny that the balance thereof is yet due, for defendants allege that they are entitled to an offset upon said warrant of forty dollars which the plaintiff owes to defendants in account of fines imposed upon said plaintiff by the authorities of said Town

And ~~admits~~ admits that defendants on the 22^d day of March 1872 was indebted to J L Symms in the sum of Twenty dollars the President of the Board of trustees of said Tenn on that day drew a warrant for that amount in favor of said Symms, ^{for the Treasurer of said Tenn} but defendants have no knowledge or belief sufficient to form a belief as to whether or not said Symms sold and delivered ^{the same} for value to plaintiff on the day of its date

And defendant admits that on the 22^d day of March 1872 defendant owed J L Symms a further sum of Twenty five ⁷⁵ and on that day the chairman of the Board of trustees issued and delivered to said Symms a warrant for said amount in the Treasurer of said Tenn but defendants say that they have no knowledge ^{information} or belief sufficient to form a belief as to whether or not said warrant was sold & delivered by said Symms to the plaintiff on the 25th day of March 1872

And defendant denies that on the 14th day of March 1874 they became indebted to the plaintiff for work & labor performed by plaintiff for the

defendant at its request in the
repairing of gravel streets in the
said Town to wit streets on the
boundaries of Lots 15 & 16. -
in the sum of five dollars

Defendant denies that plain-
tiff is entitled to recover judgment
for any amount whatever,
Wm Mullin for
defendant

Barzile Honey
As
Inhabitants of Victoria

Answer

Memorandum for Dept

Filed Jan'y 14-1875
Chas. Horne
Secy

Wazile Hiney } In the Circuit
vs } Court of
The inhabitants of } Jefferson County
the Town of Victoria } Missouri

For Replication to Defendants
answer the plaintiff says it
is not true as stated in the
answer ^{of} defendant in this
Case that the defendant is
entitled to an offset upon the
warrant sued on by plaintiff
dated August 26th 1873 being
the warrant drawn in plaintiffs
favor by the chairman of
defendant for \$65. 00 Either
of the sum of forty dollars or
of any other sum and denies
that defendant is entitled to
any offset either on that warrant
or any other or otherwise on
account of fines imposed
upon plaintiff by the authorities
of said Town of Victoria and
denies that plaintiff owes or
ever did owe defendant either
the sum of forty dollars or
any sum whatever for or

on account of any fine or
fines imposed on plaintiff by
the authorities of said Town
of Victoria, and Plaintiff
asks judgment as is in
his petition prayed

} ^{Williams}
Atty for Plaintiff

Magpie Henry
as

Subsidiary of
the Town of
Victoria

Replication

Attest January 21st 1875

Wm. H. Adams

Deputy

Bagile Hiney

vs

The Inhabitants
of the Town of Victoria

In the Circuit Court

January Term 1875

Jan'y 22nd 1875. Judge for the

for \$56²⁶ 10⁰⁰ of 51⁰⁶ and
6⁰⁰ of 10⁰⁰

Book 7 p. 336,

FEE BILL.

Files ²⁰	Writ ^{1.00}	Copy ¹⁰	Ent. app'rance	1 30
answer ²⁰	Ent. recognizance	Replication ²⁰	Taking bond	40
Ent. demurrer	Motion	Ord'r ³⁵	Continu'nce ²⁵	85
Com. to take depositions	Copy of interrogatories	Ent. judgment ⁵⁰		30
Swearing jury	Oaths	Swearing special jury	Taking verdict	
Ent. spec. verdict	Ent. rep. referees	Sheriff	Commissioner	
Ent. recog. on appeal	Writ certiorari	Taking bond on certiorari		
Writ of attachment	Attach't witness	Juror	Ent. satisfaction	
Transcript	hundred words	Prod. record or papers in court		
Submission ³⁵	Ent. ack. deed	Cert. & seal ⁵⁰	Seire facias	85
Venire for jury	Dockets ¹⁵	Bill of costs ⁵⁰	Fee bill ¹⁰	75
Affidavits ²⁵	Filing and entering	bill exceptions ^{aff'd 20}	Docket, judg. ¹⁰	55
Copy ord. for injunction	Issuing writ sequestration	Stamps		75
Leave to withdraw answer ²⁰				20 6.15
J.B. Mop Stiff, with 100 calls ³⁵				1 35 1.35
J.B. Caffin	Serv 3 days,		\$ 1.50	1.50
J.B. Caffin	5 days 18 miles		\$ 1.44	
Jesse Elders	3 " 18 "		4.44	
W n Cluigan	4 " 18 "		5.44	
Chas Vinyard	3 " 9 "		3.72	
				21.04
				29.14

Boyle 3.50

Horne 2.65