

Jefferson County Circuit Court
Case Files - Civil
May 1877, No. 4

Box 37 Folder 18

Bailey, John M.

vs

Kennett, Ferd. B.,
Graves, T. H.

Note

Debt \$250; plaintiff assignee
of Matilda Buren; livestock and
wagon attached

Hanover, Oct 18th 1872

One day after date we or either of us
promise to pay to Miss Matilda Buren or
order Two hundred and fifty dollars (\$250.^x)
for value rec^d negotiable and payable without
deduction or discount, with interest from date
at the rate of ten per cent per annum

For J. B. Kennell

J. H. Gaines

Pay to the
order of Jm
Bailey

Melinda Burren

John M. Bailey Plaintiff
Against
F. B. Kennett and
J. H. Garies Defendants.

In the Jefferson Circuit
Court. May Term 1877.

Plaintiff states that Defendants
by their promissory note recently
filed ^{done} October 1872 promised
in value received to pay Miss
Matilda Buren ^{one day of the date} or her
two hundred and fifty dollars
and that afterwards the said
Buren sold and transferred
said note to Plaintiff by written
endorsement and that
Plaintiff is the present owner
and holder thereof. Plaintiff
avows said note and the interest
are due Plaintiff and for which
he asks judgment.

John Howard Bro
Atty for Plaintiff

John M. Bailey
24

Ed. Bennett

Edwards

Filed Jan'y 31 1877

L. H. Howard

Clears

John M. Bailey Plaintiff
vs
J. B. Kennett &
J. H. Gamier Defendants

In the Jefferson Circuit
Court May Term 1877.

John M. Bailey makes oath
and says that he has a just de-
mand against the Defendants
that the amount which he believes
he ought to recover after allowing
all just credits & offsets is \$250
and ten per cent interest thereon
from the 18th day of October 1872
till now, and that he has good
reason to believe and does be-
lieve that J. B. Kennett one
of said Defendants is about
to remove out of the State of
Missouri with intent to change
his domicile.

John M. Bailey
Subscribed & sworn to before me
Jan 31 1877
L. H. H. H. H.
Clerk

John M. Bailey

vs

J. B. Kennet et al

Affidavit in
attachment

Filed June 31 1877

The Honorable
Clerk

John M. Bailey Plaintiff } Attachment in
against } Civil action
Thos B. Bennett &
L. H. Gaines Defts }

Mr John M. Bailey, as principal
and

as securities, acknowledge ourselves to be indebted to the State of Missouri in the sum of Seven hundred and fifty Dollars for the payment whereof we bind ourselves, our heirs, executors and administrators,

The condition of the above obligation is, that whereas, John M. Bailey as Plaintiff, is about to commence a suit by attachment in the Circuit Court of Jefferson County, Missouri against Ferd. B. Kenneth, defendant, returnable to the next term thereof, ~~where~~ wherein the sum sworn to is Two hundred and fifty dollars with two per cent interest from Oct. 18, A.D., 1872. Now if the said Plaintiff shall prosecute his action without delay, and with effect; refund all sums of money that may be adjudged

to be refunded to the defendant, or
found to have been received by
the plaintiff, and not justly due to
him; and pay all damages that
may accrue to any defendant or
garnishee, by reason of the attachment
or any process or proceedings in the
suit, or by reason of any judgment
or process thereon, then this obligation
is to be void; otherwise to remain in
full force

Witness our hands and seals this

31st day of July A.D., 1877

~~A. J. Weaver~~

John M. Bailey (Seal)

A. J. Weaver (Seal)

Taken and approved

January 31st 1877.

L. H. Horne

Clerk Circ.

John M. Bailey
J. B. Kennett
et al

Mortgage Bond

Filed January 31st 1874
W. H. Moore
C. H. Moore
Clers

State of Missouri, } SS.

County of *Jefferson*,

OFFICE OF CIRCUIT CLERK.

The State of Missouri.

To the Sheriff of *Jefferson*

County—GREETING:

We command you to attach

and *J B Kennett*
J H Mairnes

by all and singular *their* lands and tenements, goods, chattels, moneys, credits, evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of *two hundred and fifty*

Dollars and *—* Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said *J B Kennett and J H Mairnes*

that *they* be and appear at the next Term of the Circuit Court, before the Judge thereof, on the first day of said Term, to be holden at the *town* of *Hillsboro* and State of Missouri, within and for the County of *Jefferson* on the *second* Monday of *May* next. and then and there to answer the complaint of

John M Bailey

as set forth in the annexed petition.

And also, that you summon all and every person in whose hand or possession soever any personal property, rights, goods, Chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff or *his* attorney, as Garnishees, and particularly

that *they* be and appear before the Judge of our said Court, on the first day of the Term aforesaid, then and there to answer unto what may be objected against them. And have you then and here this Writ.

Witness,

C. H. Sonnie Clerk of our
said Circuit Court, and the Seal thereof hereunto
affixed, at office in *Hillsboro* this *31st*

day of *January*, in the year of our
Lord, one thousand, eight hundred and *seventy seven*

C. H. Sonnie

Circuit Clerk.

By

Deputy.

SHERIFF'S RETURN.

Served the within Writ by *levying upon and attaching*
Four mules and two mares and one four
horse wagon on the 2nd day of February
1877 as the property of the Defendant Ford B Kenneth
and on the 3rd day of Feby 1877 I redelivered the
property to said Ford B Kenneth upon his giving
a good and sufficient bond which is here
with returned, and the defendants are not
found in my county.

John Williams Sheriff

Sheriff

County.

4509

Van Beck, Barnard & Tinsley, Printers and Stationers, St. Louis.

No. *H*

ATTACHMENT WRIT.

Jefferson Circuit Court.

Returnable *May* Term, 1877.

John M Bailey Plff.

vs.
F B Kenneth
Defnd

6.65
2.75
\$ 9.40

original

John Williams
Shff = \$1.75

372.60 10%

DELIVERY BOND IN ATTACHMENT.

Know All Men by these Presents, That we,

as Principal, and

and
as Securities, hereby acknowledge ourselves to be indebted to

Sheriff of

County, State of Missouri,

his successors and assigns, in the sum of

Dollars, for the payment whereof we hereby bind ourselves, our heirs, executors and administrators.

THE CONDITION of this obligation is such that whereas the said Sheriff by authority of a certain Writ of Attachment, issued from the office of the Clerk of the

Court of

County, State aforesaid, in a certain cause therein

pending, wherein

is Plaintiff and

as the property of said defendant, found in possession of the principal in this obligation, the follow-

ing described personal property, viz:

Two Mules and
two mares and one pair horse
wagon

AND WHEREAS,

The said Sheriff has this day delivered the said property to the said
; Now, Therefore, if
the said shall have the above
described personal property forthcoming when and where the said Court shall direct, and shall abide
the judgment of the said Court, then this obligation shall be void; otherwise to remain in full force
and effect.

IN TESTIMONY WHEREOF, We do hereunto affix our respective hands and seals this
day of February, 1877.

APPROVED:

February 3^d 1877
John Williams
Sheriff

Geo B. Kennett
R Graham Treas.

SEAL

SEAL

SEAL



Delivery Bond in Attachment.

GIVEN BY

Forl B Kenneth

Principal.

R Graham Frost

Security.

Security.

John M Bailey

vs

Forl B Kenneth Etal

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 *Ferd A Kennett*

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 *September* next, then and there to answer unto

John M Bailey

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

Witness, C. THO. HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *3rd* day of *July*, A. D., 1877.

C. Tho Horine, Clerk Circuit Court.

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1877.

John M. Bailey

vs

Ferd B. Kennett

original

Service of the within summons acknowledges this
11th day of July AD 1877 and appearance hereby entered
in the cause of action

Ferd B. Kennett,
By R. Prabsam Frost
Atty in fact.

M. P. Kennett atty for defendant.

Files 15/ affo 20/ pet. 20/ cos 10/ 1.15
 Sum 100/ copy 20/ 1.20
 Bond 50/ AB 10/ costs 10/ also 10/ 1.05
 3.40
 John Williams Sum 200/ Levy 100/ 3.00
 7.40

Bailey
 20
 Hensell

Bailey
Kennett

9806 Aug 2-41-3

STATEMENT OF COSTS

In Case of

vs.

Fees of

Clerk of

Court.

SERVICES.	NUMBER OF ITEMS.	PRICE.	AMOUNT.	SERVICES.	NUMBER OF ITEMS.	PRICE.	AMOUNT.
Filing Papers,	5	75	375	~~+ Cert & seal~~			
Certified copy of Petition,	1	60	60	making fee bill	1	20 pms	30
Writ of Summons,	2	100	200				
Certified copies of Summons,	1	10	10				
Docketing,	3	25	75				
Appearances,				Amt. brought over,			5 50
Motions Rules, Demurrers,							
Orders,	1	35	35				
Submission,	1	35	35				5.80
Swear. and Entering Jury,							
Verdict, <i>Fee Bill</i>	1	10	10				
Judgment,	2	50	100				
Docketing Judgment,	1	10	10				
Subpoenas,							
<i>Ent. Sat.</i>	1	25	25				
~~Attachments,~~							
Continuances,	1	25	25				
				Total,			

Fees of

ITEMS.

PRICE.

AMOUNT.

Sheriff.

Fees of Witnesses.

DAYS.

MILES.

AMOUNT.

Serving Summons,							
Serving Subpoenas,							
Serving Attachments,	1	100	100				
Callings,	4	15	60				
+ Bond,	1	50	50				
non est on Sun	1	50	50				
Total,			270	Total,			

Fees of

ITEMS.

PRICE.

AMOUNT.

Fees of

ITEMS.

PRICE.

AMOUNT.

Total,				Total,			

Attest:

Clerk.

Pailey
20
Kenner

Free Bill

Chk / 5.80
Shff 2.20
8.00