

Jefferson County Circuit Court
Case Files - Civil

April 1887

Box 38 Folder 50

Meyer, Adalheid
Meyer, John H. G.

vs

Roberts, Frank B.
Patterson, James

Appeal

Defendants appealed from JP
Thomas A. Williams on landlord's
attachment; \$84.80 debt; 3 lots
in Victoria

ST. LOUIS JOEBING COMPANY,

DEALERS IN

Special Drives and Bankrupt Stocks,

Seventh St. & Washington Ave.

ST. LOUIS.

Victoria June 4th 1862

Three Months after day of issuing
to pay to the order of A. H. G. Meyer
Eighteen Dollars without deduction
of discount with interest at ten per cent
without from date

W. J. McArthur

Please pay to Mr.
J. Meyer or order
J. H. Meyer

Dec. 28, 1886.
 Frank B. Roberts
 to Adelheid Meyer Dr
 To rent of land in Victoria
 Jefferson Co. Mo. 4 mos @ \$10. -- \$40. -
 " 5 1/4 cords of wood @ \$2.25 11.80
 " Promissory note of June 4/86 18. -
 To interest wood off \$69.80
 on note @ 10% from June 4/86 10 10
 " a/c " 6 " " 59.70

Frank B. Roberts
 to Adelheid Meyer Dr
 To items of a/c & promissory
 note above stated 69.80
 " Damages & barouche or carriage 15 -
 62.90 \$84.80
 1 25 interest 10 10
 64.15 44.70

Copy of

Farm Lease.

Memoranda of an agreement made and concluded this 25th day of March A.D. 1886. By and between Adalheid Myer party of the first part. and F. B. Roberts. party of the second part. all of the County of Jefferson and State of Missouri Witnesses that the said Adalheid Myer party of the first part for herself her executors, administrators and assigns has this day leased and demised to the said F. B. Roberts his executors administrators and assigns the following described Real Estate with the improvements thereon situated in the County of Jefferson and State of Missouri viz Lots one (1) Two (2) and Three (3) in the town of Victoria aggregating fifteen (15) Acres being Large Lots of said Town of Victoria. Also all of Block Fourteen (14) in said town of Victoria. Also the southeast fractional one-fourth ($\frac{1}{4}$) North of Survey No Eight Hundred and Ninety Four (894) of section Twenty Four (24) Township Forty (40) North of Range Four (4) East containing Four and $\frac{6}{100}$ Acres ($4\frac{6}{100}$) For the term expiring March 1st 1887. With the privilege of three years or to expire

March 1st 1889. subject to the following conditions. That in case said party of the first part sells the said Real estate party purchasing shall have possession of buildings only on the North side of road running east & west south of Dwelling House. by said party of the first part. giving said Roberts three (3) months notice in writing. and paying said Roberts. Two Dollars (\$2.00) per Month - or applying same on the Rent. and said Roberts shall have the privilege of the possession of said described property until March 1st 1889. unless said property has been sold or for the nonpayment of rent. or any of the conditions of this lease. And in no case is Roberts to be released from payment for rent for a less term than one year. and in case the said Roberts elects to retain said property for a second. or second and third year. said Roberts said. shall be liable for a full years rent. and in case said Roberts elects to not retain the said property for a second or third year. he. the said Roberts. shall give the said party. of the first part. three (3) months notice in writing said party of the first part shall have possession of Wood shed until Sep. 1st 1886

And shall have privilege of building a
fence around the orchard and is to
build a fence from the S. E. corner of
garden to the road. and said Roberts is to
board parties while said fence or fences
are being built. and said Roberts further
agrees to care for said property in a
good and husbandman like manner
and to deliver peaceable possession
of the same in as good condition as the
same now is ordinary wear excepted
And said party of the first part has given
permission to Charles White to use water
from well at the Mill of said White to
terminate within six months from date.
Said Roberts is to have possession of
buildings Apr. 15th 1886 and is to pay
rent for said premises at the rate of Ten
Dollars (\$10⁰⁰) per month in advance
beginning Apr. 15th 1886. and on the 15th
of each succeeding month. making Ten
and one half months for the first year.
And said Roberts is to have imme-
diate possession of the land.

In witness where of the parties here
to have affixed their hands and
seals the day and date above written

Witnesses present.

F. O. Brown }

(Seal)

H. Roberts (Seal)

Landlord's Complaint for Non-Payment of Rent.

(R. S. Vol. 1, Sec. 3098.)

STATE OF MISSOURI, County of Jefferson, SS.J. H. G. Meyerbeing duly sworn, on his oath says that Frank B. Roberts

now occupies as tenant of Adelheid Meyer
wife of said J. H. G. Meyer being large lots
the following premises, to wit: Lots one, Two & Three, in the town of
Victoria said County & State; also all of block fourteen
in said town of Victoria; also the South East fractional
one fourth North of survey N^o 894 of section 24, township
forty North of Range Four East, all being
in the Township of Central in said County and State, which said

premiseswere rented to said Frank B. Roberts

on the 25 day of March A. D. 1886, for the term of expiring
March 1st 1887
at the rate of Ten Dollars per Month in advance; and that the

sum of Forty Dollars and _____ Cents isnow due to said Adelheid Meyer for said rent; and that thesame has been demanded of said F. B. Roberts

and payment has not been made.

Subscribed and sworn to before me, this 28day of December A. D. 1886Thos. D. Williams

Justice of the Peace.

J. H. G. Meyer

BOND IN ATTACHMENT.

Adelheid Meyer & John H. G. Meyer Plaintiff.
vs.
Frank B. Roberts Defendant.

Bond in attachment. Suit before
Thos A. Williams
Justice of the Peace.

We *Adelheid Meyer & John H. G. Meyer* as principals and
Michael Ostertag as secu-
rities owe and stand indebted to the State of Missouri, in the sum of *one hundred*
forty dollars, upon this condition: That the plaintiff in the above entitled
cause, shall prosecute ~~his~~ *their* action without delay and
with effect; refund all sums of money that may be adjudged to be refunded to the de-
fendant *F. B. Roberts* or found to have been received by the plaint-
iff, and not justly due by him; and pay all damages and costs that may accrue to any
defendant or garnishee, by reason of attachment or any process or proceeding in the suit,
or by reason of any judgment or process thereon.

Witness our signatures and seals, this *28* day of *December* 1886

Approved this *28* day of
December, 1886.
Thos A. Williams
Justice of the Peace.

Adelheid Meyer Seal.
John H. G. Meyer Seal.
Michael Ostertag Seal.

P. Burg Seal.

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

(Wag. Stat. pg. 180, Sec. 1; pg. 194, Sec. 67.)

Adelheid Meyer &

~~John H. G. Meyer~~
John H. G. Meyer her husband
Pl'ffs,
vs.

BEFORE

Frank B. Roberts

Def't.

Thomas A. Williams
Justice of the Peace.Central Township
Jefferson County Mo.

STATE OF MISSOURI,

County of Jefferson

ss.

Personally appeared before me, Thomas A. Williams
a Justice of the Peace within and for the Township of Central
in the County aforesaid, John H. G. Meyer, one
of the Plaintiffs, in the above entitled suit, and upon
oath say, that the Plaintiff, Adelheid Meyer his wife
has a just demand against the Defendant,

Frank B. Roberts

and that the amount which the affiant believes said Plaintiff ought to recover, after allow-
ing all just credits and set-offs, is Seventy Dollars
and Cents, due now

and that he has good reason to believe, and does believe,
that the Defendant, intends to remove his property from the
premises in the town of Victoria leased to him by said
Plaintiffs so as to hinder & delay Plaintiff from the collection
of the rent for said premises, & that said rent is due & unpaid
& that affiant believes unless an attachment issue plaintiffs
will lose the said rent. Also that the Defendant is not
a resident of this State, & that the Defendant has absconded
& absented himself from his usual place of abode in this
State, so that the ordinary process of law cannot be served
upon him, & that the Defendant is about to remove out of
this State with intent to change his domicile, & that
he is about to remove his property & effects out of this State
& about fraudulently to conceal & remove & dispose of his
property & effects with intent so as to defraud, hinder &
delay his creditors

Sworn to and subscribed before me, this 28

day of December, A. D. 187

Thos. A. Williams

Justice of the Peace.

J. M. M. M.

AFFIDAVIT IN ATTACHMENT SUIT.

No. 

Adelheid Meyer }
Plff.,

vs.

Frank D. Roberts }
Def't.

BEFORE

Thomas A. Williams
J. P.

SUMMONS TO ANSWER LANDLORD'S COMPLAINT.

(R. S. Vol. 1, Sec. 3098.)

STATE OF MISSOURI,

County of

Jefferson

Township of

Central

SS.

*Adelheid Meyer &**John H. G. Meyer her husband*

Pl'ffs

vs. *Frank B. Roberts &**James Patton*

Def'ts

THE STATE OF MISSOURI, to

& James Patton

GREETING:

WHEREAS, *Adelheid Meyer by John H. G.**Meyer her agent*filed *her* affidavit with the undersigned, *Thomas A. Williams*a Justice of the Peace within and for the Township of *Central* in the County of*Jefferson*in the State of Missouri, complaining that you occupy, as *her*

tenant..., the following described premises, to wit:

Lots one two & three being large lots in the town of Victoria
said County & State, also all of block fourteen in said
town of Victoria, also the South East fractional 1/4 North of survey 874 of
Section 24 township forty North of Range four East, all being
in the _____ of _____in the Township of *Central* in said County, andthat *Forty* Dollarsand _____ Cents for rent of said premises is now due, and that the same has
been demanded and payment has not been made:YOU ARE THEREFORE SUMMONED to be and appear before the undersigned, Justice of the
Peace, at his office in the Township of *Central* in said County,on the *Eighteenth* day of *January* A. D. 18*87*, at the hour of*ten* o'clock *A.* M., then and there to show cause, if any you have, why the possession ofthe said premises should not be restored to the said *Adelheid Meyer*Given under my hand, at my office in *Central* Township, in saidCounty, this *28* day of *December* A. D. 18*86*.*J. H. Williams* *Thos. A. Williams*

Justice of the Peace.

RETURN.

I hereby certify that I served the within Summons on the 28th day of December.

A. D. 1886, by Reading the within
in the hearing and in the presence of the within
named Frank B Roberts & James Patton

All done in Jefferson County, State of Missouri.

FEE, \$ 1.00 mileage 40 cts

Edwin Forrest Cornselle

STANDARD PRINTING CO., HANNIBAL, MO.

No.

Summons to Answer Landlord's Complaint.

Plaintiff,

VS.

Defendant.

BEFORE

Justice of the Peace.

Subpoena for Witness.

The State of Missouri, to

J. D. P. Carter

You are hereby commanded, to be and appear, personally, before me, *Wm. T. McLean*, Justice of the Peace within and for the Township of *Cerrita* County of Jefferson, on the *18* day of *January*, 188*7*, at the hour of *four o'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

J. H. G. Meyer

Plaintiff

and

Frank Baker

Defendant

on behalf of the *Defendant*, and herein fail not at your peril; and the person or officer serving this writ, is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Witness my Signature, at Office in the Township aforesaid,

this *18* day of *Jan*, 188*7*

Wm. T. McLean

Justice of the Peace.

RETURN.

I HEREBY CERTIFY that I served the within Writ in the County of Jefferson, State of Missouri, on the 18th

day of January, 1887, by reading the within Subpoena in the said hearing a presence of the within named J. A. Horn

Feb, \$ 20.00

Edwin Horn - Constable

SUBPOENA FOR WITNESS.

Plaintiff.

VS.

Defendant.

BEFORE

, J. P.

WITNESSES

Subpoena for Witness.

The State of Missouri, to

James Patton, Clerk of the Peace, in and for the Township of Central, County of Jefferson, on the 18 day of Jan, 1887, at the hour of 10 o'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

You are hereby commanded, to be and appear, personally, before

me, *John T. Williams*, Justice of the Peace within and for the Township of *Central*

County of Jefferson, on the 18 day of *Jan*, 1887, at the hour of 10 o'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

Plaintiff

W. G. Meyer

Defendant

Frank Baker

and

on behalf of the *Defendants*, and herein fail not at your peril; and the person or officer serving this writ, is

commanded to have the same at the time and place aforesaid, certifying thereon his return.

Witness my Signature, at Office in the Township aforesaid,

this 18 day of *Jan*, 1887

John T. Williams

Justice of the Peace.

RETURN.

I HEREBY CERTIFY that I served the within Writ in the County of Jefferson, State of Missouri, on the 18th

day of *January*, 1887, by *reading the within*

subpoena in the hearing and the presence
of the within named James Patton, Miller
Freeland

FEE, \$ *60*

E. J. Howard

SUBPÆNA FOR WITNESS.

Plaintiff.

VS.

Defendant.

BEFORE

, J. P.

WITNESSES.

Adeline Meyer &
 John H. G. Meyer Plaintiff
 vs
 Frank Roberts Defendant
 Attachment
 Before Thos A Williams
 Justice for ~~the~~ ^{Circuit} ~~the~~ ^N ~~Court~~ ^{County}
 Jefferson Co Mo

Now comes the defendant Frank
 Roberts and says that the
 plaintiff ought not to have and
 maintain the proceeding in
 attachment in this cause against
 him to ~~secure~~ because he says
 it is not true as alleged in the
 affidavit on which the attachment
 was issued that the defendant
 has absconded & absented himself
 from his usual place of abode
 in this State so that the ordinary
 process of law cannot be served
 upon him & that the defendant
 is about to remove out of
 this state with intent to change
 his domicile & that he is about
 to remove his property & effects
 out of this State & about fraudulently

to conceal remove & dispose of
his property & effects with intent
& so as to defraud hinder & delay
his creditors

Wherefore he asks that
the attachment abate and be
dissolved at the cost of the plaintiffs

Frank B. Roberts

Subscribed and sworn to
before me this 18th day of
January 1887

Thos. T. Williams
Justice of the peace

Filed this 18th day
of Jan 1887

30
7 00
45 75
71 80

69.80

59.70
11 80
48.90

Victoria Jan 18th 1887

John H. G. Meyer

To F.B. Roberts

Dr

Use of Wood Shed	4 1/2 months	4.50
" " Sheds att To barn	9 months	9.00
" Board & Room	14 days @ 50 ^{cts} per day	7.00
2 Gal Plums	30 ^{cts} "	30
Dam ages		<u>20.80</u>

AFFIDAVIT IN APPEAL.

R. S., Vol. 1, Section 3043.

Gideland Meyer by John H. G. Meyer her Agent Plaintiff
Frank B. Roberts Defendant

Suit before Thomas A. Williams, Justice of the Peace
Central Township, Jefferson County, Missouri.

Frank B. Roberts being duly sworn, upon
 his oath, says, that his application for an appeal is not made for vexation or delay, but because he
 believe he the Appellant to be injured by the judgment of the Justice.

Sworn and subscribed before me, this 27th day of January, A.D. 1887
my term expires May 1st 1887
Frank B. Roberts APPELLANT.

Notary Public ~~Justice of the Peace~~

RECOGNIZANCE.

R. S., Vol. 1, Section 3042.

We, the undersigned, Frank B. Roberts James Roberts
 and James Keane
 acknowledge ourselves indebted to
 in the sum of One hundred and fifty DOLLARS,
 to be void upon this condition:

WHEREAS, Frank B. Roberts
 ha he appealed from the judgment of Thomas A. Williams, a Justice of the
 Peace for Central Township, in Jefferson County, Missouri, in
 an action between Gideland Meyer Plaintiff
 and Frank B. Roberts Defendant

Now, if on such appeal, the judgment of the Justice be affirmed, or if on trial anew in the Appellate Court, judgment
 be given against the Appellant, and he shall satisfy such judgment, or if his
 appeal shall be dismissed, and he shall pay the judgment of the Justice together with the costs of
 the appeal, then this recognizance shall be void; otherwise it shall remain in full force.

Approved 28th day
 of January 1887
Thos. A. Williams
 Justice of the Peace.

Frank B. Roberts
James Roberts
James Keane



No.

Affidavit and Recognizance

IN CASE OF APPEAL.

Adelheid Meyer

Plaintiff

VS.

J. P. Robert

Defend

BEFORE

Chas. Williams

Justice of the Peace.



Adelheid Meyer &
John H. G. Meyer, her husband, plaintiffs
of
Frank B. Roberts &
James Patton defendants.

Before Thomas A. Williams
Justice of the Peace, Central Township
Jefferson County State of Missouri
December 28, 1886.

Come said plaintiffs & file instrument of
lease & promissory note signed by defendant
Frank B. Roberts, also an account against
said Roberts for rent, wood & damages to
barouche, wherein they claim the sum of \$84.80,
also sworn complaint for non payment of rent,
also affidavit & bond for attachment, & direct
summons & writ of attachment to issue which
is done & delivered to Constable Edwin Forrest
Returnable January 18, 1887 at ten o'clock
A. M.

January 18, 1887 summons &
writ of attachment returned executed as law
directs. Parties appeared. Defendant Roberts
files plea in abatement which being heard, the
issue thereon was found for the plaintiff.

Defendant Roberts then files set-off, & the
evidence on plaintiffs demands & the set off
having been heard, the issues were found
for the plaintiffs in the sum of \$64.¹⁵ & it also
appearing that the rent which is due has been
demanded of the person occupying the property &
payment has not been made nor tendered, it is
therefore adjudged that the plaintiffs recover

possession of the premises leased & also the debt for the amount of rent due & the amount of said note & account making total of \$74.⁷⁵/₁₀₀ & all costs, & have execution therefor.

January 28, 1887 defendant tendered affidavit for appeal & appeal bond in the sum of one hundred & fifty dollars of himself & James Roberts & James Keane as sureties & appeal granted

Thos. A. Williams

Justice of the Peace.

I Thomas A. Williams Justice of the Peace of Central Township in the County of Jefferson State of Missouri, hereby certify that the above & foregoing is a full true & complete transcript of all my docket entries in the above entitled case & papers filed are hereto attached. Given under my hand this 18th day of April 1887.

Thos. A. Williams

Justice of the Peace

Fees Justice:

Docket & index .20, attachment 75 summons .35 2 subps. 50

Jdgmt. 50 6 oaths 30, certif & aff. 15 appeal 35 - Fees 40 / cost 15

Constable Edwin Forrest:

Serving attachment & mileage 1.25, 2 summons 60

5 subps & mileage \$2.- Witness fee .50 Feeding cattle 30 days @ 1. = \$30. Feeding 4 head of hogs 30 days \$10.

witness J R Farrar 50

James Patton 50

20
75-
30-
50
50
25-
275-
190
3.65

125-
60
900
50
30.00
10.
44.35

Farrar 50
Patton 50

I

6302

Adelheid Meyer and

John H. G. Meyer, her husband
= vs =
Plffs

Francis B. Roberts
James Patton
vs
Defts

Filed Apr. 27/87
J. B. Weaver
Clerk

Don't let the Bill

Sewing Attachment & Machine	12.50
Gas 10 and 10 Handkerchiefs	2.50
Feeding Cattle 30 days 100 per day	30.00
Feeding 4 Head of 1000 30 days	10.00
Sewing 5 Suits & Machine	2.00
Mittees for	50

Taxi

Hotel 20

1. ~~Whitcomb~~ 30

Whitcomb 45

2. ~~Whitcomb~~ 50

3. ~~Whitcomb~~ 50

to port 30

offshore 15

Adelheid Meyer
John H. D. S. Meyer or
of
Frank B. Roberts
et al.

Stipulation for
Judgment

Filed May 19th 1887
D. D. Deary
Clerk

12 Feb 60 - Dec 10/70

Stipulation 30/Dec 60

Progt 50/Dec 10 60

Gas bill 10/Cont 10/10 30

2.20

Meyer }
" }
Roberts }

Indy must be ~~consent~~ out

for \$64, as

Frank B. Roberts
James Roberts &
James Kearney.

Greentan stayed for 6 months & 10 days