

Jefferson County Circuit Court
Case Files - Civil
March 1888, No. 49

Box 39 Folder 44

Null, Frank

vs

Schrafer, Daniel

Appeal

Plaintiff appealed from JP
H. K. Jenkins on charge of
Venue from JP W. L. Stone
on \$6.30 balance on account
for flour

JOACHIM ROLLER MILL.

Nematite, Mo. Aug. 13th 1887.

Mr. Daniel Schaffer

Bought of **NULL & WALTHER,**

—MANUFACTURERS OF—

FLOUR, ♦ FEED ♦ AND ♦ MEAL,

CUSTOM SOLICITED AND SATISFACTION GUARANTEED.

					#	#	#	Cr
Aug.	14	86	No 100 Flour (Del.)	-	210			
Oct.	4	"	" 1 Bbl. Fancy Flour		400			
"	"	"	" 1 " Snow Ball Flour		295			
"	25	"	By Cash on a/c.					905
Nov.	18	"	No 2 1/4 Bbls. Fancy Flour		835			
"	"	"	" 1 1/2 " Snow Ball Flour		405			
"	27	"	" 2 Bul. meal		110			
Dec.	14	"	By Cash on a/c.					475
"	15	"	No 1 Bbl. Snow Ball Flour		210			
"	"	"	" 8 Bul. meal		480			
"	21	"	" 1 Bbl. Fancy Flour. By cash		380			1000
"	"	"	" 1 " Snow Ball Flour		280			
Jan.	14	87	" 2 Bbls. Fancy Flour		780			
"	"	"	" 1 Bbl. Snow Ball Flour		290			
"	"	"	" 5 Bul. meal		300			
"	25	"	By Cash on a/c.					1000
Feb.	15	"	No 3 Bbls. Fancy Flour		1200			
"	"	"	By Cash on a/c.					1200
"	"	"			6235			4580
"	"	"	No Bal. in full of a/c.		1655			
"	"	"	Cr by Cash		1025			
			But due		8630			

Wells and Co
by
Samuel Schaffer

Debit \$16.53

Paid on the
within account 10.95

Bal — \$6.30

This is pay of

Sept 1884

Richardson

Filed Oct 3^d 1887

McLane Jro

Filed Mar 1st 1888

W. B. Coyle
clerk

NO SUMMONS, -J, P,

Rev. Stat. of Mo.
Vol. I, Sec. 2860.

The State of Missouri, to the Constable of *Valle*

Township, in the County of Jefferson, State of Missouri, Greeting:

We command you to summon

Daniel Schaper

to appear before the under-

signed, one of the Justices of the Peace of

Valle

Township, in Jeffe-

son County aforesaid, on the

15th

day of

October

1887, at

10 o'clock in the forenoon, at his office, in the same Township, to answer the complaint of

M. K. Kice

founded upon *an account*

and wherein he demands

fort and 20/100

DOLLARS.

Given under my hand this

3d

day of

October

A. D. 1887

M. L. Stone

Justice of the Peace.

CONSTABLE'S RETURN.

[Rev. Stat., Vol. 1, Sec. 2861.]

I HEREBY CERTIFY, That I have executed the within Writ by *Seizing a true copy of the same at the usual place of a bail of the writs named Draper and Daniel Schaefer with a number of his family above the age of 15 years*
 on the *5* day of *October*, 188*7*, in *Waller*

Township, Jefferson county, Missouri.

Constable.

FEE, \$ *3.00*

W. L. Stone

No.

SUMMONS.

F. Nuss

Plaintiff.

vs.

Daniel Schaefer

Defendant.

BEFORE

W. L. Stone

Justice of the Peace.

Amount Plaintiff's Demand, \$ *46.30*

Costs already accrued, - \$ *1.45*

Constable's Commission, \$ *25*

Constable's Fee, - - - \$ *20*

Constable's Mileage, - - - \$ *60*

Total, - - - - - \$ *75.25*

Filed Mar 12th 1888
D. B. Koenig
5 cm

Special Attention given to Investigating
Titles and making Abstracts of Lands and Town
Lots in Jefferson County.

Office of

Special Attention Given to Preparing
Deeds, Contracts and all kinds of Legal Docu-
ments; Bills Collected, &c.

WM. L. STONE,
Real Estate Agent, Justice of the Peace,
AND NOTARY PUBLIC.

P. O. BOX 208.

De Soto, Mo., Oct 20th, 1887.

D Schaper Esq

Dr Sir:

You must get a certificate from your
physician stating that you are unable
to attend trial if you cannot trust the
case to an attorney or agent. Send the
certificate if you cannot come
yourself.

Yours &c
W L Stone JD

Filed Oct 22^d 1887
McDonnell J.

Filed Mar 1st 1888
McDonnell J.
ccw

Victoria, Mo.
Oct. 24/87.

This will certify that Mr. D. Schaefer
is sick & unfitting for going to ~~Depot~~ ^{Depot} and
attending to the matter referred to in the
within notice.

Respectfully,
A. J. Rickerhoff & M. S.

State of Missouri } Before W. L. Stoue J.P.
County of Jefferson } Value Township.

F. Kull Plff }
... or } On Account
D. Schaper Defd }

Change of Venue from W. L. Stoue J.P.
to H. H. Jenkins Esq J.P.

January 21st 1888. D. Schaper the above
named defendant makes affidavit stating
that he cannot have a fair and impar-
tial trial before the said W. L. Stoue J.P.
on account of the ~~bias and prejudice~~
of the said Justice. Daniel Schaper

Subscribed and sworn to before
me this 21st day of January 1888.

W. L. Stoue J.P.


Nelson DeLaper

Applicant for change
of name

Died Jan. 21st 88.
M. Stone, J.P.

Filed Mar. 1st 1888

A.D. 88
C. W. DeLaper

State of Missouri }
 County of Jefferson } ss.
 F. Muhl, Plaintiff }
 or
 Daniel Schafer, Deft. } Du Account.

October 3^d 1887. Plaintiff filed for suit an account for six dollars and thirty cents, due February 15th 1887, and directed a summons to issue, which is done and delivered to R. Washburn, Constable of Valle Township, returnable October 15th 1887.

October 15th 1887. The Plaintiff and the defendant appearing for trial, the defendant moves the Justice to grant a continuance. Motion granted and cause continued till October 22^d 1887.

October 22^d 1887. Defendant filed certificate of physician as to inability to attend trial, and the cause continued till November 19^d 1887.

November 19^d 1887. Plaintiff appeared, but the defendant came not but makes default. It is therefore considered and adjudged by the Justice after seeing and hearing the evidence that plaintiff have judgment for six dollars and thirty cents, his debt, and three dollars and eighty cents, his costs in this cause, and that execution issue therefor.

January 16th 1888. Defendant appeared and asked that the judgment be set aside, because he had not been notified of the day of trial. Request of Defendant granted, and trial set for January 21st 1888.

January 21st 1888. Plaintiff and defendant appeared for trial, but the defendant made application for change of venue, on account of the bias and prejudice of the Justice. Application granted and cause sent to H. N. Jenkins Esq.

Justice's Fees:

Docket & filing	¹¹ 00	³⁰ 00	¹⁰⁰ 00		2,50
Judgment	⁵⁰ 00	off for chg of Venue	³⁵ 00	Trans. ⁵⁰ 00	out collect for diff
					<u>2,50</u>

Constables Fees

Serving Summons	²⁰ 00	²⁵ 00	⁶⁰ 00		1,15
Total Fees =					<u>\$ 5,15</u>

I, William L. Stone, a justice of the Peace within and for the County of Jefferson Arkansas, certify the above and foregoing to be a full true and complete transcript of all the entries and proceedings in the above entitled cause they appear on my docket, and that the papers and documents hereto attached are all the original papers pertaining to said cause on file in my office.

Witness my hand this 24th day of January.
1888.

William L. Stone, J. P.

Filed Mar 1st 1888
 at St. Louis
 Ark

I null Plaintiff
vs
Anna Schaefer deft

On change of venue from
William L Stone J P

The defendant in the above
enlited cause is hereby notified
that said cause has been sent
to me for trial on change
of venue from William L Stone
Justice, before whom the same
was instituted, and that said
cause is set for trial on the
4 day of February 1888
at 10 oclock a.m at my
office in Valle Township,
in Jefferson Co Mo

Given under my hand
This 24 day of January 1888

R. A. Jenkins J P

I hereby certify that I have executed
this writ on the 24 day of January
1888 By reading the same in the presence
and hearing of the within named Deft
in Central Township in Jefferson
County Mo

fees - 30
mit - 20
50

R. Washburn
Clerk

O. Schaefer
Defendant
Frank Hull
Plaint

Filed Jan 24 1888
R. Washburn
Clerk

F. Null Plaintiff
v.
Conial Schafer Drft }

The plaintiff in the above
entitled cause is hereby
notified that said cause
has been sent to me for trial
on change of venue from
William L. Stone, Justice of the
Peace, before whom the same
was instituted, and that said
cause is set for trial on the
4 day of February 1888
at 10 o'clock A M at my
office in Dooto Valle Township
In Jefferson Co Mo

Given under my hand
The 24 day of January 1888
J. C. Perkins J. P.

H. Tull
D. Schuyler

Filed Mar 1st 1888
D. D. Munn
clerk

24

I hereby certify that I have issued this notice on the 28 day of January 1888 in said Township in Jefferson County Mo By reading the same in the presence and hearing of Frank Munn the within named settler
D. Washburne Com

VENIRE.

The State of Missouri, To the Constable of Valle
Township, Jefferson County, Mo.,---GREETING:

We command you to summon six good and lawful men of your township qualified to serve as jurors in the Circuit Court of said county, and who are, in no wise, of kin to either party, nor interested in the suit, to appear before me, at my office, in the township of Valle County of Jefferson, on the 4 day of February 1888, at 2 o'clock P. M., to make a jury for the trial of an action between H. Kull, Plaintiff, and D. Schafer Defendant, because as well the said Plaintiff as the said Defendant have put themselves on the country for trial. And have you then and there this writ. Given under my hand this 4 day of February A. D., 1888

H. C. Jenkins
Justice of the Peace.

VENIRE.

L. Kull
vs.
O. Schaper

H. A. Jenkins
Before
Justice of the Peace.

Feb. 4. 1888 In Obedience
to the Writ, I have summoned as Jurors

✓ James S. Farley
✓ A. S. Spencer
S. S. Morgan
✓ Geo. W. Graham
✓ Henry Washburn
✓ John Searing

6 Good and Lawful Men of the County of
Person.

Fee *\$1.00*

R. Washburn

Constable

Filed Mar 1st 1888

W. B. Meyer
clerk

At the Spring School for the
Orphanants in the Spring of 1880
At 18 Morgan's Farm

Forster

Filed Nov 1st 1897
W. B. Keizer
clerk

RECOGNIZANCE FOR APPEAL.

Revised Statutes, Sections 3041-42-43-44.

STATE OF MISSOURI,

COUNTY OF

Jefferson

SS

Before

H. N. Jenkins

Justice of the Peace

of

Valle

Township.

WE, The undersigned,

*J. Frank Null as principal
and Joseph Walther as surety.*

acknowledge ourselves indebted to

D. Shafer in ~~the sum of~~

in the sum of

seventy five

Dollars,

to be void upon this condition:

WHEREAS,

J. Frank Null

has appealed from the

Judgment of

H. N. Jenkins

a Justice of the Peace, in an

action between

J. Frank Null

Plaintiff, and

D. Shafer

Defendant.

NOW, if on such appeal, the Judgment of the Justice be affirmed, or if on trial anew in the

Circuit

Court, Judgment be given against said Appellant,

and

he

shall satisfy such Judgment, or

his

appeal shall be dismissed, and

he

shall

pay the Judgment of the Justice, together with costs of Appeal, then this Recognizance shall be void,

otherwise it shall remain in force.

Witness our hands and seals this

10th

day of

February

A. D. 1888

*J. Frank Null
Jos. Walther*

Seal

Seal

Seal

Seal

ATTEST:

Justice of the Peace.

NOTICE OF APPEAL.

(R. S., Vol. 1, Sec. 395.)

Frank Muel

Plaintiff

APPEAL FROM

Arnold Schaefer

Defendant

H. W. Jenkins

Justice of the Peace

To *Arnold Schaefer Defendant*

TAKE NOTICE, That an appeal has been taken from the judgment of

H. W. Jenkins

Justice of the Peace for

Wells

Township,

Jefferson

County, Missouri, rendered on the

4th

day

of

February

A. D. 1888, for

~~DOLLARS~~

and

~~Cents, and Costs~~, in favor of the said*Defendant*

and against the said

Plaintiff

, returnable to the next

*May*term of the said Court, at *Jefferson* Mo.

Dated at

~~Township, in said County~~, this*1st*

day of

May

1888.

Frank Muel Appellant.

NOTICE OF APPEAL.

IN CASE OF

Frank Mull

Plaintiff,

VS.

Daniel Schaefer

Defendant.

Plaintiff

Appellant.

BEFORE

Justice of the Peace.

County, Missouri.

I hereby certify that I have served the within notice by *delivering a true copy*
of the within notice; as furnished me by James B. Davis
attorney for Plaintiff *to the within named Daniel Schaefer.*
 on the *second* day of *May* 1888, in *Waller* Township,

Jefferson
Fee \$.50

By A. McFry, Sheriff of Jefferson Co Mo,
by Wm. H. Fahren, ~~Commissioner~~ ^{Township} Deputy.

Filed May 4th 1888
A. B. Vealey.
clerk

RETURN.

Fees:
T. P.
Wm L. Stone
on Trans \$4.

H. H. Jenkins

Docket 1.00
Index .10
Notes 1.60
Venue .35
Severalty 35
2 Witnesses .10
Fdg 50
Appeal 1.35
5.35

Constable
R. Washburn
on Trans 1.15
Notes 1.00
Venue 1.00

State of Missouri }
County of Jefferson } ss.

7 Null, plaintiff

Daniel Schafer, defendant.

Before
H. H. Jenkins
Justice of
the Peace
Valle Township.

Change of venue from Wm L. Stone
Justice of the Peace Valle Township.

Transcript of Docket.

January 24, 1888. This day comes to the undersigned Justice of the Peace within & for said Township the original papers in the above entitled Cause & transcript of docket entries therein from William L. Stone Justice of the Peace within & for said Township on change of venue from said William L. Stone which papers & transcript are duly filed.

Notice of Change of venue issued to the plaintiff & the defendant in this cause & trial set for Saturday February 4th, 1888 at 10 o'clock A. M.

February 4th, 1888. Parties appear ready for trial, plaintiff & defendant in person. Venue issued to Constable Washburn. Venue returned executed. Now comes a jury, to wit, S. S. Morgan, A. Spencer, John Dearing, James L. Farley, Henry Washburn & George W. Graham, six good & lawful men who were severally sworn to try the issue. The Jury having heard the evidence, after deliberation return into Court the following verdict: We the Jury find for the defendant — dollars, S. S. Morgan

foreman. It is therefore adjudged that the plaintiff take nothing by his said suit & the plaintiff pay the costs in this cause & that the defendant go hence & recover his costs & have execution therefor.

February 10, 1888. Now comes the plaintiff & files affidavit & bond for appeal in the sum of Seventy five dollars with Joseph Walther as surety. Appeal granted & papers transmitted to Circuit Court of Jefferson County.

I, Hamilton N. Jenkins, a justice of the peace within & for Jefferson County aforesaid do certify the foregoing to be a full, true & complete transcript of the entries & proceedings in the above entitled cause as the same are of record on my docket, & that the papers thereto attached are all the original papers on file in my office.

Witness my hand this Twentieth day of February 1888.

H. N. Jenkins
Justice of the Peace.

Filed Mar 24 1888
W. B. Brown
Clerk

6328
#49

F. Muel, Plaintiff
vs

Daniel Schaffer
Defendant-

Appeal from

H. W. Jenkins
Justice of the Peace.

Filed March 24/88
D. B. Veazey
Clerk

Bill of Costs
Wm L. Shum Jr.
H. W. Jenkins
Warkham, Clerk
D. B. Veazey, Clerk
12 files 60¢ Ord dismissing 30¢ Fee Bill 10¢ Costs 10¢ Docs 10¢ 1.20
Geo W. McFry, Sheriff Serving Notice of Appeal 50¢
Jury fee 6 men @ 50¢ 3.00
17.20
15.70