

Jefferson County Circuit Court
Case Files - Civil
March 1829

Box 1 Folder 42

Cochran, James, Jr.
^{vs.}
Byrd, Benjamin B.

Appeal

Defendant appealed from JP
Ezekiel Dugan on \$86.25
account for work done

Benjamin, B. Dick — Dr in ac with Lewis Cookman — Co

To Fourteen months and Sixteen Days work at \$12/- per month	\$	174	—
Commencing Dec ^r 4 th 1826			
and ending Feb. 13 th 1827			
A Dutcher knife which you broke and destroyed	—	150	
A lamp glass which you broke and lost or ~~was~~ not returned	1	—	
	\$	175	50
		86	25
Balance due	\$	89	25

By 1 Ranger —	\$	—	62 1/2
" 1 Hand —	—	—	— 13 1/2
" Your ride to the Quarter	25	—	—
" One pair Groe shoes	1	50	—
" 20 th shirt ready made	1	25	—
" A Horse thirty seven dollars	37	50	—
Twenty 25	—	—	—
" A Discharge of one month and one week in which time I was out of your service and in the employ of the said or Dutcher and Dick	15	—	—
" 1 Month and 1 Week at \$12/-	25	—	—
" Your ride to the Quarter	—	—	—
	\$	86	25

Bing. B. Bird,
a/c with

James Cochran
Lun,

\$ 59/25

State of Michigan County of Leelanau
Shenandoah 1828. This day I personally appeared
B B Boyd now residing at that he has read
a written declaration in the presence of
between James Colburn and himself and that
the said was correct
Edgar

Bureau of Fisheries

State of New Jersey }
County of Jefferson }

to the Constable of Northern township
the State of New Jersey in the County of Jefferson
in the County aforesaid greeting you are hereby commanded to
summon David Porter, Hugh McQuinn, John McQuinn, James
McQuinn, Alexander McQuinn, George McQuinn, John McQuinn, even
a Justice of the Peace within your jurisdiction on the 27th
day at the hour of three o'clock in the afternoon of the
day to testify the truth of their knowledge touching or concern-
ing their partnership before we the preceding between James
McQuinn and John McQuinn, Benjamin McQuinn, David McQuinn, and
the parent of the partnership. Where they are met to give and take
not at your hand and if they are there these things must
witness my hand this 15th day of ~~the month of~~ December 1828

Edmund D.


James Buchanan

by

13/13 Bryan

Fuller & Co

for O. W. Perry

The sum

\$1500

Committed to order

\$1495

Sec'd by

Wm. A. Webb

in

Capital of \$1000

37 1/2 cents

37 1/2

\$3

State of Missouri
County of Jefferson } 2

the State of Missouri to the constable of Platten
Township in the County of Jefferson greeting you are
hereby commanded to summon James McDonick -
that all ~~excuses and delays~~ ^{excuses and delays} ~~be set aside~~ they be and appear
before the undersigned a Justice of the Peace in
and for said township on the 27th inst at the hour of
three o'clock in the afternoon of said day to testify
the truth of their knowledge touching a certain
matter of controversy before me depending
between James Cochran Jr. Plaintiff and Benjamin B
Byrd deft on the part of the defendant hereof
they are not to fail and fail not at your peril
and there you then and there this writ.
my hand and seal this 5th December 1828

C. Dugan J. P.

I received my
13th Regt.
of the
Infantry

183

James McAnnis
of the 1st
of the 1st
of the 1st
of the 1st
of the 1st

James
of the 1st
of the 1st
of the 1st
of the 1st
of the 1st

State of Missouri County of Jefferson

We the undersigned Benjamin B. Byrd and Isaac Rutledge acknowledge our selves to be indebted to James J. Cochran in the sum of one hundred dollars to be levied upon respective goods and chattels lands and tenements upon condition never the less that whereas the said Benjamin B. Byrd hath appealed from the judgment of Ezekiel Dugan a justice of the peace in a certain action wherein the said James Cochran is plaintiff and the said Byrd is defendant. now if the said Benjamin B. Byrd the appellant shall prosecute his said appeal with effect pay and satisfy the condemnation money and all costs or otherwise abide the judgment of the circuit court in said appeal then this recognizance to be now otherwise to remain in full force and virtue.

Given under our hands this fifth day of January in the year of our Lord 1829

B. B. Byrd

Ezekiel Dugan Justice of the peace
Isaac Rutledge
his

Reverence A.D.

State of Missouri } November 6th 1828 suit instated
 County of Jefferson } for \$ 89. 25 cents
 James Cochran Jr. } Continued by the affidavit of defendant
 Benjamin B. Byrd } to December 27 on which day the plaintiff
 applied for a jury which is granted and a
 jury summoned who after hearing the witnesses
 sworn and examined on both sides retired and
 on their return bring in a verdict for the plaintiff for the
 sum of forty dollars and judgment was entered for the
 said amount of forty dollars in favor of James Cochran
 plaintiff vs. B. B. Byrd defendant from which judgment
 the said defendant did take an appeal on the fifth day of
 January 1829 to the circuit court for the county of Jefferson

Justices fees on the above suit

Issuing summon	18 ³ / ₄ cents
do subpoena six names	37 ¹ / ₂
filing affidavit	25
issuing subpoena for depts	18 ³ / ₄
alias subpoena 6 names	37 ¹ / ₂
entering judgment	37 ¹ / ₂
summoning jury	25
administering 13 oaths	81 ¹ / ₄

\$2. 81¹/₄

Constables fees for serving summon 25

Do Do subpoena \$1.00

Serving two alias subpoenas 2 00

Summoning jury 1 00

Jury fees \$42.50

Witnesses claiming fees 126

Due Rose two days \$1.00

Wm L. Tillman two days 1.00

Ammon Knighton 2 days 1.00

Am Gora 1 day 50

John Cochran 1 day 50

James Bellam 1 day 5⁰ cents

Thomas Strickland 1 day 5⁰

Jeremiah Melvin 1 day 5⁰

I do certify that the above is a true copy
from my docket given under my hand this 4th day
of March in the year of our Lord 1829

Greville Dugan one of the peace
with warrant for the county and town
ship aforesaid

2.81¹/₄
5.50
5.50
13.81¹/₄

62

James Cochran
" " " "
Beyn B. Byrd

62

Michael Blanch 5th 1849
C Smith Clark

2

Benjamin B. Bird
ad James Cochran } appeal from Ezekiel Suggan
a justice of the peace of the
County of Jefferson.

Be it remembered that on the
above cause being called the appellant Benjamin
B. Bird offered to prove by two witnesses that
on the day when said cause was tried and
judgment was rendered against said appellant
before said justice, the said appellant had
prayed an appeal to said Circuit Court and
offered to give bond and security as by law
required in said appeal and thereupon
prayed said Court that as the transcript
of the justice did not show that said pray-
er of appeal had been made on the day
of trial that the Court would grant a rule
against said justice to show cause why the
prayer of said appeal should not be enter-
ed on his docket and a perfect transcript
made out and certified to this Court which
motion of the appellant the Court refused to ^{grant} ~~deny~~
~~deny~~ or to hear the testimony by which the
appellant could establish the fact of his having

prayed said appeal on the day of trial, nor would
the Court permit said evidence to be introduced
for the purpose of enabling said appellant
to suggest a diminution of the Record and
obtaining a Certiorari directed to said Justice.
To which said opinions of the Court the said
appellant by his Counsel excepts and prays
that this his bill of Exceptions may be signed
sealed and made a part of the Record
in this cause. Which is done - The trans-
cript shewed or stated that an ~~affidavit~~
^{taken} was ~~prayed~~ on the fifth of January 1829
on which day the bond or recognizance
was entered into & filed -

Wm: C. Carr Seal

Filed March 6th 1829
C Smith Clerk

To B B Boyd
by J. B. Boyd Esq
James Cochran Pro

List of Names of Members
in favor of James
Cochran Jun, Against
Bury, B. Bird

David Porter

Hugh M. Gosse

Wm L. Tillard

Ammon Nighter

Dr Pleasant Rose

Esquire Dugan Esq

~~James B. Bird~~

~~Lahre Cochran~~

Names of
Witnesses

James Buchanan

May 19th 1847

Wm Rutledge

above card

in Circuit Court

claim of my fee in the

" " " "

\$ 29.00

Same

Same

in Supreme Court
on appearance of my fee of Sec. Court.

claim of my fee in the

above card

" " " "

\$ 3.00
\$ 6.00

John Hunt

John Brent

Day fee

J. Bachman

B B Bird