

Jefferson County Circuit Court
Case File - Circuit
March Term 1835 - Case No. 6

State, ex rel
Anderson, John

vs

Denniston, John W.
Bates, Ellis
Rankin, Charles S.
Honey, Mary S.

Guardian's bond

Defendant failed to pay \$405.75 on
final settlement as guardian of
plaintiff

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State of Missouri
County of Jefferson

The State of Missouri

To the Sheriff of said County greeting.

Whereas at the above term Term of the County Court
for the County aforesaid, in the year of our Lord
Eighteen hundred and thirty four, John Henderson
accounted ~~a sum of money~~, against John W. Dem-
-miston his former Guardian for the sum of
four hundred and five dollars and seventy five
Cents - And whereas it appears by the Guardian
bond of the said John W. Demmiston, dated the
eleventh day of September 1826, that Elias
Bates and John W. Honey are the securities
of the said John W. Demmiston for the faithful
discharge of the duties of his office in the
penalty of five hundred dollars - And whereas
the said John W. Honey is since dead and
Charles S. Rankin and Mary S. Honey has
taken letters of administration on his
estate. - You are therefore to command
you that you summon Elias Bates and
Charles S. Rankin administrator and
Mary S. Honey administrator of the estate
of John W. Honey to be and appear at the
next Term of the County Court for the County
of Jefferson, to be held on the first Monday
of February next, then and there to show
Cause if any they can why a judgment
should not be rendered against them for
the amount due from the said John W.
Demmiston in favour of the said

John Anderson, and have you then then this
writ.

to the same person clerk of
our said Court at Herculaneum
this 10th day of January eighteen
hundred and thirty five

L. M. Goodson clerk

Served this writ by reading the same to Charles S
Rankin and Elias Bates on the 12th of January
and on Mary S. Honey on the 13th of January
Jan. 13th 1835

John Hammon
D. Sheriff

Jefferson County Court
February Term 1835

John Anderson

vs } Defendants

Elias Bates

Chas. S. Rankin

Mary S. Honey and wife

John W. Honey

267

L. Hammon D. Sheriff

This writ came before the Court the 12th day 1835

In the Circuit Court
3^d Judicial Circuit

March Term 1833.

Jefferson County Court - The State of Missouri who
sues to recover the use of John Anderson, complains of
John W. Denniston, Elias Bates, and Charles S. Rankin
administrators and Henry S. Honey administrator
of all and singular the goods and chattels, rights and
credits which were of John W. Honey deceased, at the
time of his death, who died intestate, of a plea that
they render unto the said State the sum of Five hun-
dred dollars which they owe and unjustly detain from
the said State; For that whereas heretofore come on
the eleventh day of September in the year of our
Lord one thousand eight hundred and twenty six
at the County of Jefferson aforesaid, the said John
W. Denniston, Elias Bates, and John W. Honey in
his life time, by their certain writing obligatory
bearing date the day and year aforesaid (the
original of which writing obligatory, remains on
file in the office of the Clerk of the County Court of
said County according to the form of the Statute
in such case made and provided a duly certified
Copy whereof is now here to the Court produced)
acknowledged themselves, their heirs executors or
administrators bound unto the said plaintiff
to and for the use of the said John Anderson in the
sum of Five hundred dollars to be paid to the
said Plaintiff when they should be thereunto
afterwards requested - Nevertheless the said
John W. Denniston, ~~the said~~ Elias Bates and John W.
Honey in his life time and the said Charles S. Rankin
administrator and Henry S. Honey administra-
tor as aforesaid after the death of the said
John W. Honey have not, nor hath either
of them paid to the said Plaintiff the said

Sum of money above demanded or any part thereof
but to pay the same, they the said defendants and
every of them have hitherto wholly neglected and
refused & still do neglect & refuse to the damage of
the said Plaintiff six hundred dollars, and
therefore the said Plaintiff to the undersigned
brings suit &c.

John Anderson

I acknowledge myself indebted to the defendants
in the above declaration in the sum of fifty dollars
as witness my hand and seal this 12th February 1833.
The condition of the above obligation is such
that whereas the above named John Anderson
is about to commence suit in the name of the
State of Missouri to his use, against the above
named defendants for the cause of action set
forth in the above declaration, now if the said
John Anderson shall pay all costs which may be
awarded against him in the above cause then
this obligation to be void.

John Anderson *Seal*

State of Missouri
County of Jefferson } Sec

The State of Missouri -
To the Sheriff of said County - Greeting -
You are hereby commanded to summon John W. Denniston
Elias Bates, and Charles S. Rankin administrators and
Mary S. Honey administratrix of John W. Honey
deceased, that they be and appear, before the Judge of
our Circuit Court at the next Term thereof to be held
at the Town of Hannibal within and for said
County on the third Monday of March next, then and
there to answer unto the State of Missouri who sues
to the use of John Anderson of a plea that they
the said defendants made unto the State for the use
of the said John Anderson the sum of Five hundred
dollars which they owe to and unjustly detain to the
Plaintiffs damages in hundred dollars - And
have you then there this writ.

Witness Samuel Woodson Clerk of
our said Circuit Court at office
this thirteenth day of February
in the year of our Lord one thousand
eight hundred and thirty five

Sam. Woodson Clerk

Ms acknowledge the price of the within writ.

July 25th 1835

C. S. Rankin Adm.
of Mr. Honey's Estate.

Elias Bates

Jr. Simon

July 26th 1835

267 706

Jefferson Circuit Court

March Term 1833.

The State of Mississippi
to the use of John Anderson

267
John W. Drummond
Elias Bates &
Charles S. Rankin adm.
of Henry S. Honey's estate of
John W. Honey's estate.

This is an acknowledgment of
Debt on a Guardian
bond -

Eliza Bates

Charles S. Rouse
adversely implicated
with John W. Devereux

July Term 1835

State of Missouri to
and

And the said defendants come and defend to
and cross upon of the writing obligating with
the condition annexed, in the plaintiff's petition
which is read to them in the following
words. See insert - it

Which being read and heard, the defendants say that
the said plaintiff ought not to have or maintain
the action of assumpsit against them because they
say that the said John W. Devereux both well
and truly kept and performed all and singular the
conditions of the writing obligating aforesaid, and
both well-kept the same, and that they the said
defendants are ready to deny, wherefore they
pray judgment if the said court shall further
have or maintain the action of assumpsit against
them the said defendants.

J. W. Devereux

Miss Barker
at 3

Atk of Providence
to see the

Miss Gault
Providence

Miss Lucy Linn 1835
Dear Mother on Oct

State use of Anderson

Denniston Sal^{ts}

Nov. term AD 1835.

And the said Plaintiff as to the said plea of
the said depts says that the said pl^{ff}: by reason of
any thing by the said depts in that plea alleged ought
not to be barred & precluded from having maintain-
ing her aforesaid action thing against them because
she says that the said John W. Denniston hath
not well truly kept & performed the said condition
of said writing Migration: And the said pl^{ff}: for
alleging a breach of the condition of the said writ-
ting Migration saith that at a term of the county
Court of the County of Jefferson ^{begun} held at the town
of Keweenaw in said County on the first Monday
of November in the year 1834 — the said John W.
Denniston presented his account of his guardianship
ship of the said John Anderson & made a final
settlement of his said guardianship thereby it
appeared that he was indebted to his said ward
John Anderson in the sum of four hundred &
five dollars & seventy five cents — yet the said
John W. Denniston so being guardian or governor
not regarding his duty as such guardian hath not
the said sum of four hundred & five dollars & seventy five cents
paid over to the said John Anderson, although
he requested so to do, to wit, at the County Court
said but therein wholly made default by means
of which said premises the said John Anderson
hath been still is greatly injured, to wit, at the
County aforesaid. And thus the said pl^{ff}: is
ready to verify, wherefore she prays, judgment.

B. Allen for pl^{ff}:

Walter W. of
Anderson

Deputy in fact

Application.

Filed 4th Nov. 1835
Jas. H. H. H. H.

Denniston et al

State to answer

3rd App Term
1835.

And the said defendants come and
answer & say that the said
John Denniston forddien as for said
is not indebted to the said plaintiff
in manner and form as the said
plaintiff hath in his replication in
this behalf above alleged, and
that they pray may be acquitted of
by the court.

J. Holt att
for deft

John Denniston &
at. Σ
as Σ
State who sees
to our Σ

Spencer of
Capt.

Filed 4th Nov. 1838.

Sam. Goodron M