

Jefferson County Circuit Court
Case Files - Civil

August 1838

Box

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Folder 11

LaFoon, Alexander

vs.

Booker, Willis

Assumpsit

Debt \$200 for use of farm;

\$500 damages

Jefferson County Text

In the circuit Court
August Term 1838.

Alexander Laffoon complains of Willis
Booker of a plea of trespass on the case
upon promiss. For that whereas the said
Willis Booker heretofore to wit on the first
day of January in the year 1838 in the county
aforesaid was indebted to the said Alexander
Laffoon in the sum of two hundred dollars
for the use and occupation of a certain
messuage farm and Land with the
appurtenances of the said Alexander Laff-
oon, situate in the county aforesaid, by
the said Willis Booker, and at his special
instance and request, and by the sufferance
and permission of the said Alexander
Laffoon, for a long time before then elapsed
had held used occupied possessed
and enjoyed. And being so indebted to
the said Willis Booker in consideration
thereof, afterwards to wit on the day and
Year last aforesaid, at the county aforesaid
in court and then and there faithfully
promised the said Alexander Laffoon
to pay him the said sum of money when
he the said Willis should be thereunto re-
quested.

And whereas also afterwards to wit on the day
and Year last aforesaid, in the county of

Jefferson aforesaid, in consideration that the
said Alexander Laffoon at the like special
instance and request of the said Willis Booker
had before that time suffered and permitted
the said Willis Booker to have hold use
occupy, possess and enjoy, a certain other
messuage, buildings, farm and Land
with the appurtenances of the said Alexander
Laffoon, situate in the county of Jefferson
aforesaid. And that in the said Willis
Booker had according to the said last-
mentioned sufferance and permission
of the said Alexander Laffoon, holden, used
occupied, possessed and enjoyed the same
for a long space of time then elapsed, in
the said Willis Booker undertook, and then
and there faithfully promised the said Alex-
ander Laffoon to pay him so much money
as he therefore reasonably deserved to have of
the said Willis Booker, when in the said Willis
Booker should be thereunto afterwards requested.
And the said Alexander Laffoon over that
he therefore reasonably deserved to have of the said
Willis Booker the further sum of two hundred
dollars to wit at the county of Jefferson aforesaid
whereof the said Willis Booker afterwards to wit
on the day and Year last aforesaid, there had
notice. Yet the said Willis Booker not sig-
nifying his said promises and undertakings, in this
behalf, both upon the said the said sums of

money, or any part thereof to the said
Alexander Laffoon, although often request-
ed so to do, but he is to do, both parties
wholly refused, and still refuses to pay
the same or any part thereof to the said
Alexander Laffoon, to the damage
of the said Alexander Laffoon or
executors, and therefore he brings his suit.

P. Bohan
for plaintiff

358

Heineken & Lippman
in
Willing Jordan

There is an action
of books on the
same on previous
date mentioned in
the
Bill
etc.

Y^{rs}
Willea May 8th 1838
Tennison & Willea May 10th
1838
Willea
Willea

Jefferson County, Ky

In the Circuit Court August term 1838

Alexander Laffoon complains of Willis Booker of a plea of Trespass on the case upon promises. For that, whereas the said Willis Booker heretofore to wit on the first day of January in the year 1838 in the County aforesaid was indebted to the said Alexander Laffoon in the sum of two hundred dollars for the use and occupation of a certain meadow farm and land with the appurtenances of the said Alexander Laffoon, situate in the County aforesaid by the said Willis Booker and at his special instance and request and by the sufferance and permission of the said Alexander Laffoon, for a long time before then elapsed had held ^{used} and occupied possessed and enjoyed, and being so indebted he the said Willis Booker in consideration thereof afterwards to wit on the day and year last aforesaid at the County aforesaid undertook and then and there faithfully promised the said Alexander Laffoon to pay him the said sum of money when he the said Willis should be thereunto afterwards requested.

And whereas also afterwards to wit on the day and year last aforesaid in the County of Jefferson aforesaid in consideration that the said Alexander Laffoon at the like special instance and request of the said Willis Booker had before that time suffered and permitted the said Willis Booker to have hold use occupy possess and enjoy a certain other meadow buildings farm and land with the appurtenances of the said Alexander Laffoon situate in the County of Jefferson aforesaid. And that he the said Willis Booker had according to the said last mentioned sufferance and permission of the said Alexander Laffoon holden and occupied possessed and enjoyed the same for a long space of time then elapsed, he the said Willis Booker undertook and then and there faithfully promised the said Alexander Laffoon to pay him so much money as he therefor reasonably deserved to have of the said Willis Booker when he the said Willis Booker should

he thereunto afterwards requested, and the Alexander
Laffoon avers that he therefor reasonably deserved
to have of the said Willis Proker the further sum
of two hundred dollars to wit at the County of Jeff-
erson aforesaid whereof the said Willis Proker after-
wards to wit on the day and year last aforesaid
then had notice. Yet the said Willis Proker
not regarding his said promises and undertakings
in this behalf hath not yet paid the said sum
of money or any part thereof to the said Alexander
Laffoon although often requested so to do. hath
hitherto wholly refused, and still refuses to pay
the same or any part thereof to the said Alexander
Laffoon to the damage of the said Alexander five
hundred dollars and therefore he brings his suit

OP Cole Attorney
for plaintiff

A true copy of the Original declaration.

Attest John S. Mathews Clerk

State of Missouri }
County of Jefferson } (The State of Missouri
to the Sheriff of Jefferson County Greeting

You are hereby commanded that you
summon Willis Proker that he be and appear
before the Judge of our Circuit Court at a Court
to be held at Mercurianum in and for said County
on the first Monday of August next, then and
there to answer the complaint of Alexander Laf-
foon on his original bill filed a copy of which
is hereto attached. And have you then there
this writ.

Witness John S. Mathews
Clerk of our said Court at Office
in the Town of Mercurianum this
tenth day of May in the year
of our Lord eighteen hundred and
thirty eight.

John S. Mathews
Clerk

I Executed the within write on Mills Book
 on the 16th day of July 1838 By Reading the same in his
 Presence and Hearing James D Mc Cusker Sheriff
 By John Hammond Deputy Sheriff

[Faint, illegible handwriting]

Deffenon Vicar Court
 August Term 1838

Alexander Daffron
 vs J Dunning
 Mills Book

Richard Aug 8th 1838
 J. M. H. H. H.
 Clerk

Alexander Saffron

Willis Brooke

3 August Ten
1838.

and the said plaintiff as to the
first plea of the said defendant, in
manner and form as the same is
in this behalf above pleaded by
which he puts himself upon the
country with the like
aid as to the second plea of said
defendant in manner and form as
the same is in this behalf above
pleaded by said defendant the
said plaintiff says that he ought
not to be barred from having and
maintaining his action against
themselves ^{him} against because he says
that the said defendant could
not take the said sum of money
in said plea mentioned, paid
and part of the said plaintiff's
claim and in said declaration contain-
ed, in manner and form as the said
defendant hath in his said second
plea in this behalf above alleged
and this he prays may be argued
of by the country.

P. Brooke
Att.

and the plea with the like
Gives for plea

J. S. Latham

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Miss Boston

William
Latham

Dec 20 1838

Am at the
table

Wells Booker

vs

Alexander Saffoon

{ Action of Assumpsit in the
Jefferson Circuit Court
August term 1838

And the said defendant by his attorney comes
& defends the wrong & injury when he and as to
all the said promises and undertakings in the said decla-
ration mentioned except as to the sum of sixteen
dollars parcel of the said several sums of money
in the said declaration mentioned, says that he
did not undertake or promise in manner and
form as the said plaintiff hath above thereof
complained against him & of this he puts himself
upon the Country & And as to the said sum of
sixteen dollars parcel of the said several sums of
money in the said declaration mentioned, the said
defendant says, that the said plaintiff ought not to
have or maintain his aforesaid action thereof against
him, to recover any more or greater damages than
the said sum of sixteen dollars parcel of the said
several sums of money in said declaration mentioned
in this behalf, because he swears that after the
making of the said several supposed promises and
undertakings in said declaration mentioned
as to the said sum of sixteen dollars parcel of
said sums of money in said declaration mentioned,
and before the commencement of this suit to wit on
the first day of April in the year eighteen hun-
dred thirty eight at the County of Jefferson, he the said
defendant was ready and willing and then and there
tendered and offers to pay to the said plaintiff the

said sum of sixteen dollars parcel of the said
several sums in said declaration mentioned, to
receive which of the said defendant he the said
plaintiff then and there wholly refused - and the said
defendant in fact further saith that the said defen-
dant always from the time of the making of
the said several promises and undertakings in said
declaration mentioned as to the said sum of sixteen
dollars parcel as aforesaid of said sums of
money in said declaration mentioned, hitherto at
the County aforesaid, hath been ready to pay, and
still is then ready to pay to the said plaintiff
the said sum of sixteen dollars parcel as aforesaid
and he brings the same now here into Court ready
to be paid to the said plaintiff if he will accept
the same - And this he is ready to verify wherefore
for

Givens for affd

Goodwin

at

W. W. W. W.

Lefferson

Chicago Aug 9th 1838

W. W. W. W.

W. W. W.

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of *Jefferson* County, — GREETING: —

You are hereby commanded to summon

Thomas J. Brown & John W. Shallen

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the *twenty* day of *December*, at the town of *Herculaneum*, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *Walter A. Brown* is plaintiff, and *Walter A. Brown* is defendant, on the part of the *plaintiff*;

and have you then there this writ.

Witness, ~~Henry B. Bates~~, Clerk of our said Circuit Court, at the town of *Herculaneum*, this *eleven* day of *October*

in the year of our Lord one thousand eight hundred and *83*

John W. Shallen CLERK, C. C.

I executed this writ by Reading the same
in the presence & Hearing of Thomas J. Brown
and John McFadden on 1st day of November
1838

John Hammond Sheriff

In Jefferson County
December Term 1838
Alexander Gaffron
vs }
Wills Parker

for Plaintiff
Thomas J. Brown
John McFadden

Filed Nov 3 1838
J. Hammond

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of

Jefferson

County,—GREETING:

You are hereby commanded to summon

Louis James Rankin
John W. Hadden
Richard Vernon

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the twelfth day of December at the town of Her-
laneum, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein Alexander Haffner is plaintiff,
and Willie Rankin defendant,
on the part of the D. of T. ; and have you then there this writ.

Witness, HENRY P. HITS, Clerk of our said Circuit Court, at the town of Her-
culaneum, this eleventh day of December
in the year of our Lord one thousand eight hundred and 38

John W. Hadden CLERK, C. C.

I Enclosed this write on Elisha Vernon and
L. I Rankin on the 13th day of November 1838
By Reading the same in their presence &
Hearing on John McFadden November the 16th 1838
By Reading the same in his Hearing
John Warrumona Sheriff

On 13th Dec 1838
December Term 1838

Alexander Laffan
vs J. Rankin

for Defendant

Lewis J. Rankin
John McFadden
Elisha Vernon

Filed Dec 8th 1838
Matthews
WLC

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of

Jefferson County, — GREETING: —

You are hereby commanded to summon

Charles O. Campbell
Charles W. Ellis

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the 12th day of December, at the town of Her-
laneum, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein Alexander Thompson is plaintiff
and Peter Cooper is defendant
on the part of the Dept; and have you then there this writ.

Witness, my hand and seal of our said Circuit Court, at the town of Her-
culaneum, this seventh day of December
in the year of our Lord one thousand eight hundred and 38

John DeWitt
CLERK, C. C.

I executed By leaving the same
 in the same in the hearing of Charles
 S Rankin & Cth Ellis on the 11th
 day of December 1838

John H. Munroe and Henry

Dr. J. H. Munroe
 Dec 11 1838

Stephens Chapman
 or
 John Chapman

For Debt
 Charles Chapman
 to John Chapman

~~I executed this note and~~
~~the same in the hearing of~~
~~Charles S Rankin & Cth Ellis~~
~~on the 11th day of December~~
~~1838~~
~~John H. Munroe and Henry~~

Attest & approve

H. Jeff. Bennett Secy

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Decr Dec 1839

Wm. Barker.

John W. Barker a witness

and the above, leave, claiming, his attendance, to wit

2, days attendance

1.00

34 Miles Travel to & from

5.00

Sum of 6.00

1.35

before me July 17th 1839

John W. Barker

John W. Barker

St. Jefferson) in the Circuit Court Decr. 1838.

no } E. Johnson Clerks appointed in the
Mr. Borden } above cases & days attendance & 12 miles travel

Chas. L. L. \$1.40

Amount to Dec 13th 1838

Alfred Needell