

April 1839, No. 25

Box 4 Folios 43

Bolduc, Lewis

vs

Toby, Albert
Jeans, Joseph
Hanna, Charles F.

Debt, account

Debt \$336.25 for keeping horses
and boarding stage drivers; 3
horses and 4 sets of coach harnesses
attached and sold; defendants aka
A. Toby & Co, mail carriers from St. Louis
to Potosi

Memor. of Joby H. Co. To Lewis Polk

1838

July 14 - To keeping 4 Stage horses -

2 weeks - @ 8 Dollars per week \$16.00

To keeping 5 Stage horses 11 weeks

at \$10.00 per week - 110.00

To Boarding driver - 11 weeks @ 2 - 22.00

" 20 - To keeping 2 Extra horses 24 hours -

in consequence of King Bolt breaking -

1.00

24 To taking care of 4 horses 4 days when

Hyzer fell out of the stage -

2.25

August 2 - To keeping 2 Extra horses 2 days when the

Stage Pony Broke -

1.00

5 - To Cash paid Mr Eads Stage driver

6.00

Sept 22 - To taking care of 4 horses from the

22 Sept until the 30th as there was

but one driver on the line -

4.50

30 - To driving the stage from my house

to here -

1.50

Oct 7 - To Cash

87 1/2

10 To taking

horses

2.00

from the 10th -

\$167.12 1/2

Contra

for

By Cash received for Fare -

\$70 10

Balance due me -

97 02 1/2

\$167.12 1/2

Nov 8 To taken care of Stage Horses from

the 8th until the 11th of Nov. -

1.50

To 2 Extra Horses from Sunday the 11th

until Tuesday the 13th of Nov. -

2.00

To 1 Extra horse from the 13th until

the 15th of Nov. -

1.00

To keeping 4 Stage Horses and driver

from the 14th October until the 27th of December

at \$14 Dollars per week 12 weeks -

168.00

269 52 1/2

Amount Brought over ————— \$ 269 52 1/2
 To Horse Bought for \$100 ————— 65.00
 for which I give my note payable
 in one month from date interest on
 said note ————— 1.62 1/2
 336 25

Copy \$100
 to B.

259
 10
 59

State of Missouri } In the Jefferson County Court. April Term 1839.
County of Jefferson } ss

Louis Bolduc the plaintiff
in this action complains of A Tobys & Co. contractors
for carrying the mail from St Louis to Potosi the
defendants of a plea of trespass on the case -
for that heretofore to wit on the 26th day of
December in the year 1838. They the said A Tobys
and Company were justly indebted to the said
plaintiff in the sum of three hundred and
thirty six dollars and twenty five cents. for the
work labour care and diligence done by the
said plaintiff at the request of the said defen-
dants, as also for money advanced by the said
said Plaintiff at the request and for the use
of the said ~~defendants~~ and the said plaintiff being fearful
of losing the said sum of money above mentioned
in consequence of the said A Tobys & Co. not
being residents of this State. he prays that he
may have the benefit of a writ of attachment
to secure what property the said A Tobys & Co have
in this State liable to pay their debts. to the dam-
age of said Plaintiff in the sum of four hundred
dollars &c &c

Louis Bolduc

State of Missouri } ss
County of Jefferson } Louis Bolduc the plaintiff in the
above action appeared before me and made oath
that the facts stated in the foregoing petition are true
and that the said A Tobys & Co the defendants are
justly indebted to him the said plaintiff in the sum
of three hundred and thirty six dollars and twenty five
cents as above stated after allowing all just credits
and set offs, and that said defendants he believes
are not residents of this State.
Sworn to before me } J Mathews clk
Decr 27th 1838

Louis Bolduc

No 23 =
In the Circuit Court

June Term 1839

vs

Dec

A. H. H. H. H. H.

action of trespass on
the case in premises
a. H. H. H. H. H.

Filed Dec 27 1838

Wm. H. H. H.

353.40
423.50

101 10
168 00
273 60
344 60

340 75 \$423 50

Know all men by these presents, that I Louis
Bodine as principal and A. M. Stickland as security
are held and firmly bound unto A. Toby & Co in the
penal sum of six hundred and seventy five
dollars good and lawful money of the United States
to be paid to the said A. Toby & Co or their certain
attorney, executors, administrators or assigns, for which
payment well and truly to be made, we bind ourselves,
our heirs, executors and administrators firmly by these
presents, sealed with our seals and dated the twenty
seventh day of December in the year of our Lord
eighteen hundred and thirty eight.

The condition of the above obligation is such that
Whereas Louis Bodine as plaintiff is about to comm-
=ence suit or action of debt, and sue out of the Office
of the Clerk of the Circuit Court of the County of
Jefferson in the State of Missouri, A writ of attach-
=ment against the said A. Toby & Co. as defendants
in the sum of three hundred and thirty six dollars
and twenty five cents, returnable to the next April
term of said Court, to be holden at the town of Keok-
=culanum in said County. Now therefore if the
said plaintiff, shall prosecute his said suit with
effect and without delay, and shall pay all dam-
=ages that may accrue to the said A. Toby & Co the
defendants, or any Garnishee in consequence of
the attachment, then this obligation to be void
and of none effect, or else shall be and remain
in full force and virtue in Law

signed, sealed and
executed in presence of
John S. Matheson

Louis Bodine Seal

John M. Stickland Seal

his heart.

Henry Holmes

or

Adby 260

Bona

Spine Dec 1839

Wien Dec 27th/1838

Wien Thues

6116

State of Missouri } ss In Jefferson Circuit Court
County of Jefferson } December Term 1838

To the Honble the Jefferson County Cir Ct

Louis Bolduc the plaintiff in this action
complains of A Toby & Co. contractors for carrying
the mail from St Louis to Potosi the defendants
of a plea of trespass on the case, for that heretofore
to wit, on the 21st day of December in the year 1838
they the said A Toby & Co. were justly indebted to
the said ~~A Toby & Co~~ plaintiff, in the sum of three
hundred and thirty six dollars and twenty five
cents, for the work labour care and diligence done
by the said Plaintiff at the request of said defendants
as also for money advanced by the said Plaintiff
at the request and for the use of the said defendants
and the said plaintiff being fearful of losing the
said sum of money above mentioned in consequence
of the said A Toby & Co. not being residents of this
State he prays that he may have the benefit
of a writ of Attachment to secure what property
of the said A Toby & Co. have in this State liable
to pay their debts, to the damage of the said
plaintiff in the sum of four hundred dollars
see

(Copy)

(Signed) Louis Bolduc

State of Missouri County of Jefferson Set
The State of Missouri to the Sheriff of
Jefferson County Greeting. We command you attach
A. Tobz & Co by all and singular ~~their~~ goods & chattels
and effects, Monies and credits or so much thereof
as will be sufficient to satisfy the sum of three
hundred and thirty six dollars and twenty five
cents with interest thereon and costs of suit in whose
hands or possession soever the same may be found
in your County, and summon the said A. Tobz
and Co or whosoever ~~the~~ said Goods Chattels &
may be in ^{the} possession of ^{or garnishees} that they be and appear before
the Judge of our Circuit Court at a Court to be holden
within and for said County, ^{at Merculaneum} on the second Monday
of April next at the town of Merculaneum. Then
and there to answer Louis Bolduc of plea of tres-
-pas on the case or promises to the damage of said
plaintiff in the sum of four hundred dollars.
and have you then there this writ

Witness John A. Matthea Clerk of
our said Circuit Court at Office
in Merculaneum this 27th day of
December in the year 1838

John A. Matthea
Clerk

I Execute this writ of ~~Attachment~~ By Attach
menting a Bay horse and a Brown & Chestnut Saddle and a
Bright Bay mare four sets of Cook Hammers on the 28th day
December 1838

John Hammann Sheriff

In Help and Service
of the Court
1838

James Wallace

vs

Attachment
of the Court

Sum Awarded to \$330.25

damages for loss of property

Executed March 4th 1839

John Hammann

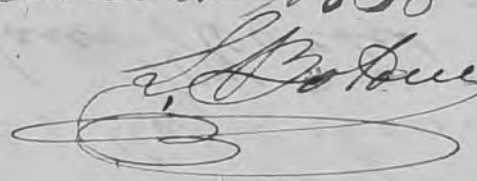
Shank

I Received the writ of Attachment
December the 27th 1838
John Hammann Sheriff

We the undersigned Louis Bolanch and James
Blackwell acknowledge ourselves indebted to A. T. & Co
in the penal sum of Two hundred dollars to be void
upon the Condition where as on the twenty seventh
day of December in the year 1838 there Issued a
writ of Attachment from office of the Jefferson County
Circuit Court in favor of ^{the said} ~~James~~ Louis Bolanch and a
gainst the said A. T. & Co three hundred and thirty
six dollars and twenty five cents which writ of
Attachment was delivered to John Hammond Sheriff
of said County and was by ^{him} on 28 day of December in the
year of 1838 ~~on~~ served on, four Horses, to wit a
long Bay horse a brown & a chestnut Sorrel, - and a bright
Bay Mare ^{Coach Horses} four of the Property of the said A. T. &
Co Now if the said Louis Bolanch shall on
the 15th day of ^{April} next in the year of 1839 deliver to
said Hammond Sheriff as aforesaid the above describe
d property at the residence of said Bolanch on
Big River in Jefferson County of the aforesaid day
then the above obligation to be void else remain
in full force and virtue witness our hands and
Seals this 28th day of December 1838

Witness

John Hammond Sheriff

 Seal

James Blackwell 

Box of
Louis B. de lauck

Paid April 8th 1839
Matthews & Co

Application, having been made to the undersigned
Judge of the ninth judicial Circuit in the State of
Illinois by Louis Bolduc, who has instituted an
action of Assumpsit and attachment against
Albert Tally, Joseph Jones, and Charles F. Hanna
in the Jefferson County Circuit Court, for the sum
of three hundred and fifty ^{six} dollars, and twenty five
cents, and the Sheriff of said County having attached
a bay horse and a brown and Chestnut sorrel
a bright bay mare and four sets of Coach
Harness, and said property being likely to perish or
depreciate in value and attended with much
loss and expense, the said Sheriff is hereby
ordered and directed to expose the same to sale
in the manner as near as may be as sales of
goods under writs of Fieri facias. Given under
my hand this 11th day of March in the
year eighteen hundred and thirty nine

David Sterigero
Judge 9th Judicial Circuit

I Received the within order on the 16th day of March 1839 for the sum
of \$270.00 on the 27th day of March 1839
for sets of Coach Harness
John Thompson Sheriff
John Thompson Sheriff

John Belcher

vs

Wm. W. W. W.

Wm. W. W. W.

Wm. W. W. W.

Wm. W. W. W.

State of Missouri Jefferson County Circuit Court
April term 1839

Leave to ~~file~~ amended declaration

Louis Boldue complains of Albert Lohy John
F. Hannu and Joseph Lamm of a plea of trespass
on the case upon promises, for that whereas here
before tried on the 1st day of December in the year
eighteen hundred and thirty eight, the said defendants
at the County of Jefferson were indebted to said plaintiff
in the sum of five hundred dollars lawful money
for horse meat, stabling, care and diligence and
attendance by the said plaintiff before that time found
provided and bestowed for said defendants in and about
the feeding & keeping of horses of and for said de-
fendants and at their special instance and request
and being so indebted said defendants afterwards tried on
on the day and year and at the County aforesaid in
consideration thereof undertook and then and there forth-
= fully promised said plaintiff to pay him said sum of money
when they ^{said defendants} should be thereto required

Also that said defendants on the 1st day of December
1838 at the County of Jefferson aforesaid were indebted to
said plaintiff in another sum of five hundred dollars
for meat drink washing and lodging, goods and chattels
and other expenses by said plaintiff before that time found
and provided for decedent persons in the employment of
said defendants and at their special instance and
request, and being so indebted said defendants in con-
= sideration thereof on the day and year and at the
County aforesaid, undertook and then and there promised
said plaintiff to pay him said plaintiff said sum of
money when they said defendants should be thereto required
Also that said defendants on the 1st day of December
in the year 1838 at the County of Jefferson were indebted
to said plaintiff in the sum of five hundred dollars

for the work and labor, care and diligence of said plaintiff
by said plaintiff before that time done performed and bestowed
in and about the business of said defendants and for said defendants
and at their special instance and request; Also in the further
sum of five hundred dollars for debts goods wares and
merchandise by the said plaintiff before that time sold
and delivered to said defendants and at their special instance
and request; Also in the further sum of five hundred
dollars, for money by said plaintiff before that time lent
and advanced to and paid kind out and expended for said
defendants and at their special instance and request
and being so indebted the said defendants in consideration
thereof at ten and ten on the day and year and at the
County aforesaid, undertook and then and there faithfully
promised said plaintiff to pay him said plaintiff said several
sums of money in this count mentioned when they said de-
fendants should be thereto required

Nevertheless said defendants have not nor have either of
them paid said plaintiff said several sums of money
in said declaration mentioned or either or any part thereof
although often requested so to do but have hitherto wholly
failed and still fail and refuse to pay the same
or any part thereof to the damage of plaintiff
one thousand dollars therefore he sues for

Gains for plff

Balance

247 {
{ said
{ said

Filed April 11, 1889

W. M. Mathews
10/12

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of

County, Greeting:

YOU are hereby commanded to summon

Charles W. Martin

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 *seventh* day of *August* at the town of *Shrewsbury* then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein ~~the~~ *Jessie Black* plaintiff, and *Alby & others* defendant, on the part of the *Plaintiff* ; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,

at the town of *Shrewsbury* this *first* day of *August* in the year of our Lord one thousand eight hundred and *83*

John S. Mathews
Clerk.

Executed the within write on F. H.
Martin By Reading the same
in his Hearing on the 6th of
August 1839

John Hammond Sheriff
Sheriff fee, 50

Lewis Holburn

as
C. J. Stee

for
F. H. Martin

Received 6th Aug 1839

Matthew
W. H.

Albert Toby
Joseph Jeans and
F. Hanna Charles.

Attachment

ON motion of the plaintiff by his attorney,
it is ordered that the said defendants be
notified that an action of Trespass on the
hundred and thirty-six dollars and twenty-
five cents, that an attachment has been issued
against them and their property attached,
that the plaintiff claims damages amounting
to the sum of one thousand dollars, and that
unless they be and appear before the third day
of the next term of this court and file their an-
swer to the action of the plaintiff aforesaid,
a judgment will be rendered against them
and their property sold to satisfy the same,
and it is further ordered that a copy of this
order be inserted four weeks successively in
some newspaper published in the city of St-
Louis, the last insertion to be at least four
weeks before the next term of this Court.

A true Copy,

Attest JOHN S. MATHEWS Ck.

June 7w4w

I Thomas Watson, one of the publishers of the
Missouri Argus, certify that an advertisement
of which the foregoing is a copy, was published
for four weeks successively in said newspaper,
as follows:-

The first publication was on the 7th June 1839,
" second do. — " on the 14th do. " —
" third do. — " on the 21st do. " —
" fourth do. — " on the 28th do. " —

Thomas Watson

Sworn to and Subscribed
before me this third day
of August A.D. 1839 -

John T. Placé

Justice of the Peace
St Louis Co.
Mo

Jefferson County Circuit Court.
April Term, 1839.
Louis Boldue

Balance }
July 1839 }
Proof of Publications

Filed Aug 7th 1839

Wm. Matthews
& 11c

Wm. A. Joby & Co. Exrs -

1888

To Louis Bolduc

July 14	To Keeping 4 stage horses 2 weeks at \$ 8.00 per weeks	\$ 16.00
18	To Keeping 5 stage horses 11 weeks at \$ 10. per weeks & driver at \$ 2.00 per week	132.00
20	To Keeping 2 Extra horses 2 days the stage being out of Order	1.00
24	To Taking care of stage horses myself 4 days driver Kyzer being sick	2.25
Aug 2	To Keeping 2 Extra horses 2 days stage being broke	1.00
5	To Cash paid John Eads stage driver	6.00
Sept 22	To Taking care of 4 horses from the 22 nd untill the 30 th myself as there was but one driver	5.00
30	To driving stage one trip myself	1.50
Oct 10	To Taking care of stage horses 4 days myself	2.50
Nov 8	To Taken care of horse 3 days myself	1.50
	To Keeping 2 Extra horses 2 days	2.00
	To Dito 1 Dito " 2 days	1.00
	To Keeping 4 stage horses and driver from October 14 th untill the 24 th december say 12 weeks at \$ 14 per weeks	168.00
		\$ 340.75

Amount Brought Over	\$ 340.75
To 1 horse bought for A. Foby & Co	65.00
for which I give my note payable in one month from date after which time said note to bear ten per cent interest	\$ 6.50
To Cash paid Joseph Baguette for shaming stage horse	6.25
To Cash paid D. Baguette for clothing for Metcalf stage driver	5.10
	<u>\$ 423.50</u>

Contra	Cr
By Cash received for share	70.10
Balance due me	\$ 053.40
	<u>\$ 423.50</u>

At the Lury fine for the Plaintiff
Augt. year 1839

353.40

C. S. Rankin
Sherman

Polan
vs
Doby & Co
inf
Account

filed Aug 7 1839
Matthews
Clerk.

We certify that we have published in the *St Louis*
Argus for four weeks successively, from 7th
June to 28th of June, 1839, an edition of *St Louis*
County Circuit Court, April Term 1839,
to-wit: Lewis Pollock, vs. Albert Doty, Joseph
Leary and Charles H. Stumme, and for which
publication we have received from the
Lewis Pollock five dollars.

Geo Washington

John Barlowe

cc
C. D. H. & Co

Dec 11/1839

Mr. J. M. H. & Co

B. H.

1 Apr 14 1864
J. A. Moore

The sheeping at Stage Woods
from the 27th of December 1863
until the 21st of March 1864
at \$8.00 per week say 12 weeks - \$96.00

L Bolden }
A Hammond } Sheriff
on account of
A Tobz & Co.

allowed by his court.

& filed April 8th 1840

J. Mattheus, clk.

Henry Back
 Sale Bill of the Stage
 Horses and Hameps
 Belonging to A Toby & Co
 Amounting \$1,395.00

Hamilton one Mallem
 Simon B Wheeler
 Joseph Haverstick
 Thomas Williams
 Wm Porter
 Leander Williams
 Ezra Beckton
 Austin Brewer
 Samuel Burns
 John Butt

Thornton Jan 10 1850
 \$15.00

Lowson Cooley one Small Horse
 \$14.00

Felix Hill one Black Horse 39.00
 James Thomas one Bay Mare \$50.50

4 Sets of Stage Hameps

Sold to C. S. Rankin
 \$20.75

Total \$139.25

James Thomas one Bay Mare 50.50
 3 Hameps 20.75

39.00
 14.00

15.00
 139.25

Thornton Jan 13 1850
 Horse at \$15.00

Lowson Cooley one Chestnut
 Small Horse \$14.00

Felix Hill one Black
 Horse at \$39.00

James Thomas one Bay
 Mare at \$50.50

\$50.50
 39.00
 14.00
 15.00

4 Sets of Conch
 Hameps to C. S. Rankin 20.75

\$139.25

50.50
 14.00
 15.00
 39.00
 20.75
 139.25

50.50
 39.00
 15.00
 14.00
 20.75

 139.25

2.0

 88
 88

 60
 13
 80.00

