

Jefferson County Circuit Court
Case Files - Civil

April 1839 No. 28

Box

4

Folder

45

Goock, Drury

vs

Roberts, Joel

Appeal

Defendant appealed from J P William
Foxton on \$170 account

To the Honorable Esq. Fenton

Sir you will please issue a forth
with in my name against Joel
Roberts for on an action of ^{Det & 10th} Damages
pro which Damages accrued before
your honor by an ~~XXXXXX~~ verdict
of a jury that was summoned to
Liquidate an action of an acct insti-
tuted by D Gorek and against
Joel Roberts - which verdict
at the common process of law
was pled as a complete bar to
any action that could be instituted
by me against Roberts only for
Damage you will summon as
witnesses Pascal Buren James
Smith and Eliza Person &
Jonathan Shiotter as witnesses in
the case and ~~summons~~ I enclose a
process for a jury in the case
and much Oblige yours &c
February the 2 1839 Richd H. Hill
For D Gorek

Mary Gock
To Order
J. H. Hunt

Filed in the
Office - this

day February 1839
Filed March 14th 1839

W. H. Heathens
C/K

R. H. Hill
for
D. Gore
Apidout

Filed March 14/1839
Matthews att

State of Missouri } The State Comptroller to
County of Jefferson } is the Constable of Jefferson
town Ship in Jefferson County }
You are hereby Committed to Henry's Prison
At Borer & James Smith Johnathan Stricklen &
Escholson and all executors and delays be set a
day before appear before me William Houston a
Justice of the Peace with and from return shall the & as
before forth with to testify the truth their knowledge
testimony setting matter of Controversy before me
depending action in Breach of Peace as Plaintiff and
Defendant is the defendant on the part of the
Plaintiff. Hear of full act of your hearing there
you then and hear they admit whether may have
and seal this 4 day of February 1839

Wm. H. Houston
Justice of the Peace

Requested the
 to within
 1839
 by reaching the same
 names & nothing this 5th volume
 John W. Parker & Co. Portland

J. Gore &
 P. Smith

James
 Parker & Son
 James Smith
 James Smith
 John. Parker
 John. Parker

Contra Jan 8th

Filed Nov 14 1839
 Geo. M. Mearns
 - 6112

Atto of Superior } The Atto of Superior to the Comth
County of Jefferson } of Jackson Township in the County
of Jefferson Greeting

I Command you to Summon six
Lawfull men of your County to appear
before me at my office forthwith who
one not of kin to Drury Goock Plaintiff
and Joel Roberts Defendant to make a
Said return - said parties in a plea of
Deft because as well as the said Plaintiff
as the said Defendant have put themselves
on the County for trial and have sworn
there and then the names of the Jury and
this writ

Witness my hand and seal this the
4th Day of February 1839

William Foster J. J.

The Atty. Genl. and the Atty. of Madison to the
County of Jefferson } Consists of Jackson Township
in the County of Jefferson guilty

I Command you to take John Adams
and bring him forthwith before the undersigned
one of the Justices of Jackson Township in
Jefferson County of my office in the same
Courtroom to answer the Complaint of
Brady Good in an action of Debt and
Damages

Given under my hand this 4th day of
February 1838

Wm. P. H. P.

Executed the within by: Fitching the defendant
present the to day of Febry 1859 Edward W. Carr

Drury. Gooch
Jail Roberts
Const per 25-

Отъ

Filed March 14
1839

Not Weather
talk

State of Missouri } Is the State of Missouri to the Consistorial
County of Jefferson } of Joachin Township in the County
of Jefferson Greeting

Whereas Henry Cox on the 5th Day
of February 1889 obtained Judgement by Verdict
of a Jury of the township of Joachin in Jefferson
County against Joel Roberts for \$10.00 Debt
and \$5.00 Damages and also 10cts for interest
and also \$5.00 etc for Cost

You are therefore Commanded to Levy
the same of the goods and Chattels of the said
Joel Roberts and Expose them to Sale according
to Law you are further Commanded to make
return of this writ within thirty Days of this
Date

Given under my hand this the 5th
Day of February 1889
William. Foster J. P.

Drum. Gove
is } Executor
Sol. Roberts

Debit - \$ 7.00
Damages — 5.00
Interest — 70
Law. Cost — 1.60
Court Cost — 2.00
Witness pay — 2.00
\$ 20.70 1/4

The Executor. Q5

Filed March 14th
1839

Wm. Weather
clerk

State of Missouri }
County of Jefferson } S

We the undersigned Joel Roberts
and Francis Botter acknowledge ourselves
indebted to Drury Gooch in the sum of
fifty Dollars to be void upon this condition
Whereas Joel Roberts has appealed from the
Verdict of a Jury in an action of Debt
between Drury Gooch Plaintiff and
Joel Roberts Defendant now if on such
appeal the Judgement of the ~~Court~~ ~~at~~
~~the~~ Jury be affirmed or if on the trial
anew in the Circuit Court Judgement
be given against the appellant and he
shall satisfy such Judgement or if his
appeal shall be dismissed and he shall
pay the Judgement of the Jury together
with the Cost of the appeal the
recognizance shall be void

Taken and acknowledged before me this
6th Day of February 1839

^{sub}
Joel P. Roberts
^{marks}

^{sub}
Francis x Botter-
^{marks}

William H. Totten Secy

Notie of Secy

Offical Bond

Carl R. Stewart
James D. Boston

Filed March 14th

1839

Wm. Wheatley
Att

James D. Boston

Stavulow

State of Missouri { Transcript } 1839 County of Jefferson
Feb 4th { Drury. Gook } Debt on acct \$10.00 Damages \$20.00
Joel. Roberts }

Just Cost Richard. H. Hill agent for Drury. Gook
\$1.87 1/4 appeared and filed his affidavit Required by Law to
obtain a warrant -

Warrant issued 4th Day of Feb 1839
To Elisha. Vernon Const. Returned by bringing the
Defendant forward the 5th Day of Feb 4

Subp^a issued for plaintiffs witnesses served
by John McFaddin D. Const -

on	Order for Jury
Witnesses	Benire Issued served by
Feor	Elisha. Vernon. Const.
S. L. M	
Peckel. H. Burin	
James. Smith	
Jonathan. Strickland	
Elisha. Vernon	

Whereupon the parties all present
and the evidence being heard the
Jury retired and returned with the following
Verdict

We the Jury find for the
plaintiffs ten dolls Debt and
five Dolls damages with interest
from the time of the appeal
taken in the former Suit

John ^{his} Smith Foreman
Feb 5th 1839 mark

List of Jurors
John. Smith for
James. Hiter
Andrew. Noble

Const Cost
S. L. M Execution issued 5th day of February in
hands of Elisha. Vernon Const. Appeal taken 6th
day of February 1839 Execution called in February
6th Bond in a recognizance sufficient to secure
the plaintiffs demand

I hereby certify the foregoing is a
true Copy from my Docket -

William. Foxton. S. Rem

Nov 28th
Transcript
in care of
Henry. C. Crock
J. C. C. C. C. C.

380

Dec 14th 1839

Wm. M. M. M. M.
Crock

Oct 4th 1889.

Drury. Greek
Cool. A Street

[illegible]

For
To - Serving Warrent 25
To - Summing from Warrants 750
For - summing Clergy - 125
Total 825

Wm. A. Adams. Cash.

Nothing for
 Paid of Burn 500
 Sam - worth - 500
 Another 400
 Mike. Burn 500
 8200

I hardly Anticipate the foregoing fee "Bills" is correct.

Wm. Taylor J. P. Dear

The bill
in
case of
Jung: Jacob
Feb. 25th 1839
Jacob. Roberts

Filed March 14 1839
J. M. Matthews
clerk

COUNTY OF JEFFERSON, SCT.

JENN STANTON OF MISSOURI,

To the Sheriff of

Jefferson County, — GREETING.

You are hereby commanded to summon

Jonathan Dickinson
James Smith
Henry Cook
Richard H. Rice

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 April next, 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 Henry Cook is plaintiff,
and Jack Roberts is defendant,
on the part of the plaintiff; and have you then there this writ.

~~Witness~~, ~~HENRY D. BATES~~, Clerk of our said Circuit Court, at the town of Her-
culaneum, this fourteenth day of March
in the year of our Lord one thousand eight hundred and 39

W. D. Woodhead CLERK, C. C.

Seized this with on Jonathan Stuckland Henry Cook
By McReading the same in their hearing on the 16th
day of March 1839 and on James Smith and Richard
H Hill on 23 day of March 1839

John Warrum and Sheriff

The Deft herein bound
April Term 1839

Henry Cook

vs
Stucker

Obad Roberts

vs

Jonathan Stuckland

James Smith

Henry Cook

vs
R R Hill

10th April

Wm. A. Beach 27th 1839

Wm. A. Beach

vs

COUNTY OF JEFFERSON, SOI.
THE STATE OF MISSOURI,

To the Sheriff of

County of Jefferson:

YOU are hereby commanded to summon

Nathan Chickhead
James Smith
Henry Book
A M. M. M. M.

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 11th day of August at the town of Moberly, Mo. then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein Henry Book is plaintiff, and Joel Roberts is 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 Moberly, Mo. this 11th day of July in the year of our Lord one thousand eight hundred and

John S. Mathews
Clerk.

I Served this note on R H Hill on the 2^d day
 of July 1839 By Reading the same in his
 hearing Served on ~~John~~ ~~Smith~~ Jonathan
 Stickland and James Smith on the 23^d day
 of July 1839 By Reading the same in
 their presence and hearing and Henry Cook
 By Reading the same in his hearing on the 23^d day
 of July 1839.

John Harmon and Sheriff

Appointed
 August Term 1839

Drury Crocker
 vs
 Joel Roberts

for P^y
 Jonathan Stickland
 James Smith
 Henry Cook
 R H Hill

6th Aug

Sheriff fee \$2.00

filed Aug 6th 1839

Wm. H. Hill

COUNTY OF JEFFERSON, SOI.
THE STATE OF MISSOURI,

To the Sheriff of

County, Missouri;

~~YOU~~ are hereby commanded to summon

Jonathan Huchel
James Smith
Henry Cook
Ric W. Weir

You are hereby summoned

that, setting aside all manner of excuse and delay, ^{you} be and appear in proper person before the Judge of our Circuit Court, on the ninth day of December at the town of Berens then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein William and Henry Cook is — plaintiff, and Joe Roberts is — 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 Berens this ninth day of September in the year of our Lord one thousand eight hundred and thirty-nine

W. J. Mathews Clerk.

I Executed this write on Henry Cook and
R N Hill on the tenth day of September 1839

I Served this write on all the with
in Name a Witness at Least Twenty
days before the ninth day of October 1839
John Hammond Sheriff

Dr Joff Sei Secant
December 1839

Henry Cook Secant
as
Jed Heberg Secant

with for Joff

Jonathan Throckmold

James Smith

Henry Cook

Richd Wobie

Witness Nov 2 1839

John Hammond

Shk

Bury Brook

Sept 26th Dec 1839.

"

Bury Brook

clearing his

Joel Roberts:

Attendance as a teacher as follows

2 day August Term 1839 20 Miles travel - \$2.00

1 day Dec " 20 " " 1.00

Henry Beck \$3.00

Sum to subscribers

Dec 9th 1839

Wm G. Matthews

Orury Gooch
vs
Joel Roberts

filed Dec 11th 1839
Mo. J. Feathering
C. R.

An Honorable Society & Circuit Court of
New York

Doce Roberts } serves & with a return, in the above
case & claims his attendance as follows.

Do 1 day attendance & fine Decem 1839 ————— 50

" 12 Miles travel to & from Court — at 5¢ ————— 50

" 2 days attendance at August Term 1839 ————— 1.00

" 12 Miles travel to and from Court ————— .50

" 1 days attendance certified by the Magistrate ————— .50

Amount subscribed before me May 13th 1840. \$ 3.20

And hereby certify that above } serves & with
sum is entered to the above } marks

fee three dollars & twenty cents }

Attest Geo. W. Thompson Clerk

Dwight Hooker }
" }
Joel Roberts } fee hire
James Smith }

\$3.20