

Jefferson County Circuit Court
Case Files - Civil
August 1840

Box 5 Folder 29

Sullens, David

vs.

Wheeler, Solomon B.
Pence, John

Appeal

Defendant appealed from JP Solomon
B. Wilson on \$22 note

On or before the first of March
next we or either of us agrees to pay
David Bullens the sum and full
sum of the sum of two dollars within
the date for value rec'd of him
Dec. the 2nd 1839

Wolomon, B. Bullen

John Jones & Co. } John Jones

S B Wheelers
Note

filed Aug 4th 1840

Thos Weather
Clerk

THE STATE OF MISSOURI

To the Constable of

We command you to summon

to appear before the undersigned, one of the Justices of the Peace of

Jefferson County, on the

clock in the forenoon, at his office in the same township, to answer the complaint of

David Sullivan

Big River

Township, in

Jackson

Jefferson

County, GREETING:

Wm. Miller to John Pence

18th

day of

April

township, in

1840 at ten of the

on a warrant of twenty two Dollars

Given under my hand, this

the

31st

day of

March

1840

Jackson. B. Wilson

Justice of the Peace.

Excluded the with in by
the 5th 18th

Seely

Joac Benton

Resting this ~~at home~~

A summons
for
S. B. Wheeler
and
John Pence

filed Aug 4th 1840
Pro. Weather
etc

The State of Missouri

To the Constable of Big River Township in Jefferson
County greeting, We command you to notify David
Jenkins wherein adjudgement has been entered wherein
Jellison vs. W. Wheeler is plaintiff and David Jenkins defendant
to appear before the undersigned Justice of the Peace of
Big River Township in Jefferson County on the 16th
day of May 1840 at 10 of the clock in the forenoon
at his office in the same Township to answer the
complaint of Jellison vs. Wheeler
Given under my hand this the 1st day of May 1840
Jellison vs. Wilson Justice of the
Peace

A note for
David Sullens

filed Aug 4th 1840

Wm. M. Weather
Clerk

I return the within note not served
on the 16th day of May 1840

Samuel Herington
Jesse Benton Constable
Deputy

1840

April

David

Fuller

to

S. B. Fuller

to

to

Cash

—

—

—

\$ 18.00

Filed the 16th day
of May 1840

filed Aug 4th 1840

Matthews letter.

David Sullivan } Election on both
vs } Judgement against Defendant
G. B. Wheeler } This day Defendant appeared
before me the undersigned Justice the above
named Defendant who swears he does not
appear for the purpose of vexation or delay
but because he is aggrieved by the
Judgement of the Justice
subscribed and sworn to this the 16th
day of May 1840 G. B. Wheeler

Subscribed and sworn
to this the 16th day of
May 1840
J
William B. Wilson
Justice of the
peace

Edw. B. Ford

Wm Weather
Clerk

State of Missouri }
County of Jefferson }

We the undersigned G. B. Wheeler Middleton-
McDannald & Austin Brown acknowledge
our selves indebted to David Sullins in the
sum of forty four Dollars to be void upon
condition. Whereas G. B. Wheeler has appealed
from the Judgment of Solomon B. Wilson
a Justice of the Peace in an action between
David Sullins Plaintiff and G. B. Wheeler
defendant now if on such appeal the
Judgment of the Justice be affirmed
or if on the ~~contrary~~ trial anew in the
Circuit Court Judgment be given against
the appellant and he shall satisfy such
Judgment or if his appeal shall be dismissed
and he shall pay the Judgment of Justice
together with costs of the appeal the
recognizance shall be void

Taken and acknowledged before me This
15th day of May 1840

G. B. Wheeler
Austin ^{his} Brown
Middleton ^{his} McDannald

Solomon B. Wilson [L.S.]
Justice of the peace

D. Lucas

1841

Phedon

Phedon

Phedon

Phedon

Phedon

1841

Phedon

Phedon Aug 4 1841

Phedon

1841

David Wilkey } action of debt on note for sum
of \$22 - Summons issued
Solomon B. Wheeler } 31st day of March 1840 - return
John Pierce - - - - - 18th day of April same
year, Here on this day the Summons being
returned by the Constable executed, and Plaintiff
appearing in person, and the defendant failing
to appear Judgment is entered by Default
against the Defendants for the sum of \$22 -
With costs of Suite - Here on this 25th day of
April 1840, personally appeared one of the Defendants
Solomon B. Wheeler who having to the Justice
Sharnwood cause why said Judgment should be
opened, the said Judgment by default is set aside
and opened, and a new trial granted, and the
16th day of ~~May~~ ^{May 1840} month being set for trial, here
on this day the parties appearing at the hour
of twelve o'clock, and the defendant Solomon
B. Wheeler files as a set off a certain account
which was rejected by the Justice and a trial
by said Judgment is entered by the Justice
against the Defendants for the sum of twenty
two Dollars with costs of Suite - an appeal
is prayed by the defendant Solomon B. Wheeler
on same day, and having the necessary affi-
-davit - Bond, &c, an appeal is allowed to the
next Circuit Court of said County of Jefferson
to be held at Hillsboro on 10th of Aug 1840 -

Solomon B. Wilson Justice
of the peace

I hereby certify the foregoing to be a true
copy from my record
Given under my hand this
16th day of April 1840 -

Solomon B. Wilson Justice
of the peace

David Sullens

S. B. Wheeler
John Price

Transcript

David Sullens

S. B. Wheeler
& John Price

Transcript

filed Aug 4th 1840

Jno. J. Matthews
clerk

I Sellers } Price of Cows before Auction
 J. B. Wheeler }
 John Wheeler } of the Peace

100 lbs Durin 18 3/4
 100 lbs Durin 18 3/4

100 lbs 10 6 1/4

100 lbs to open Dur 25

20 Durin 28 7 1/2

100 lbs 25

100 lbs 25

100 lbs 25

100 lbs 25

2
J. Latham

of the Whites
of Danvers

for me

Friday Aug 4th 1840

Wm. J. Latham
Esq.

COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, Missouri;

YOU are hereby commanded to summon

William H. H. H. H.

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 August at the town of Wentworth then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein David H. H. H. is plaintiff, and William H. H. H. 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 Wentworth this twelfth day of August in the year of our Lord one thousand eight hundred and ninety

John S. Mathews Clerk.

I Expected. this writ on Nathan
Sullens By Reading it in his presence
& hearing on the 10th day of August
1840

John Hammond Sheriff
By M Moss Dep Sheriff

Wofford & Son
Aug. 1880

David Allen

J. B. Wheeler

John Jones

For Plaintiffs
Parties Defendants.

Wheat Creek + 11th 1846

W. D. Anthony & Co.

COUNTY OF JEFFERSON, SOU.
THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, Missouri;

YOU are hereby commanded to summon

Henry H. H. H.

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 *August* at the town of *St. Louis* then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *David H. H.* plaintiff, and *John H. H.* defendants, on the part of the *defendants*; and have you then there this writ.

WITNESS, JOHN S. MATTHEWS, Clerk of our said Circuit Court,
at the town of *St. Louis* this *twelfth* day of *August* in the year of our Lord one thousand eight hundred and *eighty*

John S. Matthews
Clerk.

I Executed this writ on Henry
Arnett By Reading in his presents
& hearing on the 11th day of August
1840

John Hammond Sheriff
By M Mox Dep.
Sheriff

Costs to be
Aug 11. 1840

Debtors

"

W. M. Wheeler

J. D. Dence

Writ for costs

Henry Dence to

John Arnett 11th 1840

W. M. Wheeler
J. D. Dence

David Fulton

13

John W. Wheeler &

~~John P. Wheeler~~

The Defendant Wheeler by his attorney
moves the court to set aside the verdict in the
above cause and grant a new trial
because the verdict was against law and
evidence

Respectfully
Obedt. O'Neil

David Sullivan &
John W. Keeler.
Parties for New Trial

Filed Aug 12th 1840
Pro Seathway
W/le

Letter

to

J. Whitten

} {

Proponent
August Term 1840

The Clerk will give an execution on
some judgment with a view of
-satisfying against said

12th August 1840

J. Whitten
Att^y for Whitten

David J. Allen

is

John 13 Weeks

John on County District about

Dec 20. 1840

Henry Dutton witness

in the above cause during the following attendance, to wit
1 day attendance the above term \$.50
20 miles travel to & from Court ——— 1.50
1.50

Now to and before me

Henry Dutton

the 21st day of Dec 1840

Geo. W. Allen Clerk

David Sullivan

vs
Solomon B Wheeler
fee bill

filed aug 22 1840
Geo Mathews
clerk

David Sullivan & Athan Sullivan witnesses 1840

28

days at the same place

Solomon, N. Wheeler

28 miles from

town to the end of

the Athan Sullivan

before me

Aug 11th 1840

John H. Athan

David Sullivan

4
Solomon & Wheeler

Appeal to Circuit Court
August Term 1840

Be it Remembered that on the trial of
this cause the plaintiff produced in evidence
a note of the defendant & John Pence for
twenty two dollars, that the plaintiff closed
his case, that then the defendant proved that
four dollars of the money mentioned in the
note was won at gambling by the plaintiff
that the balance was loaned by plaintiff
to defendant ^{for gambling purposes} at the gaming table which
gambling with him. That upon this state
of testimony the Court adjudged that the
plaintiff recover eighteen dollars being
the amount borrowed ^{which was all the amount} as aforesaid, to which
opinion of the Court the defendant by his
counsel excepts and files this his bill of
exceptions which is signed by

David Steyer Deod

David Lally

to E. D. Peyton

Solomon P. Wheeler

Filed Aug 12th 1840

Wm. B. L. & H. & Co.

61/10