

Tofferson County Circuit Court
Case Files - Civil

December 1841

Box

6

Folds, 30

Thomas, Claiborn

vs

Winer, John

Debt, note

Debt \$400; real estate attached

State of Missouri }
County of Jefferson }

To the Jefferson Circuit Court
March Term 1842

Claiton Thomas plaintiff states that he is
the legal ^{owner} of a bond against the defendant
John Winer to the following effect, to wit,
" \$400. Twenty four Months after date for value
" Rec^d of Claiton Thomas I promise bind and oblige
" Myself my heirs &c to pay him or over the sum
" of four hundred dollars. bearing interest at the rate
" of six per centum per annum from the ^{date} thereof, and ten
" per centum after the expiration of two years. Witness
" my hand & seal this 26th day of August 1839
" B Johnston John Winer Sec^y

yet the debt remains unpaid therefore he demands
judgment for his debt and damages for the detention
thereof together with costs.

James A Beall atty
for plaintiff

To the Clerk of the circuit court within
and for the county of Jefferson and State of Missouri

Sir You will please dismiss
the case wherein Claiton Thomas is plaintiff
and John Winer defendant

March 19th 1842

James A Beall atty
for C Thomas

State of Missouri }
Jefferson County } Personally came before the under-
signed clerk of the circuit court within for said
County Claiborn Thomas, who being by me duly sworn
upon his oath says that John Winer the defendant
in the foregoing declaration is justly indebted to said
plaintiff after allowing all just credits and setoffs
in the sum of four hundred dollars, with interest
at the rate of six per centum per annum from the
26th day of August 1839. to the 26th day of August 1841
and ten per centum per annum since the
last mentioned date on account of a bond for
signed by said Winer and payable to said plaintiff
and that the affiant has good reason to believe and
does believe that the said defendant has fraudulently
conveyed and disposed of his property and effects, or is
about to convey and dispose of his property and effects
so as to hinder or delay his creditors
Sworn to and subscribed } Claiborn Thomas
before me Dec 1st 1841 } Mark
J. W. Weatherall

Know all men by these presents that I Claiborn
Thomas as principal and John Hammond
as security are held and firmly bound unto the
State of Missouri in the just and full sum of eight
hundred dollars for the payment of which sum
well and truly to be made to the said State we
bind ourselves our heirs executors and administrators
firmly by these presents given under our hands
and seals this 7th day December 1841

The condition of the above obligation is as
follows viz whereas the above bound Claiborn Thomas
is about to sue out an attachment against John
Winer Now if the said plaintiff shall prosecute
his action without delay and with effect and
shall pay all damages which may accrue to any
defendant or garnishee by reason of this attach-
ment or any process or proceeding in the suit
then this obligation to be void else to remain
in full force

Claiborn^{his} Thomas
mark

Seal

John Hammond Seal

Taken & approved
by me Dec 7th 1841
Prof. M. A. Thomas
De. Civ. Court

No 32.

Hoffman vs Court

December Term 1840

Clarkson Thomas

vs { attachment
John Winer

action of Debt - protection
summons & attachment

Let a attachment issue
against Isaac atty
for plaintiff

filed Dec 7th 1841

Thos. Weather
clerk

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scanned documents fall
below Imaging Standards.
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scanned as received.

County of Jefferson, ss.

County of Jefferson ss. to the Jefferson Circuit Court

State of Missouri }
County of Jefferson } To the Jefferson Circuit Court
March Term 1842

Claborn Thomas plaintiff States that he is the legal owner of a bond against the defendant John Winer to the following effect to wit,

\$400. Twenty four months after date ~~I promise~~ for value Rec^d of Claborn Thomas, I promise bind and oblige myself my heirs &c, to pay him or order the sum of four hundred dollars, bearing interest at the rate of six per centum per annum from the date hereof, and ten per centum ~~per annum~~ after the expiration of two years, Witness my hand & seal this 26th day of August, 1839.

B Johnston

John Winer *(Seal)*

yet the debt remains unpaid therefore he demands judgment for his debt and damages for the detention thereof together with costs.

James A Beall
Atty for plff

A true copy attest

Prof. Matthews clerk

By virtue of the within writ of Attachment I have
levied upon, attached and seized the following real
estate to wit: the north half of a certain tract of land
situate lying and being in the county of Jefferson, on
the waters of the Grand Glaize Creek, confirmed to
Claiborn Thomas, and conveyed to the defendant John
Winer by James Thomas, by deed bearing date 20th day of
August 1839, containing three hundred and twenty acres
more or less. Given under my hand Dec^y 7th 1841

Mark Mofs Sheriff

I Executed this writ and Declaration on John
Winer By reading it in his hearing on the 10th
day of February, 1842 in Jefferson County Mo

Mark Mofs Sheriff
fee \$1:00

Jefferson Circuit Court
March Term 1842

Claiborn Thomas
vs
John Winer

Debt on bond
and sum to \$400.00
& interest

Bond filed in the sum of
\$800 supplied by me.
Wm. Weather
to Mr

Appearance property is attached
the Sheriff must take bond
in double the value.
Jm

filed of March 15th 1842
Jm. McArthur
to Mr

Dismissed in vacation March 19th 84th, at costs of
defendant

Wmth J. West
West & West