

Jefferson County Circuit Court
Case Files - Civil
May 1853

Box

7

Folder 56

Hardesty, Joseph

v.

King, Joseph

Appeal

Plaintiff appealed from Justice of the
Peace Abner Green on \$25.00 account;
depositions reference gold mining in California

The State of Missouri,

to the Court of the

of Central Township, in Jefferson County
Meeting. The Court do now to summon
Joseph King to appear before the am-
bassadors, one of the justices of the
peace of Central Township in Jefferson
County, on the 11th day of February 1853,
at ten of the clock in the forenoon at
my Office in the same Township. He
obeyed the command of Joseph W. W. W.
Given under my hand this 28th
day of December 1852.

J. W. W.
Justice

J. W. Wadsworth
W. M. Mang
Ammon
Furniture for 10

I received the within writ and accept
being by ^{the} sailing, a copy of the claim
at his place of abode in Central
Illinois. With a white mountain
of his family above the age of 18
of 10 years of his claimant, the 11: 1854
James M. Larnham 10th 1st floor 5

The State of Missouri,
To Frederick Middle
and Louisa Miller.

You and each of you
are hereby commanded, that, all excuses
and delays being set aside, you be and ap-
pear before the undersigned, a Justice of
the peace of Central Township, in Jefferson
County, on the 11th day of February 1853, at
ten of the clock in the forenoon, at my
Office in Hillsboro, in ^{said} Township, to testify
on the trial of the cause, wherein Joseph
Wardley is plaintiff, and Joseph King is
defendant - on the part of the plaintiff,
and of this, you are not to fail, at your
peril. Given under my hand this
28th day of December 1850.

Almer Green
Justice

J. W. Wadsworth
vs. J.
L. Wadsworth
vs. Wadsworth
Wadsworth
Mrs. Wadsworth
Mrs. Miller
Justice fee 13-

I executed the within writ on Frederick
Viddle and Louisa Miller By
reading the same in their presence
and hearing This January the 11-
1853

James M. Lanham Constable
fee ~~15~~ 50 - 15

with the State of Maryland,

24

Melvinia A. Walker

and James Hensington. Now, and each
of you, are hereby commended, that, setting
aside all excuses and delays, you be and
personally appear before the undersigned,
Justice of the Peace of Central Township,
in Jefferson County, on the 11th day of Feb-
ruary 1853, at ten of the clock in the fore-
noon, at my Office at Williams in and
Township, to testify on the trial of the
Cause, wherein Joseph Henserty is Plaintiff
and Joseph King is Defendant, and
the grant of the Defendant, and thereof,
and not, at your peril.

It is under my hand this 11th day
of January 1858. I
Abner Green
I notice

J. Mandesky
vs.

J. Wing

Deft's witnesses

Fred. A. Weber

J. W. Wemington

Justice fees 13—

I do not see the witness in Frederick Weber
and James Mackey by reading the name in their
pleasance and hearing of the chairman 144 the 1853
James M. Larkins Court fees, 50, 00

State of Missouri ss.
County of Jefferson D^y

The State of Missouri,
To the Constable of Central Township, in Jefferson
County, Missouri: You are hereby Command-
ed, that you cause to come before me, Abner
Green, a Justice of the Peace in and for said
Township, ^{on the 11th day of January 1853} at my Office in Hillsboro in the
same Township, six good and lawful men
of the Township aforesaid, by whom the truth
of the matter may be better known, to make a
Jury, between Joseph Wardesly, Plaintiff, and
and Joseph King - defendant, in an ac-
tion of Debt, because as well the said Defend-
ant as the said Plaintiff have put them-
selves upon a Jury, and have you there
this writ.

Given under my hand this 11th day
of January 1853,

Abner Green
Justice

~~Executed~~ Executed and returned the
within venire to the within named
Justice this February the 9 1859

James M. Lanhorn Const fee 75^{cts}
By summoning six good &
lawful men

J. W. Mandery

vs.

Joseph King

Venue

Justice fee 25-

Const fee 75^{cts}

James Mandery

Peter Jewitt

James Ogle

Stephen Huskey

Oliver Huskey

Brath Bowman

The State of Wisconsin,

To My dear Sir,

When we hereby Commanded, that setting aside all excuses and delays, you be and then on duty before the undersigned a Justice of the Peace in & for Central Wisconsin in & before County, forthwith to testify on the trial trial of the case wherein I seek testimony is put in writing, and I seek being is set on account, on the part of the & of account, - and of this, you are not to fail, at your peril. — Given under my hand this 11th day of February 1883,

Wm. Greer
Justice

I executed the within writs
by reading the same in his presence
and hearing in Central Township
this February the 11 - 1853

James M. Lamborn Const.
fee 2.50

Hondesty
vs.

King

Deft. Witness

Bazil Honey

Justices fee 1.25

Joseph W. Wadsworth
Joseph W. Wadsworth
Joseph W. Wadsworth

Before Arthur Green, a Justice
of the Peace in Central
New York, Jefferson County.

I, James W. Wadsworth, a resident
of Jefferson County, do hereby bind myself
to pay all costs that I am accused, and
that may be adjudged against the Plaintiff
in the above case.

Given under my hand and seal this

11th day of February 1833.

James W. Wadsworth

Witness & signed

This 11th day of Feb. 1833.

Abner Green, Justice

J. Mandest

vs.

J. King

James Werrington,

Bond, for

Security of Costs

We the Jury do agree to
find for the Defendant
J. B. Williamson

J. Hardesty

vs.

Joseph King

Verdict

We the undersigned, Joseph Bondesty
and Drura Rogers, acknowledge ourselves
indebted to Joseph King in the sum of
thirty dollars, to be void upon this Condition;
Whereas, Joseph Bondesty has appealed
from the judgment of Abner Green, a Justice
of the peace, in an Action between said Joseph
Bondesty, plaintiff, and Joseph King, de-
fendant. Now, if, on such appeal, the
judgment of the Justice be affirmed, or if,
on a trial anew in the Circuit Court, judg-
ment 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 the Justice to-
gether with the Costs of the appeal, Then this
Recognizance shall be void.

Given under our hands and seals
This 21st day of February 1853.

Attest,	}	Joseph ^{his} Bondesty	(seal)
Abner Green		mark	
Justice	}	Drura Rogers	(seal)

Joseph W. Mearns

W.

Joseph Mearns

Pr. Mearns

Switzerland 1888

State of Wisconsin
County of Jefferson

ss.

This day I came

personally before me, John W. Green, a Justice of the Peace in and for said County, Joseph W. Montecoby, who, being by me duly sworn, deposes and says, that his application for an Appraisal in the case of said Joseph W. Montecoby against Joseph Spring, before said Justice is not made for negotiation or delay, but because he said appellant is injured by the gross want of the Justice.

Known to and sub-
scribed before me
Joseph W. Montecoby

This 21st day of February
1853. Alvin Green Justice of the Peace

J. H. Borden

vs.

J. H. Borden

Affidavit

Truett's per 12

Joseph Wandaesly - Suit on Acct. for \$25.00. -
 vs. Joseph King
 Costs

Justices fees, To wit,
 Summons 15, - 3 subpoenas 43,
 venire 25, Swearing jury 25,
 adm^t of 6 oaths, ³⁰ entering judgment
 35, - Total = \$1. 73
 Constable fees 2. 25
 Witnesses
 Basil Whiney, Jr.
 as interpreter - \$. 75
 Jury fee - 2. 40
 \$ 7. 13

Justices fees
 additional, - Offi-
 ciant, & recogⁿ of
 Appeal, 37 1/2 Transcript
 & certificate 35, = . 92
 Total \$ 8. 07

Summons issued against De-
 fendant, Dec. 28th 1852, returnable
 Feb. 11th 1853, and subpoenas for
 witnesses on same day, & on 11th Jan^y.
 and venire for jury on same day.

Subpoena on 11 Feb. 1853. -
 February 11th 1853, the summons being
 returned on this day, duly executed,
 the Parties appeared, and being
 ready for trial, a jury of six good
 and lawful men, of the Township
 To wit, James Wensly, Peter Dewitt,
 Thomas Cyle, Stephen Wenskey, Elias
 Wenskey, and Pratt Boraun, were
 summoned, and duly sworn to try

the Cause, who, after hearing the allegations and proofs
 returned a verdict, as follows, "We the jury do agree
 to find for the Defendant, - Pratt Boraun, foreman."
 Wherefore, it is adjudged by the Court, that the De-
 fendant have and recover of the Plaintiff, and also
 of James R. Werrington, whose Bond for security for
 Costs is now on file in Court, his proper costs and ch-
 arges laid out and expended, in this suit, - and
 that he have execution therefor. - On the 21st day of
 February 1853, the Plaintiff came before the Justice, and
 applied for an Appeal, which, upon his complying with
 the law, in filing Affidavit and Bond, is allowed on
 the same day.

Abner Green, - Justice

State of Missouri } ss.
 County of Jefferson }
 I, Abner Green, a Justice of the peace
 in and for Central Township, in said County, do hereby Cer-
 tify, that the above is a true and perfect Transcript
 of the entries in my Docket, relating to the above cause, and
 that the process and other papers herewith returned, are the ori-
 ginals filed in my Office. - Given under my hand this 7th
 day of March 1853. - Abner Green, - Justice

Joseph Hancey
 vs.
Joseph King
 Grand Jurit

Filed Mar 7th 1853.
 Wm. C. Fisher
 Clerk

Joseph Wmately

Ad.

Before Almer Green, a Justice
of the Peace of Central Township

in Jefferson County Missouri.

Indorsement necessary for Indorsement for costs,
on the 11th of February 1853.

to Joseph King, the above de-
endant. - Upon one hereby notified that
I have taken an official from the mag-
ment of the notice, in the above cause,
to the Circuit Court of said Jefferson County.

Attest.

And

Witness my hand & seal
this 8th of March 1853

Joseph Wmately
Clerk

Josep. W. modesty
vs,

Josep. King

Notice of
Appeal

I executed the within writ on Joseph
King by reading the same in his presence
and hearing of his March the 9. 1853
James M. Latham Clerk fee 25 cts

Joseph Wondert
vs.

Joseph King

Notice to
Take Depositions

I executed the within writ on Joseph
King by reading the same in his presence
and hearing, who March the 9 1853
Same in Latham Court fee 25^{cts}

Deposition of a witness Taken before me
Mellis P Hamrick a Justice of the Peace
within and for Central Township in
the County of Jefferson in the State of
Missouri, at Hillsboro and at the Court
House in said Town of Hillsboro between
the hours of 9 O'clock in the forenoon
and five O'clock in the afternoon of the
nineteenth day of March A.D 1853.
To be read in evidence on the Trial of
a cause now pending in the Circuit
Court of said Jefferson County Missouri
between Joseph Hardesty Plaintiff and
Joseph King defendant, on the part
of said Plaintiff,

Thomas B Hardesty of lawful age,
whose place of residence is in the
County of Saint Louis, but who is about
starting for California Gold mines,
being produced sworn and examined
on the part of said Plaintiff deposes
and saith,

I was at the House of the
defendant Joseph King, about the month
of October 1852, and in a conversation
that I then and there had with defendant
he the said Defendant informed me that
he had sold his farm to a German man
and showed me two gold pieces and
said to me that said gold pieces were \$5
and were paid to him by the German
man to bind the bargain for the sale &
purchase of the farm, and defendant
then stated to me that he had promised

"Joe" (meaning the Plaintiff Joseph Hardesty)
Twenty five dollars if he said Joseph Hardesty
would send to Defendant a man who
would purchase said farm, and that he
had also promised one Fox, (John W Fox a
deponent believes who resides in St Louis)
fifty dollars if he, Fox, would send to him
Defendant, a purchaser for said farm,
and Defendant then remarked to me
that he did not know which of the two
Joe (meaning Plaintiff) or Fox would claim
the money for sending him a purchaser
& further saith not. Thomas ^{his} B Hardesty
mark

I Willis P Hamrick a Justice of the Peace
within and for Central Township in
the County of Jefferson in the State of
Missouri, do hereby certify that Thomas
B Hardesty the deponent, whose place
of residence is at the Coal Banks in
Saint Louis County, Missouri, was by me
sworn to testify the whole truth of his knowledge
touching the matter in controversy in the
cause aforesaid, that Deponent was examined
and his examination reduced to writing
and subscribed by said Deponent in my
presence on the 19th day of March A D
1853, between the hours of 9 o'clock in the
forenoon and five o'clock in the afternoon
of that day at the Court House in the Town
of Hillsboro in the County of Jefferson and
pursuant to the annexed notice, and his

said Deposition is now herewith returned,
Given under my hand at the Court House
in Hillsboro' aforesaid, this 19th day of
March A.D. 1853.

W. P. Hamrick Justice of the peace

Joseph Boardman
or
Joseph Kling

Reparation on part
of raft.

1140

Dec^r 20th hand of 1850
dammed - opened and
filled by me May 3rd
1850 Thos. A. Lecher
see also at

Chas.

Joseph Martindale,
vs
Joseph King

Deposition in Part of 1844.

To the Clerk of the Circuit Court
of Jefferson County Mo

Hammer P

COUNTY OF JEFFERSON.

The State of Missouri,

To Fredericka Riddle, Larico Miller and

J. A. Weber

Greeting:

You are hereby commanded, that setting aside all manner of
excuse and delay, you appear before our Circuit Court for the
County aforesaid, on the 23rd day of May next
at Hillsboro, then and there to testify, and the truth to say in a certain
matter of controversy, now pending in our said Court, wherein
Joseph A. A. A. is Plaintiff and
Joseph A. A. A. is Defendant on the part
of A. A. A. and herein you are in no wise to fail.

Witness, Thomas C. Fletcher, Clerk of our said

Court, with the Seal thereof hereto affixed,
at office this 19th day of March
A. D. 1853

Wm. C. Fletcher
Clerk.

I executed this writ on Louisa Miller & Fred-
ericka Riddle by reading it in their
presence & hearing on the 15th of April
1853

James McColloch Sheriff

I executed this writ on F. A. Weber by reading it in
his presence & hearing on the 12th of May 1853.

James McColloch Sheriff

Warrant levied
May 9 1853.

Break. Standeely

Break. Ding

Open for debt for

Fredericka Riddle

Louisa Miller

to A Weber 12

3rd day

Sheriff fees \$1.50

COUNTY OF JEFFERSON.

The State of Missouri,

To Fredericka Riddle, W^{rs} Miller, James Harrington
Charles Miller, William Jones

Greeting:

You are hereby commanded, that setting aside all manner of
excuse and delay, you appear before our Circuit Court for the
County aforesaid, on the 28th day of August next
at Stillmore, then and there to testify, and the truth to say in a certain
matter of controversy, now pending in our said Court, wherein
Joseph Wardlaw is Plaintiff and
Joseph King is Defendant on the part
of Plaintiff and herein you are in no wise to fail.

Witness, Thomas C. Fletcher, Clerk of our said

Court, with the Seal thereof hereto affixed,
at office this 21st day of April
A. D. 1850.

Th. C. Fletcher
Clerk.

I executed the within writ on James R. Sterrington
by reading it in his presence and hearing
this on the 27 day of April A D 1853

I executed this writ on Mrs Riddle, Mrs Miller
Charles Miller & William Jones by reading it in
their presence & hearing on the 12th of May 1853

James McCallister
Sheriff

Circuit Court
May Term 1853.

Joseph Hardey
vs
Joseph King

for self
Mrs Riddle 12
Mrs Miller 12
James R. Sterrington 12
Charles Miller 12
William Jones 12

Sheriff fees \$2.50
3d. day

With Powers for the defendant

Charles R. Bruefield Foreman

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50	Meber
110	Mr Riode
110	" Miller
110	Mr Meber
21,32	-

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1782
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