

Tofferson County Circuit Court
Case Files - Civil

October 1858, No. 15

Grenon, Augustus

vs

Hilderbrand, Philip

Damages

Defendant, as constable, failed to return
\$50 saw logs levied on execution in favor
of R.D. Massey after plaintiff satisfied
execution; \$50 damages

Box

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Folder 32

Augustus Gurnais } In the circuit court
 against } of Jefferson County
 Philip Hilderbrand } Supreme Oct Term 1838.

Plaintiff states that in the year 1838 Defendant was constable of Munroe Township Jefferson Co Mo and that while acting as such received an execution from the office of John Moore justice of the peace of said Township in favor R D Murphy and against this plaintiff. Then said constable levied said execution upon & took into possession fifty six saw logs the property of the said plaintiff lying & being in said Township of the value of about fifty six dollars. afterwards this plaintiff before any sale satisfied the execution in full by payment. Notwithstanding which payment the said constable has neglected & failed to deliver over to this plaintiff the said logs by which he has sustained damages to the amount of fifty six dollars for which he asks judgment

Piptin & Hagan
 atty for Plaintiff

Augustus Gurnais plaintiff makes oath & says the above petition and the matters therein stated he believes to be true
 Sworn to and Subscribed } Augustus Gurnais
 before me. Aug 4th 1858 }
 Elias J Honey Clerk

August. 1858
as 3 sections

Philip H. H. H. H.

Let summer isue

Johnston & Hagan.
atly for. 1858

Johnston & Hagan. 1858

Johnston & Hagan. 1858

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Augustus Grenon } In the Circuit Court of
against } Jefferson County Miss-
Philip Hilderbrand } -sion. Oct. Term 1858

Plaintiff states that in the year 1858. Defendant was constable of Moorcroft Township Jefferson County Mo., and that while acting as such, received an execution from the office of John Weare Justice of the peace of said township in favor of R. D. Moapey and against this plaintiff, that said Constable levied said execution upon stock into possession fifty six Saw logs, the property of the said plaintiff lying & being in said township of the value of about fifty six dollars; Afterwards this plaintiff before any sale, satisfied the execution in full by payment, notwithstanding which payment the said Constable has neglected & failed to deliver over to this plaintiff the said logs by which he has sustained damages to the amount of fifty six dollars for which he asks judgment

Pepkin & Hagan
Attys for Plaintiff

Augustus Grenon's plaintiff makes oath & says the above petition and the matters as therein stated he believes to be true

Sworn to and subscribed Augustus Grenon
before me Aug 4th 1858

Elias D. Honey Clerk
Endorsed Filed Aug 4th 1858 Elias D. Honey Clerk

A true copy of the original petition
and affidavit on file in my office
Witness my hand and the Seal
of said Court. Aug 7th 1858
Elias D. Honey Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon *Philip*
Hilderbrand

----- if he be
found in your County, that he be and appear before the Hon.
Judge of our Circuit Court, on the first day of the next term thereof,
to be begun and held at the town of Hillsboro, within and for the
County of Jefferson, on the fourth Monday of October
next, then and there to answer unto *Augustus Green*

upon *his* original petition, a copy whereof is herunto annexed and
accompanies this writ and have you then there this writ.

Elias D. Honey
Witness, *THOS. D. FLETCHER*, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this *Seventh*
day of *August* A. D. 1858

Elias D. Honey
CLERK CIRCUIT COURT.

I executed the within Summons at the county
of Jefferson State of Mo by delivering ^{Philip Hildebrand} him a true copy
of the above summons ^{+ petition} in the county of Jefferson State
of Mo on the 24th day of August 1858

Oscar Dover Sheriff
of Jefferson Co Mo

No 13

Jefferson Council Court

October Term 1858

1646

Augustus Emerson

vs & Summons

Philip Hildebrand

Sheriff fee \$100

Subscribed 18th 1858
E. J. Hooney clk

Charged for man
of prisoner

Augustus Grenow } In the Circuit
vs, } Court Jefferson
Philip Wilderbrand } County.

The Defendant comes and moves
the Court to rule the Plaintiff to give
security for costs in the above Cause,
for the reason that he is unable
to pay costs, and has no property
liable to execution.

} Abner Green
} Atty. for Deft,

Augustus Sherman
Esq,
Philad^a & Worcester

Motions
for decerning two
writs

Filed Oct. 28th 1838

Edw. D. Henry

entered

Augustus Green } In the Circuit Court
vs, } Jefferson County
Philip Wilderbrand }

The Defendant denies that he while acting as Constable in Merri-
mac Township in Jefferson County in 1858
levied an Execution he held against
Plaintiff in favor of R. D. Masey, on
fifty six saw logs, the property of plain-
tiff, or on any logs whatever of the
plaintiffs; and denies that he ever
seized or took possession of 56 saw
logs, or any saw logs belonging to
Plaintiff, lying or being in said Town-
ship. He therefore denies plaintiffs
right to any damages whatever as
against this Defendant.

Abner Green
Atty for Deft.

Philip Wilderbrand, defendant,
makes oath and says the above answer
contains the matters therein as stated
are true.

Philip Wilderbrand

Seen to and subscribed
before me, Oct. 29th 1858
Oleas & Honey Clk

In Circuit Court
Jefferson County
Augustus Brown
vs,
J. Webster Brand
Answered

Filed Oct. 29th 1858
Elias H. Hooley clerk

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Thomas Houser. John Well Jr

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

12th day of June

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

Adrian F. Honey is

Plaintiff and

John Well Jr

Defendant on the

part of defendant

and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court,

with the Seal thereof hereto affixed, at office, this

12th

day of June

A.D. 1861

Elias F. Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1861

Augustus Benson
vs } Qua
Philip Holterbrand

for debt

Thomas Thomas
Exo Null Jr.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

John Hunt.

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

11th day of June 1862

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 *Augustus Freeman*

Plaintiff and *Phelix Webster and*

Defendant on the

part of *Defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court,

with the Seal thereof hereto affixed, at office, this

15th day of *May* A.D. 186*2*

Elias Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1862

Aug. 1862

P. Kellerbrand

for debt

John Hull

Sheriff for 2500

paid while not found within my County

Wm. D. Smith Sheriff