

J. F. Carson County Circuit Court
Case File - Civil

April 1859, #18

Box 11 Folder 9

Blake, Joseph E.

vs

Blake, James M

Debt

Debt \$71.25 paid by plaintiff
as defendant's security on note
to Josiah Craft; real estate
attached

Joseph E. Blake, Plaintiff } In the Circuit
Against } Court, Jefferson
James M. Blake, defendant } County.

Plaintiff states that on the 17th day of January 1859, he paid to Josiah Craft, seventy one dollars and twenty five cents, on a Note held by said Josiah Craft, on the Plaintiff, as security for the Defendant, which amount and all interest thereon yet remain due and unpaid to Plaintiff. Wherefore he demands judgment for said sum of seventy one dollars & twenty five cents, and all interest due thereon but the restriction of judgment. And Plaintiff also states that the said Defendant is a now } Abner Green
resident of the State of Missouri. } Attorney for Plaintiff

Joseph E. Blake, Plaintiff, makes oath and says the above petition and the matters therein as stated he believes to be true,
Sworn to and Subscribed } Joseph E. Blake
before me Jan'y 24th 1859 }
Elias F. Honey Clk }

Joseph L. Blake
as J. P. Cotton

James W. Blake

Attest Jan'y 24th 1859
Eliza J. Honey

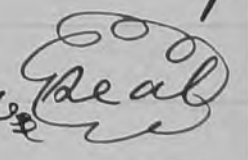
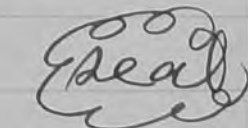
Joseph E. Blake, plaintiff } Attachment
against } in a civil
James W. Blake, defendant } action

We, Joseph E. Blake, as principal, and John W. Blake, as security, acknowledge ourselves to be indebted to the State of Missouri, in the sum of one hundred and fifty dollars, for the payment whereof we bind ourselves, our heirs, executors and administrators.

The condition of the above obligation is, that whereas, Joseph E. Blake, as Plaintiff is about to commence a suit by attachment in the Circuit Court of Jefferson County against James W. Blake, defendant returnable to the next Term thereof, wherein the sum sworn to is seventy one dollars and twenty five cents,

Now, if the said plaintiff shall prosecute his action without delay, and with effect, refund all sums of money that may be adjudged to be refunded to the defendant, or found to have ^{been} received by the plaintiff and not justly due to him; and pay all damages that ^{may} accrue to any defendant or garnishee, by reason of the attachment, or any process or proceeding in the suit, or by reason of any judgment or process thereon, then this obligation is to be void, otherwise to remain in full force.

Witness our hands and seals, this 24th day of January 1859.

Joseph E. Blake, 
John W. Blake, 

Joseph L. E. Blake
as { attached Bond
James W. Blake

Read and approved
Jan'y 24th 1859
Elias J. Hovey etc

State of Missouri } ss,
 County of Jefferson }
 Joseph E. Blake, plaintiff } Attachment
 Against } in a civil
 James W. Blake, defendant } action

This affiant Joseph E. Blake, states that he, the plaintiff in the above entitled cause has a just demand against James W. Blake the defendant therein now due, and that the amount which this affiant believes he, the plaintiff ought to recover after allowing all just credits and set-offs, is seventy one dollars and twenty five cents; and that this affiant has good reason to believe and does believe, that the said defendant is not a resident of this State; and this affiant has good reason to believe, and does believe that the said Defendant conceals himself, so that the ordinary process of law cannot be served upon him; and also, that this affiant has good reason to believe and does believe that the said Defendant has absconded or absented himself from his usual place of abode in this State, so that the ordinary process of Law cannot be served upon him.

Served to and sub-
 scribed before me
 Jan'y 24th 1859

Joseph E. Blake
 Elias J. Mooney clk

State of Missouri }
County of Jefferson }

The State of Missouri,

To the Sheriff of the County of Jefferson. Greeting:

We command you to attach James W. Blake, by all and singular his lands and tenements, goods, chattles, rights, money, credits, evidences of debt, and effects, or so much thereof as shall be sufficient to satisfy the sum of Seventy one Dollars and twenty five cents, with interest and costs of suit, in whose possession soever the same may be found in your County, and that you summon the said James W. Blake, that he be and appear, before our Circuit Court, of the County of Jefferson, on the first day of the next term thereof to be holden at the Court House in Hillsboro in the said County of Jefferson on the 25th day of April next, then and there to answer the petition of Joseph E. Blake wherein he asks judgment for Seventy one dollars and twenty five cents, And that you also summon all other persons, that you shall find in the possession of goods money, or effects, of the defendant not actually seized by you, and all debtors of the defendant, and such other persons as the plaintiff or his attorney shall direct as garnishees to be and appear before our said Court, at the time and place aforesaid then and there to answer such allegations and interrogatories as may be exhibited against them and have you then and there this writ:

In Testimony whereof I the undersigned Clerk of said Court have hereto signed my name and affixed the Seal of said Court at office in Hillsboro January the 25th A D 1859

Elias F. Hoovey Clerk

I have entered the within writ at the County of Jefferson on the 28th day of January 1859 by laying upon and attaching as the property of James W. Blake the following described tracts of land lying in the County of Jefferson and State of Missouri to wit the South East 1/4 of the South East 1/4 of Sec 11 and the North East 1/4 of the North East 1/4 of Section 14 Township 41 Range 5 East containing about sixty acres and also 40 acres adjoining the same on the North West part thereof and I do declare that I do attach all the right title interest and property of James W. Blake the within named Defendant of in and to the above described tracts of land or so much thereof as shall be sufficient to satisfy the Debt sworn to and costs of Suit

Oscar Dover Sheriff
By Augustine Wiley Deputy

No 18

26 Lincoln Court.

April Term 1859

1719

Joseph E Blake

vs } Attachment

James M. Blake

Shewitt fees. \$1.00

Chd
"

Filed May 6th 1859
Elias & Hoarey

Depts \$80.81
June 15th 1860

*In the Circuit Court of Jefferson county, in Vacation—
January 24th, 1859.*

STATE OF MISSOURI, }
County of Jefferson, } ss.

Civil Action by Attachment.

Joseph E. Blake, Plaintiff, }
against } Order of Publication.
James W. Blake, Defendant, }

NOW at this day comes Joseph E. Blake, the plaintiff, in the above entitled cause, before the undersigned, Clerk of the Circuit Court of Jefferson county, in vacation, and files his petition and affidavit, stating amongst other things, that the above named defendant James W. Blake, is a non-resident of this State, and that he has absented himself or absconded from his usual place of abode, so that the ordinary process of law cannot be served upon him; it is therefore ordered by the Clerk aforesaid, that publication be made notifying him that an action has been commenced against him by petition and attachment, in the Circuit Court of Jefferson county, State of Missouri, founded upon a note paid by plaintiff as the security of the defendant, to one Josiah Craft, for the sum of seventy-one dollars and twenty-five cents, that his property has been attached, and that unless he be and appear at the next term of said Court, to be holden at the Court House, in Hillsboro'. within the county of Jefferson, on the 25th day of April, 1859, and on or before the third day thereof, judgment will be rendered against him and his property sold to satisfy the same. It is further ordered that a copy hereof be published in the Missouri Republican, a newspaper published in St. Louis, State of Missouri, for four weeks successively, the last insertion to be at least four weeks before the commencement of the next term of said Court. A true copy.

STATE OF MISSOURI,
COUNTY OF ST. LOUIS.

Personally appeared before the undersigned, a Notary Public, within and for the County of St. Louis,

John H. Smith

who, being duly sworn,

deposeth and saith, that the annexed advertisement was published in the "Missouri Republican," printed in this

State, the newspaper of which he is printer, for

five

times, the first insertion being on the

Eleventh

day of *February* 18*57*

and the last insertion on the

Eleventh

day of *March*

18*57*

as follows:

July 11 18*56*

" 18 " 18*57*

" 25 " 18*58*

March 4 " 18*59*

" 11 " 18*60*

John H. Smith

Sworn to and subscribed before me, this *twenty sixth*

day of *May* 18*57*

Printer's Fee, *6.00*

Affidavit,

25

\$6.25

John D. Emmett

Notary Public