

Jefferson County Circuit Court  
Case Files - Civil  
June 1859, No. 35

Box 11 Folder 42

Hanlon, Edward

v.

Boughton, Jackson

Breach of Contract

Defendant failed to pay plaintiff for brick  
mason work and plaster work on Pevely  
Station on the Iron Mountain Railroad;  
\$101.85 damages; case dismissed

State of Missouri:      In the Jefferson County  
Jefferson County      Circuit Court. Term  
Term for 1857

Edward Hanton  
vs.  
Jackson Boughton      Civil Action.

Plaintiff states that on the 19<sup>th</sup> day of January A. D. 1857 Defendant employed him as a Brick Mason and Plasterer to build two brick chimneys to a certain framed house at Peery Station on the Iron Mountain Rail Road in said County at and for the price of two  $\frac{25}{100}$  dollars per <sup>each</sup> thousand, which it would require to finish and complete said chimneys and that after his employment as aforesaid by Defendant he went on in good faith and completed said chimneys according to agreement and that he had necessarily to use and did use Five thousand brick in the construction of the same - the Defendant having furnished the same which he had agreed to do when the original agreement was entered into and that Defendant notwithstanding his agreement and notwithstanding the completion of the said work as aforesaid by Plaintiff, has failed and refused and still fails and refuses to pay Plaintiff anything by which and by means whereof Plaintiff says he has been damaged in the sum of eleven dollars and <sup>Twenty five</sup> ~~fifty~~ Cents for which he asks judgment.

Plaintiff further states that at the time Defendant employed him to perform the work aforesaid he also entered into an agree-

ment with Plaintiff by which Plaintiff, in consideration of fifteen cents per yard, which Defendant agreed to pay, was to, <sup>execute</sup> plaster said framed house aforesaid: that in pursuance of said agreement, he proceeded to do the said plastering and had actually finished the greater portion of it when Defendant drove him away from the work, telling him at same time that he should not proceed any further with the work: Plaintiff alleges that there were about ~~six~~ hundred and four yards of plastering to be done upon said house and that by the breach of said agreement as aforesaid by Defendant in refusing to allow Plaintiff to proceed with said work and in driving him away as aforesaid ~~business~~ <sup>business</sup> made without any negligence, misconduct or default on his own part, to complete the same by which and by means whereof he says he has been damaged in the sum of ninety dollars and sixty cents for which he asks judgment.

Thomas & Pisskin  
Attys for Plaintiff.

Edward Henson makes oath & says he believes the foregoing petition and the matters as therein stated are true. Sworn to & subscribed  
before me this 25<sup>th</sup> day of March 1859. Edward Henson  
Elias Honey Clerk

No

in the App. Circuit  
Court. June Term 1889.

Edward Houlton  
vs.  
Jackson Vaughan

Petition

Filed Mar. 25th 1889  
Chas. A. Hovey Clerk

Thomas D. Spence  
Att'y for Def.

|            |     |
|------------|-----|
| 1 copy 10¢ | 75  |
| 1 cert. 5¢ | 50  |
| Print 20¢  | 120 |
| App. 20¢   | 20  |
| Lease      | 100 |

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Jackson Boughton

----- 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 <sup>second Monday</sup> ~~fourth~~ Monday after the May  
next, then and there to answer unto Edward Harlow

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

Elias J. Honey  
Witness, ~~MO. C. FLETCHER~~, Clerk of our said Circuit  
Court, with the seal thereof hereto affixed, at  
office, in Hillsboro, this twenty fifth  
day of March A. D. 1859

Elias J. Honey

CLERK CIRCUIT COURT.

I Executed the within writ in the County  
of Jefferson State of Missouri on the 21<sup>st</sup> day  
of May A.D. 1859 by Delmer J. Jackson  
Baughton a true copy of the within  
writ and a Ret Petition as furnished  
to me by the Clerk as said Daves Sheriff  
by J. B. Pauer Deputy

No 35

Jefferson Co Court

June Term 1859

Edward Hanlon

vs. J. Summons

Jackson Baughton

Sheriff fee \$1.00

Subscribed May 28<sup>th</sup> 1859

Elias J. Honey, Clerk

Discharged

State of Missouri  
Jefferson County

Be it remembered that  
on this day personally came before me  
Elias F. Honey Clerk of the Circuit Court  
within and for the State and County aforesaid  
Edward Hanlon who being duly sworn ac-  
cording to law deposes and says that under  
a contract with Jackson Boughton he has  
performed work for said Boughton to the  
amount of one hundred and one <sup>25</sup>/<sub>100</sub> dollars,  
that the work was building two brick chim-  
neys and lathing and plastering six hun-  
dred and four yards upon a certain frame  
house situated at Pevely Station on the  
Iron Mountain Rail Road in said County,  
which house is a new house situated opposite  
the Post office twelve rods from said office  
at said Station, known as Boughton's  
new hotel building.

Sworn to and subscribed  
before me this 25<sup>th</sup> day  
of March 1859.

Elias F. Honey Clerk

Edward Hanlon

E. Hamlen 30<sup>th</sup> Nov  
J. Baughman 3<sup>rd</sup> for the phone  
J. Baughman 3<sup>rd</sup> Dec

Wm. Hamlen 25<sup>th</sup> 1859  
Wm. Hamlen 25<sup>th</sup>

Edward H. H. H. }  
vs, } In Circuit Court  
Jackson Boughton } Jefferson County

The Defendant moves the Court to rule the plaintiff in the above cause to give security for costs in the above cause for the following reasons

Because he is insolvent, and has no property liable to the process of law,

A. Green  
Atty for Deft,

In Enl' Court  
Jeff. County  
Ed, Hambleton

vs,  
Jackson Boughton,  
Proctor for Costs

Filed June 8<sup>th</sup> 1839  
Chas J. Morrey  
Clerk

Wm. W. W.