

Tofferson County Circuit Court
Case File - Civil

Box

12 Folder 34

June 1860

Blank, Philip

vs

McMullin, John T.

Appeal

Plaintiff appealed from JP William
Foxton on \$40.07 account for mason
work on spring house and cellar

August 2^d 1839

John J. McMullen

To Philip. Blank Dr

To 25 days and $\frac{3}{4}$ work on Spring
House and Cellar in Mason
work at \$1.25 ch per day \$32.18 $\frac{3}{4}$

" To Nine day work for Saitorn
at .75 ch per day 6.75

" To 9 bush of lime at 12 $\frac{1}{2}$ ch
per bush ~~lime~~ 1.14

\$44 0.00 $\frac{3}{4}$

State of Missouri } The State of Missouri }
County of Jefferson } Capital of State }
Greene } in the County of Jefferson }

I have been duly commanded to demand
of you the peace before my Honor and
the peace of the peace within and for
the County of Jefferson on the fourth day
of January 1869 at the City of St. Louis
to wit: by the Court of the Peace
Greene a certain matter of Controversy before
me respecting the Peace of the County of
Jefferson and the County of Jefferson is before
me on the part of the Plaintiff and the
Defendant and have you then and there
this week given me any and all the
of December 1869

Greene

St. Louis

Shiles Blank

D { Lebs

John. J. McMullin

Platiff Witness

- x Booth

+ Camel. Tucker

Y^m Blank

x Hardy. M^d Ormack &

x Jeremiah. M^d Lavin

JP fee
25

Those Superiorities
Secured on the
above named
person by reading
in their presents
gained by the 19.1.860

By J. J. and Const

State of New York The State of Jefferson to the
County of Jefferson } State of Deane Township in
said County of Jefferson }
You are hereby summoned to appear before me one of the undersigned Justices of the Peace within and for the Township of Deane in said County in the fourth date next in January 1880 at 10 o'clock in the forenoon at my office in the same Township to answer the Complaint of J. H. B. B. in an action of Debt on Debt.

Given under my hand this 10th day of December 1879
J. H. B. B.

State of Missouri
County of Jefferson

The State of Missouri to the
Constable of Section township
in the County of Jefferson greeting

You are hereby commanded to summon William Thompson

that all expenses and delays be as little as possible

as far as possible before me. When they are as far as possible of the same
within and for the County of Jefferson on the fourth day of

May in January 1860 at the place to which the
County of Jefferson is directed to be taken to the

County of Jefferson before me appearing before Sheriff Beards is
Plaintiff and John J. and William is defendant and the

part of the Defendant here of said part at given
Barnell and has upon them and those this unit

been under my hand this the 19
December 1860
day of
When they are as far as possible

John J McMillin

of servant witness

William McConnaughy

Joseph McConnaughy X

Elizabeth X

Elizabeth McConnaughy X

George Stetson X

Witnesses Subscribed
and the above named
person by reading
in their presence January
the 19. 1860 By Byrd

Notary
John J McConnaughy X
John J Porter +

Not Sworn

State of Wisconsin }
County of Jefferson }
Consulate of Platteville Township in
said County greeting

You are here by commanded to summon ^{you} said good and
true men of your township to appear before me
in the Circuit Court and on the issue of said to better
your ^{own} ^{particular} ^{interests} in the said to appear before me

At the Court house of the Peace between and for the
Township of Platteville in Jefferson County and the County
of Jefferson in Wisconsin, 1868 at term of the Court in the
forenoon hereof said at your place said has gone there
and then this writ given under my hand this 19 day
of December 1859 John H. H. J. P.

John Towlson
Joseph Towlson
Gess Mackdaniel
John Towlson X
Thomas Christopher X
John Perpin S

This Jerry Simmons
as I am commanded
I carry the 17. 1860

By J. W. A. Court

J. M. Cornack
Thomas Tucker

Jerry Simmons

John Towlson

John Towlson

John Towlson

Whitely's Bank Due to

August 15th 1859 To one cow & calf \$16.00

To 4 Bushels wheat

Taken to Goto mill

4.00

To 3 days Stowing by Joseph

with crew and flour

3.75

An account of Signior over by
William Whitely & Ormash

5.00

\$28.75

With every kind love & care in
favor of the Sufferer

January 28th 1888

John Goodness

Handy, Blank, & Co
against
John. S. M. Mullin. Sept
Jesse Weston Judge

Yr. affidavit states that the application
for appeal by Philip, Blank plaintiff in the
above entitled cause is not made for appeal or
on delay but because the affidavit between
that the applicant is injured by the judgment
of the Justice
Jesse Weston Judge
day of December 1863

Jesse Weston JP

We the undersigned Philip Blank and
Jeremiah McLain acknowledge ourselves indebted
to John T. McMullin in the sum of thirty
dollars to be void upon the condition that
Philip Blank has appealed from the Judg-
ment of J. M. Foster a Justice of the Peace
in an action between Philip Blank Plaintiff
and John T. McMullin Defendant now if
on such appeal the Judgment of the Justice
be affirmed or if on the trial Verdict
in the appellate Court Judgment be given
against the appellant and he shall satisfy
such Judgment or if his appeal shall
be dismissed and he shall pay the Judg-
ment of the Justice together with the
Costs of the appeal the recognisance shall
be void

Philip Blank

Jeremiah McLain

Approved February 6th 1860

J. M. Foster Justice of Peace

J. Blank

J. H. M. Mueller

Leognigues

fr

W. H. H. H.

State of Michigan }
County of Leapeer }
Docket

Philiz. Black Pff }
John. J. M^omillin Dft } Before H^{on} J. H. Ta S. R.

Plaintiff filed Return 5th 1859 for
suit on acct. for \$40.07 3/4 ds - dated
~~December 10th 1859~~ August 2nd 1859
and directed a summons to issue

Summons issued 10th day of December
1859 and delivered to B. S. Byrd Court clerk
returnable on the 28th day of January
1860 also a Subp issued for Plaintiff
returning

Subpoena and Jury Summons issued
December 19th 1860 for Defendant

January 21st 1860 defendant filed an
offset on acct. for \$28.75 dated August
15th 1859

Now on this the 28th day of Janu-
ary 1860 the parties aforesaid appeared
and being ready for the trial of this
Cause the following named persons
were sworn as Jurors to wit John
Doolose, Leopoldus, Doolose, Gus M^oDavid
John, Perkins, James, J. M^oormack Thomas, Tucker

Six good and Lawful men who after hearing
the evidence returned unto Court the fol-
lowing verdict

That the Jury find three Dollars
in favour of the Defendant

John. Tootloose
January 28th 1860 Foreman

It is therefore adjudged that the
Defendant recover the sum of three Dollars
and all Costs and that he have execution
thereon

Now on this the 16th day of February
1860 plaintiff tendered his affidavit and affe-
al Bond for thirty Dollars of himself
and Jeremiah McLean as security and prayed
an appeal to the Circuit Court from
our said Judgement which being deemed
sufficient it is ordered that an appeal as
prayed be allowed Plaintiff

J. H. Foster J.P.

J. H. Foster Justice of Peace fees	\$ 2.70
B. S. Byrd Constable	3.50
Jury fee	1.50
J. H. McCormack Not	50
Joseph M. Miller	50
George With	50

Elisabeth M ^c Donnall	-	50
George Stetville	-	50
Booth	-	50
Canal Tucker	-	50
Hardy M ^c ormack Jr	-	50
Jeremiah M ^c Lain	-	50
		<u>\$12.20</u>

State of Missouri }
 County of Jefferson } ss

Philip Blank Plff }
 vs }
 John F. McMillan Def

I J^{ff} After a Justice of the peace within
 and for the County of Platte in the County of
 and hereby Certify that the above and foregoing is
 a full true and complete transcript of all
 the ~~entire~~ entries made in my Docket re-
 lating to said case of Philip Blank against
 John F. McMillan Defendant and that such trans-
 script is accompanied by all the process and other
 papers filed with the Justice relating to such
 suit Given under my hand this 6th day
 of February 1860 J^{ff} J^{ff} J^{ff}

Thos. D. Blank

184

John. G. Moulton

James M. Smith

Ed. Heath

1850

Blackman Canal 50/60

Chad

One two & three

Decr, July 9th 1860

Edw. J. Hony Clark

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Jacob Smith, Lewis Hocker, for and in the claim
William Steel

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our Court for the County aforesaid, on the

18th 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

Plaintiff and John G. McCallister Defendant on the

part of 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

7th day of May A. D. 1866

Elias F. Honey

Clerk.

To Circuit Court

June Term 1860

Philip Blank

John J Mc Mullen

for self

Jacob Smith 15

Lewis Walter 15

Jeremiah McClain 15

Wm. Steel 15

Sheriff fees \$2.00

I served the within Supra on the 15th day
of May 1860 by Reading the same
in the Presence and Hearing of Jacob
Smith and Lewis Walter Jeremiah McClain
and William Steel
J. C. Pomeroy
Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Robert M. Booth. Carter Schumacher. Myself*

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

Seventh *Wednesday* of *January* 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 *White Blank is*

Plaintiff and *John S. Mullen*

Defendant on the

part of *Plaintiff* 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

7th day of *May* A. D. 18*80*

Elias F. Honey

Clerk.

I executed the within writ in the County of Jefferson
on William Booth by reading it in his presence and
hearing on the 28th day of May 1860

Oscar Doves Sheriff

20 Percent Court

June Term 1860

Philip Blank

vs
Jas G. Mullers

for Pys

Robert M. Proctor

Anton Schmidt

vs
Jas G. Mullers

Sheriff fees

75
50
1.25

I served the within writ by reading the same
in the presence and hearing of Philip Blank
on the 15th day of May A.D. 1860

Anton Schmidt not found in
my County Bonest 25c
Jas C. Pauer Defts
Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *William W. Bonnick Joseph W. Houston*

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 *18th day of June 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 *Shelby Banks* Plaintiff and *John W. McQuellent* 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

22^d day of *May* A. D. 18*80*

Elias F. Honey
Clerk.

20 Lincoln Court.
June, Vermont 1860

Philip Banks

per

Mrs. J. W. Mullen

for deft.

Clerk

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Walter M. Muelken, Joseph M. Muelken*
Cambell Tucker, Wm. M. McCormack
Saml. Hatfield, ~~Frederick Hatfield~~ George W. With

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

18th day of June 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 *Philip Blount* is Plaintiff and *John W. Muelken* is 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

14 day of *June* A. D. 18*80*

Elias F. Honey
Clerk.

I executed the within writ on the
 6th day of June 1860 by Reading the same
 in the Presence and hearing of
 Capt Tucker Joseph McMullen
 and Walter McMullen and W^m
 McCormack leaving a copy
 at his place of abode with
 a free white member of his
 family over the age of 21 years
 J. C. Pomeroy Deputy Sheriff

To June Term Cir

Caust 1860

Philip Plank

Jos. J. W. Mullen

for debt

Walter Mc Mullen 5

Joseph Mc Mullen 5

Campbell Tucker 6

Wm S. McCormack

David Stagesell 6

~~Wm. B. B. B.~~

George W. B. B. B.

I executed the within writ by
 Reading the same in the Presence
 and hearing of George W. B. B.
 on the 18th day of June 1866

J. C. Pomeroy Deputy
 Sheriff

Phillip Blouk
vs
J. F. McMullin

Jefferson Circuit Court
June 4, 1860

Now at this day comes the
plaintiff herein and prays the Court
to grant a new Trial in the above Cause
for the following reasons, To wit,

1st Because the plaintiff says —
he was surprised by the Evidence
produced on the trial had that
~~that~~ he was surprised by the Evidence
produced on the part of the Defence
to such an extent that he was
unable to make his defence, he
further says that he has as he believes
a good cause of action against the
Defendant and that on a Trial and
he can make good the same —

2nd plaintiff further says that there
is other and new Evidence which
he can produce on a Trial and — To wit
that the wall built by him for Defendant
is twenty four feet long & nine feet & a half
high — whereas it was shown on the trial
had in the said Cause that the said wall was
only nine feet long & seven high wherefore
the said plaintiff says he is surprised as
to this item as well as the running of the
account by the Defendant — plaintiff further
says that the above Evidence has been
discovered by him since the Trial was
had in said Cause —

Phillip Blouk plaintiff makes
oath & says that the foregoing application
for a new Trial & the matters therein stated are
true sworn to before me
June 20th 1860 Elias H. Honey, clerk
J. C. Black

Leicester
June Term 1860

Blount

att-

McMullin

Motion for New Trial

Filed June 20th 1860

Oliver & Honey
Attys

overruled

Williams for

1860-

Rec'd by Mr. C. Mullen

1889 Mr. Philip Blauvelt Dr.

Sept 22	Oct 27	27 3/4 days work on self- farming stone	@ 1.25	34 68 3/4
" "	" 8 3/4	" (Hired man)	@ 75¢	6 36 1/4
" "	" 9	Wood line	@ 12 1/2¢	<u>1 12 1/2</u>
				\$ 42 89 1/4

1880 Rec'd

Sept 22	Oct 13	One Cow	16 00
" "	" 4	Wool @ 80¢	3 20
" "	" 2	days ploughing @ 1.25	<u>2 50</u>

Balance \$ 21 70
\$ 20 67 1/2

Blank
^{as}
Mc mullin

W. M. Muller

In acc with
Philip Blank

Amount due \$ 20.67 1/2

Wm. G. M^{rs} Muller

To Philip Blane

1859

Aug 2^d 3/4 One day's work for self at \$1.25

"	3 ^d	"	"	"	"	"	"	"	"
"	4	"	3/4	"	"	"	"	"	"
"	5	"	One	"	"	"	"	"	"
"	6	"	3/4	"	"	"	"	"	"
"	8	"	One	"	"	"	"	"	"
"	9	"	3/4	"	"	"	"	"	"
"	10	"	One	"	"	"	"	"	"
"	11	"	"	"	"	"	"	"	"
"	12	"	"	"	"	"	"	"	"
"	13	"	3/4	"	"	"	"	"	"
"	15	"	One	"	"	"	"	"	"
"	16	"	3/4	"	"	"	"	"	"
"	17	"	One	"	"	"	"	"	"
"	18	"	3/4	"	"	"	"	"	"
"	19	"	One	"	"	"	"	"	"
"	20	"	"	"	"	"	"	"	"
"	22	"	"	"	"	"	"	"	"

Sept	1 st	"	One	"	"	"	"	"	"
"	2 ^d	"	"	"	"	"	"	"	"
"	3 ^d	"	"	"	"	"	"	"	"
"	5 th	"	"	"	"	"	"	"	"
"	7 th	"	1/2	"	"	"	"	"	"
"	8 th	"	One	"	"	"	"	"	"
"	9 th	"	"	"	"	"	"	"	"
"	10 th	"	"	"	"	"	"	"	"
"	19 th	"	"	"	"	"	"	"	"
"	20 th	"	3/4	"	"	"	"	"	"
"	21 st	"	One	"	"	"	"	"	"
"	22 ^d	"	"	"	"	"	"	"	"

27 3/4 Day's

\$34.68 3/4