

Jefferson County Circuit Court

Book

12

Folder 64

Case File - Civil

October 1860,

Marvess, Pleasant

vs.

Boaler, Jesse

Summers, William

Appeal

Appeal

Defendant appealed from JP
Michael McKee on forcible entry
and detainer of 80 acres in
S36 T41N2E and tearing down
mineral house

Pleasant Maness, Complainant
Against
Jesse Beeler, and
William Summers - defendants,
Before Michael McKee
a Justice of the Peace.

Pleasant Maness complains to Michel-
McKee, Justice of the Peace within
and for the County Jefferson, in the State
of Missouri that on the 26th day of Sep-
tember, 1860, he was lawfully pos-
sessed of the following described tract
of Land situate in Jefferson County
Missouri to wit the East Half of the North
West quarter of Section Thirty six in
Township Forty one of Range Two
East containing Eighty acres, and that
on the day and year aforesaid the De-
fendants, Jesse Beeler and William
Summers, peaceably entered into the pos-
session of the same premises, and then
by force, in throwing down Complain-
ant's mineral House, and carrying away
his mineral therein and by frightening
him by threats, and other acts and circum-
stances of terror, turned the Com-
plainant out of the possession of said
premises, and forcibly detain and
hold the same. The complainant
further states that he has sustained
damages, by reason of the entry and de-
tention aforesaid in the sum of Twenty
dollars, and that the value of the monthly

rents and profits of said Tenements is
twenty five dollars. Wherefore, the Com-
plainant prays judgement of resti-
tution, and for his damages, and the value
of the monthly rents and profits, of the
Premises aforesaid.

Subscribed and } Pleasant money
sworn to before me }
This 1st day of Oc-
tober 1860.

Michael McKee Justice of the peace

The State of Missouri, to the Sheriff
of the County of Jefferson Greeting;
You are hereby commanded to sum-
mons Jesse Beeler and William Sum-
mers of the County of Jefferson to appear
before the undersigned Justice of the
peace within and for said County at
my Office in Big River Township in
the same County on the Eighth day
of October 1860, at the hour of Ten of
the Clock in the forenoon of that day, then
and there to answer and defend a-
gainst the Complaint of Pleasant Haines,
of forcible Entry and Detainer made
by the said Jesse Beeler and William
Summers as by the Complaint of the
said Pleasant Haines, hereto annexed,
will more fully appear, and have
you then and there this writ with the
return of your proceedings thereon,
Given under my hand this
first day of October 1860.

Michael Mc Kee Justice
of the peace

I executed the within summons or writ in Big
 River Township Jefferson county Missouri on William
 Summers & Jesse Beeler by reading this writ and
 annexed petition within their presence and hearing
 on the second day of October A.D. 1860
 and summoning them to appear on the 8th day of
 October 1860 before Michael McKee A Justice of the
 peace for Big River Township in Jefferson county Mo
 to answer unto Pleasant Manos in A suit of forcible
 Entry and detainer brought against them
 Oscar Dover Sheriff

1781

Pleasant Manos,

vs,

Jesse Beeler

& William Summers

Forcible Entry &

Detainer

Complaint of

Summers,

Sheriff's fee \$2.00

chd

List of Missions
 (west of Lebanon) } Henry Walter
 Admelt Schmidt Lewis —
 - Philip John Mafrance D. W. Burgess

You are hereby commanded that all Officers
and Agents being set aside you his wife appear
before Michael W. West one of the Justices of the
Peace of his County & Township in Jefferson
County State of Missouri on the 8th day of October
1860 at Ten of the Clock in the fore noon at this
office in said Township to testify in the said
case wherein ~~at present~~ ^{at present} Whinness is
plaintiff and Leary & Beegler and Whitman -
- Defendants is defended on the part of the
plaintiff each of this you are made to fail at
your peril - Given under my hand
this 4th day of October 1860 Justice of the Peace

Exhibited this writ on Henry Molen Friedrich Meindth
Lewis Sawyer John DeFrance by Reading & later
them and of D W Brazzard on the 5th by a copy
all in Biggins Township this October the 6th 1860
per \$125

A McKay
Constable

To Henry Mullen
Friedrich Meindth
John DeFrance
D W Brazzard

State of Missouri
County of Jefferson

The State of Missouri

To Orman McCollum, Henry Dover

Shaffer

you are hereto ^{by} ~~in~~ ⁱⁿ Commanded to be and
appear personally before the undersigned
Justice of the Peace on the 8th day of October
1860 at ten of the clock at what
my house in Bugriver Township in said
County to testify in a suit between Helen
Almy Plaintiff and William Burnum
ex Jure Deator defendant on
the part of the Plaintiff where of you are
not to fail and fail not at your peril
Given under my hand this 8th day of
October 1860 At Free Justice of
the Peace

I executed the within & pa in the County of Jefferson
on Leroy Dover

by reading it in his presence and hearing on the
8th day of October 1866

Wm D Dover Sheriff

Witness for Plaintiff

Orson McCollory

Leroy Dover

Chapman

State of Missouri }
County of Jefferson }

Greeting

The State of Missouri to

Orram Mcollery, John Morris, Henry Mehler, George Frost

Greeting you are herein commanded to
to set aside all manner of Excuse and delay
that you be and appear personally before
the under signed Justice of the peace on
the 8th day of Oct 1860 at ten of the
Clock in A.M. at my house in Bigriver
Township in said County to testify in a
suit between Present Maness plaintiff
and William Sumers Deft Bealer

defendent on the part of the
defendent whereof you are not to fail and
fail not at your peril Given under
my hand this 2 day of October 1860

M. M. M. Justice of
the peace

Secured the within space in the County of Jefferson on
or near McHenry, George Frost and John Morris by leaving them
a true copy of this paper at their usual places of abode
with a free white person of the family over the age of
fifteen years on the 5th day of October 1866
Ascertained Sheriff

Witnesses for Defendant

Orman McHenry

Morris

McHenry

George Frost

Sheriff fee \$1.50

Pleasant Winters
 against
 Millions Summers
 from Birds
 ~~~~~  
 The whole Entry & de-  
 Lower -  
 before W. Sec J. J.

His affidavit states that he does  
not take an official oath as Circuit Court  
in the above entitled cause & his recitation  
of delay but because he believes it was  
a mistake to enter.  
~~There is no basis~~  
before me this 8<sup>th</sup>  
day of Oct. 1860.

William M. Summers

Michael A. Wheel Esq

File of the Peace

P. Manef  
<sup>21</sup>  
Summers & Beeler

Affidavit of Appeal

We William W Summers and Jesse Beelee  
as principal and A J Evans as security  
acknowledge ourselves indebted to Pleasant Maness  
in the sum of fifty Dollars upon the condition  
whereas said Summers and Beelee have app  
ealed from the judgment of Michael H. Kee  
justice of the peace in an action of Forcible  
Entry and Detainer between Pleasant Maness  
against Summers & Beelee defendant -  
Now if said Summers & Beelee shall  
prosecute their appeal with effort and  
without delay, neither commit nor suf  
fer to be committed any waste or  
damage on the premises whereof restitution  
is adjudged and pay all rents and  
profits, damages and costs that may be  
adjudged against them and otherwise  
abide the judgment of the circuit Court  
in said Cause, then this recognizance shall  
be void. Given under our hands this  
8th of October 1860

William W. Summers  
Jesse F. Beelee

A J Evans  
per J A Beal

J A Beal

Pleasant Dreams  
as I Bond for Alfred  
Summer & Sealer

The image shows a document page that has been severely damaged by ink smudges and stains. The text is mostly illegible due to the damage. The stains are most prominent along the right edge and bottom of the page, where they appear as large, dark, irregular blotches. There are also smaller, more distinct smudges scattered across the page, particularly in the upper right and lower left areas. The overall appearance is one of a heavily handled or accidentally stained piece of paper.

pleasant Maness, plff  
vs

Jesse Bealer D

William Summers, Def<sup>d</sup>

Damages \$ 5.00

Justice fees Sumner, Sheriff

as followin' 75 3 Subpo

for 3 Subpo 75 Cont. 1.75

for 1 venire 25 July 3.00

for 8 oaths 40 Wit 3.50

for this traers 25 11.90

Sheriff fees Smo 2.00

Action of Debt Entry  
vs Detainer before  
Michael McKen  
J. F.

Damages claimed fifty  
Dollars -

Summons issued  
on the 1<sup>st</sup> day of October  
A D 1860 returnable on  
the 8<sup>th</sup> day of October  
1860

Oct. 8<sup>th</sup> 1860 now at this day the summons  
being returned being executed according to  
Law & precept having issued for a jury in  
the Cause the parties appearing the following persons  
were sworn as a jury to try the same to wit  
Lewis McKay - William Oals, William McBrown  
Samuel Simpson - Ruben Pounds, Robert  
Dragne, William R. Reynolds Samuel Russell  
James Pounds, Isaac Hunt Falkland Pounds  
George Murrell, Twelve good & lawful men  
who being elected & sworn well & truly to try the  
Cause & to give verdict give according to evidence  
return into Court the following verdict - We  
the jury find the defendant guilty means  
of form as charged in the Complaint And do  
further find that the Complainant has sus-  
tained Damages by reason of the premises  
to the amount of five Dollars & that the value  
of the monthly rent & profits is - Dollars

Lewis McKay  
Foreman

Whereupon in Consideration of the said  
 verdict so found by the jury it is adjudged  
 by the Court - that said plaintiff have recovered  
 off of the Defendant the possession of the said  
 premises mentioned in his complaint & that  
 as also five dollars for his Damages by him  
 sustained by reason of the detention of the  
 premises as aforesaid & that he have execution  
 therefor.

Michael McKee Justice  
 of the peace

On the same Day the Defendant filed  
 his affidavit showing according to Law  
 praying an appeal which is granted by the  
 Court -

Michael McKee Justice  
 of the peace

State of Missouri  
 County of Jefferson

I Michael McKee a Justice of the peace  
 within and for said County do hereby  
 certify that the above is a true transcript  
 of the above entitled Cause as the same  
 appears on my docket Given and Certified  
 October 15<sup>th</sup> 1860

Michael McKee Justice  
 of the peace

Witness bees  
 Geo. Meredith 50  
 J. Dover — 50  
 John Morris — 50  
 D. W. Muzgale 50  
 A. Pounds 50  
 Geo. Frost — 50

Napper 50  
 3.00  
 3.50

Warrant Money  
or 5 shans of Appraisal  
Summers & Beeler.

Filed Oct 13<sup>th</sup> 1860  
Wm J. Honey Creek

chd  
"

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Aaron McCallery, John Morris Henry  
Weekles, George, Clerk — GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you  
appear before our Berwick Court for the County aforesaid, on the  
19th day of December 1860 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 Pleasant Chapman is  
Plaintiff and M. W. Summers of the Butler are Defendant on the  
part of defendants and herein you are in no wise to fail.

WITNESS, ELLIAS F. HONEY, Clerk of our said Court  
with the Seal thereof hereto affixed, at office this

16<sup>th</sup> day of November A. D. 1860

Ellias F. Honey  
Clerk.

I executed the within Spur in the County  
of Jefferson on Aaron McCollery, John  
Morris, & George Frost by reading it to  
them and on Henry Meckler by leaving him  
A copy of this Spur at his place of residence  
with A free white person of the family over the  
age of fifteen years on the 4<sup>th</sup> day of December  
1860  
Ascertained Sheriff

To Circuit Court

Decr Term 1860

Pleasant Maney

"

Summers & Becker

for debt

Aaron McCollery \$14

John Morris \$14

Henry Meckler \$14

George Frost \$14

Sheriff fee \$2.00

Placant Mares.

vs.

W W Summers & Peeler

In the Circuit Court.

The Plaintiff comes

and moves the court to require the defendants  
to give an additional appeal bond for  
the following reasons,  
The amount of said bond is insufficient  
to cover the damages resulting from the  
delay of appeal

Wetters for Dft

Pleasant Manef  
vs  
Summers & Beeler

---

Motion to require  
additional appeal  
bond.

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Filed Decr 12<sup>th</sup> 1866  
Chas J Hooney  
Clerk.

Wm Turner

We William W. Summers and Jesse Beeler as principals and A. H. Evans as security acknowledge ourselves indebted to Pleasant Maness in the sum of five hundred dollars upon this condition.

Whereas the said Summers and Beeler have appealed from the judgement of Michael McKee justice of the Peace in an action of forcible entry and detainer between Pleasant Maness against Summers & Beeler defendants, it is if said Summers & Beeler shall prosecute their appeal with effect and without delay, neither commit nor suffer to be committed any waste or damage on the premises whereof restitution is adjudged, and pay all rents & profits, damages and costs that may be adjudged against them and otherwise abide the judgement of the Circuit Court in said cause, then this recognizance shall be void.

Given under our hands & seals  
this 13 December 1860

Seal  
Seal  
William W. Summers  
A. H. Evans

Pleasant Mary

v. E Bond for Opium

Sumner Hecker

July 22<sup>nd</sup> 1860

Wm. H. H. H.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Norman Dunmore*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Justice* Court for the County aforesaid, on the *18th day of March, 1860* 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 *Deborah Wharf* Plaintiff and *Norman Dunmore* Defendant on the part of *Deborah* 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 *March* A. D. 18*60*

*Elias Honey*

Clerk.

I executed the within  $\$102$  in the County of  
Jefferson on Thomas Dunsmore by reading  
it to him on the 14<sup>th</sup> day of December 1860

Oscar Dover Sheriff

Maney

Summers & Peeler

for Peff  
Th. Dunsmore  
Sheriff fee 50cts

12  
75  
25  
40  
25  
35  
35  
310

That if they find that even the report of the Representative  
recovered judgment of possession against de Troy Weaver  
& the other heirs of Arthur Weaver died, on the 28th day  
of October 1858, and that possession of the tract of  
land of which the land forms a part was delivered  
to the agents and tenants of said owner, and if they  
further find that the plaintiff got possession of the  
land he claims under purchase from de Troy Weaver,  
after delivery of the possession to the defendants,  
and that he entered into the land under such  
claim, then such entry is precluded and  
against him, and cannot be made the basis  
of his rights to recover in the case

Reoant Mares } Before me this 1st  
at  
My Summers & Beeler }

We the Jury find the  
defendants guilty in manner and form  
as charged in the Complaint; and do further  
find that the Complainant has sustained  
damages by reason of the premises to the  
value of five dollars and that the value  
of the month's rents and profits is  
dollar.

Lewis H. Day      Foreman

Verdict of Jury

Mr E F Honey Clerk  
L & T

Mr Maness has com-  
promised all his difficulties with Summers  
& Beeler tenants of A. H. Evans by which  
Summers has given his note with Beal  
as security for twenty five dollars and  
Maness has executed his quit claim  
and to A. H. Evans for eighty acres of land  
(E & V) as per deed and Mr Maness has agreed  
to dismiss his suit of Replevin against  
Summers & Beeler in the Jefferson Circuit  
Court at his own cost and Mr Maness is to  
keep the mineral in soil without damage  
for dismissing  
Dec 20 1860  
Yours J A Beal  
Atty for A H Evans

To E F Honey Clerk Cir Ct.

You will please describe the above  
cases as per above agreement at my costs that  
is the case of Maness & Summers & Beeler for  
possession of personal property returnable to the  
Declaratory Court 1860

plead and manage