

Jefferson County Circuit Court
Case Files - Civil
December 1860, No. 22

Box 12 Folder 74

Maness, Pleasant

vs.

Beeler, Jesse

Summers, William

Replevin

2,500 pounds of lead ore taken
from mineral house in S36T41R22E;
\$50 damages

Pleasant Maness, Plaintiff.

Against

Jesse Beeler, and

William Summers, defendants

In the Circuit Court

Jefferson County Missouri,

The Plaintiff states that he is the owner of, and is, entitled to the possession of the following Specific Personal Property, to wit Two thousand five hundred pounds of Lead Mineral ore, of the value of seventy dollars, which the Defendants wrongfully took, and wrongfully detain from the possession of the Plaintiff. He therefore asks Judgment for the recovery of said property, and twenty five dollar damages for the Taking and detention thereof.

Plaintiff further states that on the 26th day of September 1860, at the county of Jefferson aforesaid, the Defendants, without leave and wrongfully, entered upon the following described 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, of which Plaintiff was then the owner and then and there wrongfully broke open and tore down a Shanty or Mineral House on said Land, (and containing the mineral aforesaid) of the value of twenty dollars, and scattered the timbers thereof.

and then it there cut down timber to the value of fifteen dollars, and took off and carried away the cylinder and windlass at the Mineral Shaft on said Land.

By reason of which acts & doings of the Defendants, the Plaintiff was damaged to the amount of fifty dollars, and for which he asks Judgment.

} Abner Green
Attorney for Plaintiff

Pleasant Mares, Plaintiff, makes oath and says the above petition and the matters therein as stated he believes to be true; and the Plaintiff further says he is the owner of, and is entitled to the possession of the 2300 pounds of Lead mineral ore stated in said petition, - that it is wrongfully detained from him by the Defendants, - that the value thereof is seventy dollars, - that the same has not been seized under any process, execution or attachment, against the property of the Plaintiff, - that Plaintiff will be in danger of losing his said property unless it be taken out of the possession of the Defendants, or otherwise secured, - and that the property aforesaid was wrongfully taken by the Defendants from Plaintiff, and that Plaintiff's right of action therefor accrued within one year from this date,

Sum to and subscribed
before me Oct 1st 1860

Charles & Henry Clark

} pleasant money

of the Circuit Court
Jefferson County
Placerville
vs.
George B. Cole &
Wm. Summers
Plaintiffs
vs.
Defendants, & note
for recovery of money
laid out for 1848.

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

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

We command you, that you summon *Lepe Beeler &*
William Summers

if they be found in your County, that they
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 second
Monday after the fourth Monday of November
next, then and there to answer unto *Pleasant Moore*

upon ~~this~~ original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

Witness, **ELIAS F. HONEY**, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at office
in Hillsboro, this *Twist*
day of *October* A. D. 1860

Elias F. Honey

Clerk Circuit Court.

I executed the within writ in the County of Jefferson
 State of Missouri on the second day of October A.D. 1860
 on William Summers first served by reading it to him
 also by delivering him A certified copy of this writ and
 annexed petition as furnished me by the clerk and
 on Jesse Beeler by reading this writ and annexed
 petition to him on the same day - also by taking
 the within Described lot of Lead ore or mineral
 and delivering it over to Pleasant Manos the
 the within named claimant supposed to be about
 two thousand five hundred pounds of said mineral
 on the 2^d day of October A.D. 1860

Oscar Dover Sheriff

No. 22

to Circuit Court

December Term 1860

1739

Pleasant Manos

vs
 Wm Summers

Jesse Beeler

vs
 Wm Summers

Sheriff's fee \$2.00

Order Oct 3 1860

Ed. Money etc

Chd

State of Missouri }
County of Jefferson } p In Vacation of the
Circuit Court.
October 1st 1860

Pleasant Maney Plaintiff
against
Jesse Beeler & William Summers }

Now at this day comes said plaintiff and files his petition and affidavit as required by law, for the possession of the hereinafter described personal property, whereupon it is ordered by the undersigned clerk of the Circuit Court of Jefferson County that said defendants deliver the property specified in the annexed affidavit to the sheriff of said County worth two thousand five hundred pounds of Lead mineral Ore, - And that the sheriff of the same be not delivered, to him that he take it from the defendants and deliver it to the Plaintiff.

In Testimony whereof I hereto
set my hand and affix the
Seal of said Court, at office
Oct. 1st 1860

Edw D Honey Clerk

Pleasant Maness, Plaintiff,
Against
Jesse Beeler and
William Summew - Defendants,
In the Circuit Court
Jefferson County, Missouri.

We, Pleasant Maness, as Principal and
E. J. Frost, J. S. Pounds and Elijah Maness,
as securities, acknowledge ourselves to owe
to and stand indebted to the Defendants,
Jesse Beeler and William Summew, in
the sum of one hundred and forty dollars
to be void upon this condition, - that if
the Plaintiff in the above action shall
prosecute the same with effect, and with
out delay, - shall return the 3500 pounds
of lead mineral ore claimed in his pe-
tition, if return thereof be adjudged to
the Defendants - and in default of
such delivery, that he will pay the as-
sessed value thereof to the Defendants,
and will pay all damages for the tak-
ing and detention thereof which shall
be adjudged against him, together
with all costs which may accrue in
the action against the plaintiff, then
the above Bond to be null and void,
otherwise to remain in force,

As witnesses our hands and seals, This
first day of October 1860 Pleasant Maness
E. J. Frost Seal
J. S. Pounds Seal
Elijah Maness Seal

Executed the within summons or writ in Big
river Township Jefferson County Missouri on William
Summers & Jesse Beeler by reading the within

To Circuit Court
Jefferson County
of Missouri
vs.
Breeland Summers
Debor