

Jefferson County Circuit Court
Case File - Civil

May 1865

Shepley, John R.

vs

Porter, James

Personal property

20 cords of wood; \$5 damages

Box

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John R. Shepley, - Plaintiff } In the Circuit
Against } Court of Jef=
James Porter, - Defendant } ferson County
Missouri,

The Plaintiff states that on the first day of September 1864, and on divers days betwixt that day and the commencement of this suit at the County of Jefferson aforesaid, the Defendant, without leave and wrongfully entered upon the following described ^{tract of} Land situate in Jefferson County Missouri To wit: the South East quarter of Section Thirty six, in Township Forty, of Range Four East, containing one hundred and sixty acres, of which the Plaintiff was then the owner, and then and there cut about thirty cords of wood, of the value of one hundred and twenty dollars, and carried it away and converted it to his own use, by which acts and doings of the Defendant, the Plaintiff was damaged to the amount of one hundred and twenty dollars, and for which he asks Judgment.

The Plaintiff further states that he is the owner of, and entitled to the possession of the following specific personal property, To wit, about twenty cords of wood, now lying near the track of the St. Louis & Iron Mountain Rail Road, opposite the Victoria House, in the Town of Victoria in Jefferson County Missouri of the value of Eighty dollars, - which the Defendant wrong-

fully and without leave cut upon the
above described Land of Plaintiff, and
now wrongfully detains from the
Plaintiff. Plaintiff therefore asks
Judgment for the recovery of said twenty
Cords of wood, and for ^{damages} five dollars for
the detention thereof.

} Abner Green
} Attorney for Plaintiff

H. S. Christian, Agent for the above
Plaintiff, makes oath and says The
above Petition and the matters therein
as stated he believes to be true - and
this Affiant further states that the Plain-
tiff is the owner of the twenty cords of
wood, claimed in the second count of said
petition - that it is wrongfully detained
by the Defendant from Plaintiff - that
the actual value of said twenty cords of
wood is eighty dollars, - that the same
has not been seized under any process
execution or attachment against the prop-
erty of the Plaintiff - that said property
was wrongfully taken, and that Plaintiff's
right of action accrued within one year -
and that the Plaintiff will be in danger
of losing ^{his} said property, unless it be taken
out of the possession of the Defendant, or
otherwise secured.

Sworn to and subscribed
before me this 25th Nov. 1864

Elias F. Honey Clk.
per J. Ed Walker D.C.

H. S. Christian



Mooney clerk	
affd —	\$ 0 10
copy ret	50
and about	50
and about	1 20
Steamer	55
order	50
except	5

In Circuit Court
Jefferson County

John R. Shepley

vs.
James Porter

Petition,

for summons and
order of delivery
for property

A. Brown
for P. O. B.

Filed Nov 25th 1864

Chas J. Mooney
Clerk

\$4.00 paid

State of Missouri }
County of Jefferson } In the Circuit Court
In Vacation Nov 25th 1864

John R Shepley Plaintiff }
 against } action for the recovery
James Porter defendant } of specific person
 } al. property

Now at this day comes said Plaintiff and files his petition and affidavit, as required by law, for the possession of the hereinafter described specific personal property: Whereupon it is ordered by the undersigned clerk of said Court that the said defendant, be required to deliver the property specified as having been wrongfully taken in the annexed affidavit and petition to the Sheriff of Jefferson County, to wit: About twenty cords of wood now lying near the track of the St Louis and Iron Mountain Rail Road opposite the Victoria House in the Town of Victoria in Jefferson County Missouri, of the value of Eighty dollars; And it is further ordered that ^{if} the said personal property is not delivered by said defendant to the Sheriff, that the said Sheriff take the same out of the possession of the said defendant, and deliver the said property to the Plaintiff, upon his giving bond as required by law in such case made and provided, and certify how he executes this order

In Testimony whereof J. Elias
F. Honey, clerk of said Court
have hereunto set my hand
and affixed the seal of said
Court, this 25th day of Novr.

A D 1864

Elias F. Honey Clerk

John R. Shepley Plaintiff } In the Circuit Court
Against } of Jefferson County
James Porter Defendant } Missouri

The Plaintiff States that on the first day of September 1864 and on divers days between that day and the commencement of this suit at the County of Jefferson aforesaid the Defendant, without leave and wrongfully entered upon the following described Tract of Land, Situate in Jefferson County Missouri To Wit The South east quarter of Section Thirty six in Township Forty of range Four East, containing one hundred and sixty acres of which the Plaintiff was then the owner, and that there and there cut about Thirty cords of wood of the value of One hundred and twenty dollars, and carried it away and converted it to his own use, by which acts and doings of the Defendant the Plaintiff was damaged to the amount of One hundred and twenty dollars, and for which he asks judgment, The Plaintiff further States that he is the owner of and entitled to the possession of the following specific personal property, to wit: About twenty cords of wood now lying near the track of the St Louis & Iron Mountain Rail Road opposite the Victoria House, in the town of Victoria in Jefferson County Missouri of the value of Eighty dollars, which the Defendant wrongfully, and without leave

cut upon the above described land of Plaintiff
and now wrongfully detains from the Plaintiff
Plaintiff therefore asks judgment for the recovery
of said twenty cords of wood and for five dollars
damages for the detention thereof of

Abrer Green

Attorney for Plaintiff

H. S. Christian Agent for the above Plaintiff makes
oath and says, the above Petition and the matters
therein as stated he believes to be true, and this
Affiant further states that the Plaintiff is the
owner of the twenty cords of wood claimed in
the second count of said petition, that it is wrong
fully detained by the defendant from Plaintiff
that the actual value of said twenty cords of
wood is eighty dollars, that the same has not
been seized under any process execution or
Attachment against the property of the Plaintiff
that said property was wrongfully taken and
that Plaintiff's right of action accrued within
one year, and that Plaintiff will be in danger
of losing his said property unless it be taken
out of the possession of the defendant or other
wise secured

Sworn to and Subscribed

before me this 25th Nov. 1864

Elias T. Hoovey, Ck.

H. S. Christian

A true copy of the original
petition and affidavit on file in my
office

Witness my hand and the
Seal of said Court, the day
and year last aforesaid
Chas F. Hooney, clerk



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

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

We command you, that you summon *James Porter*

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 second Monday ~~after the fourth~~
~~Monday of May~~ next, then and there to answer unto
John R Shepley.

upon *his* original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *Twenty fifth*
day of November A. D. 1864

Elias F Honey
Clerk Circuit Court.



2397

TO JEFFERSON CIRCUIT COURT

Moey

Jan'y, 1865

John W. Shepley

vs James

James Porter

\$1,50

This writ is returned without service by order of
Plaintiff's Attorney this 19th day of December 1864
James B. Burroughs

The Sheriff is hereby authorized and
directed to return this writ "not served"
Dec. 19, 1864
James R. D. Harkness
Attorney
Pay \$1000.00

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

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

We command you, that you summon *James Porter*

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 second Monday ~~after the fourth~~
Monday of May next, then and there to answer unto
John R Shepley

upon *his* original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.



Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *Twenty Fifth*
day of *November* A. D. 1864

Elias F. Honey
Clerk Circuit Court.

TO JEFFERSON CIRCUIT COURT

Term, 1866

John D. Shepley

v.

James D. Lee

Copy of verdict & petition
for defendant;

John R. Shepley, - plaintiff } In the Circuit
Against } Court Jefferson
James Porter, - defendant, } County Missouri,

Know all men by these presents, that we,

are held and firmly bound to James Porter the above defendant, in the penal sum of one hundred and sixty dollars, for the payment whereof, we bind ourselves our heirs, executors, & administrators firmly by these presents,

The Condition of the above obligation is such, that whereas, John R. Shepley, the above plaintiff, has brought suit in the Circuit Court of Jefferson County Missouri, returnable to the May Term 1865, thereof against said defendant, James Porter, for the recovery of twenty cords of wood of the value of eighty dollars, claimed by the Plaintiff. Now, if said Plaintiff shall prosecute his said action with effect, and without delay, and shall return said property to said Defendant, if return thereof be adjudged, and in default of such delivery if so adjudged, shall pay to said Defendant the assessed value of said property, and shall ~~pay all damages~~ and costs that may be adjudged against him by reason of the taking and detention of said property, then this bond to be void, otherwise to remain in force, - In witness whereof, we have hereto subscribed our names and affixed our seals this 26th day of November 1864

Seal
Seal