

DeForsen County Circuit Court
Case Files - Civil

May 1865

Box

16

Folder 39

Beards, Henry

vs

Boly, Michael
Boly, John

Note

Debt \$200; plaintiff also
"Berhns"

Under Ninth of the state
for value Received, to or within of
the precinct to pay to Henry Brown
the sum of two hundred dollars.
negotiable as payable without the state
either or discount, this 1st day
of June, our hands, this 1st day
of April 1860,

Michael Bely
Henry Bely

Paid to the order
of C Beckman and Bro

Henry Berens

For value received I assign the
within note to Henry Berens
this January 10th 1865
C. Beckman and Bro

Dated Jan'y 12th 1865
Elias F. Hoarey Clerk

Henry Bearns, plff

Michael Boly and
John Boly

Civil Action

In the Circuit Court
Jefferson County Missouri

Plaintiff states that the defendants by
their promissory note ^{herewith filed} dated April
1st 1860, promised for value received
to pay to plaintiff the sum of Two
hundred dollars Twelve months after
the date thereof with interest from
maturity at six per cent which
note together with the interest thereon
are still due the plaintiff & for
which he asks judgment

Jos. Williams

Atty for plaintiff

Jos. Williams Atty for the plaintiff on
Oath says he believes the matters as
stated in the foregoing petition are true

Signed, Jos. Williams

Sworn to and subscribed before me this 12th day
of January 1865 - Elias J. Horney

16 copy book - @ 30¢	86
2 books + line	50
book stop pay	120
Stamp -	85
copy -	10
books 1-5 @ 10¢	15

In the Circuit Court
May Term 1865

Henry Deane

vs
Michael Doty &
John Doty

Verdict on a note
(original)

Dated Jan'y 12th 1865
Elias J. Hooley
Debt

Debt for services
of J. Williams
Att' for Plaintiff

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

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

We command you, that you summon *Michael Boly and
John Boly*

*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 May* next, then and there to answer unto
Henry Bearns

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 *Twelfth*
day of *January* A. D. 18 *65*

Elias F. Honey

Clerk Circuit Court.



I executed the within writ at the County of Jefferson
 State of Missouri on the within named defendants
 Michael Boly who being the first served by
 leaving a true copy of the writ and annexed
 petition as furnished by the Clerk at his usual
 place of abode with a free white person
 a member of his family over the age of
 fifteen years this 6th day of March 1865
 & further executed this writ by delivering
 to John Boly a true copy at his
 usual place of abode with a free white
 person, over the age of
 fifteen years this 6th day of
 March and 1865,

C. C. Fletcher
 Sheriff

2911
 TO JEFFERSON CIRCUIT COURT

May Term, 1865

Henry Beavers
 vs } Defendants
 Michael Boly
 John Boly

Sheriff's fee \$200

Filed March 29 1865

Edw. & Kearney Clk

Aug. 11 1865

6 per cent

Henry Berhus
vs
Michael Boly and
John Boly

} In the Circuit Court
of Jefferson County,
Missouri
May Term 1867

Now at this day comes the plaintiff
and shows to the Court that at the May
Term of this Court for the year 1865 a suit
was pending in said Court in favor of
plaintiff and against the Defendants and
that judgment was rendered in said cause
in favor of plaintiff for the sum of Two
hundred and Forty nine $\frac{50}{100}$ but that
the Clerk by mistake in entering up
said judgment on the Record omitted
to enter the name of the Defendant John
Boly as a party Defendant in said judgm-
ent; wherefore plaintiff moves the
Court to Cause the name of the Defendant
John Boly to be entered as a party
Defendant in said judgment nunc pro
tunc.

~~James B. Boly~~
~~Attorney at Law~~

Plam

Henry Perkins

as
M & J. 1884

Motion to amend the
Record of Judgment

Henry Perkins
as
John 1884 and
W. C. C. C.

Henry Berhus
 Michael Boly &
 John Boly

In the Circuit Court of
 Jefferson County Missouri

May Term 1867

Now at this day comes the Plaintiff
 and shows to the Court that at the May Term of this
 Court 1865 a suit was pending in ^{favor} of the
 Plaintiff and against Defendants on a promissory
 note due to Plaintiff by Defendants that at said
 Term a judgment was rendered in said Cause
 against Defendants for the sum of Two hundred
 and forty nine & $\frac{50}{100}$ Dollars but that the
 Clerk in entering said ^{of} Record said judgment
 through mistake omitted to enter the name
 of said John Boly as a party Defendant in
 said judgment; and also entitled said
 judgment upon the Record as an action
 on account through mistake wherefore

~~Plaintiff moves the Court to ^{amend the Record of said judgment} entering the~~
~~name of~~

Plaintiff Moves the Court to amend the
 Record of judgment in said Cause by
 Entering the Name of said John Boly as
 a party Defendant therein and also by
 Entitling the same as an action on a promissory
 note insted of an action on account

Jos. Williams
 Atty for Plaintiff

Henry Berhns
in

Me. & J. Body

Motion to amend the
Record

Filed May 7th 1867
G. J. Honeywell

Henry Barnes

Michael Boly and
John Boly

} action on a promissory

note

Now at this day the motion heretofore filed by the Plaintiff to correct the judgment rendered ~~on the~~ at the May Term of this Court, Iowa, on the 19th day of May 1865 in the case of Henry Barnes vs Michael Boly for the sum of Two hundred and forty nine & $\frac{50}{100}$ Dollars entitled an action on account - be amended and corrected as follows, to wit by entering the name of John Boly after the name of Michael Boly in the Record of said judgment as a party Defendant therein and also by entitling said cause as an action on a promissory note instead of an action on account as the same is now entitled on said Record of judgment coming on the ~~be~~ heard the Court doth find that at the May Term of this Court for the year 1865 a suit was pending in this Court in favor of Plaintiff and against said Michael Boly and John Boly on a promissory note signed by them in favor of Plaintiff that said Defendants having been duly served with process and the cause coming on to be heard the Court rendered judgment in favor of Plaintiff and against said Defendants for Two hundred and forty nine & $\frac{50}{100}$ Dollars but that

the Clerk in entering said Judgment of Record through mistake entitled the same as an action on account instead of action on a promissory note and omitted through mistake to enter the name of said John Boly after the name of said Michael Boly in said Judgment as a party Defendant it is therefore considered by the Court that said motion be sustained and that said Judgment be amended name pro Lune by entitling the same as an action on promissory note and also that the name of said John Boly be entered in said Judgment after the name of said Michel Boly as a party Defendant therein