

Jefferson County Circuit Court

Case File - Civil

November 1865

Beal, James A.

vs

Unertel, Andrew

Debt

Debt \$755.82 paid as co-security  
with defendant on note by Henry  
Stillbink to Jefferson County

Box

16 Folder 82

27 Adams Street

you are hereby notified  
that I will on the 18<sup>th</sup> day of November  
1865 make a public sale to the Circuit Court  
of Jefferson County Missouri at the Court House  
in Rolla Mo for judgment in my favor  
against you for money paid by me as one of  
the account on the grain to Jefferson County  
for use of School Township 150 Eleven, by Henry  
Stellbrink as principal and you and as secur-  
ties for \$1200 Aug 18<sup>th</sup> 1863

J. A. Deal

I enclose a copy of the within notice to address  
inserted at the city of St Louis Mo on this 1<sup>st</sup> day of November  
1865

Wm. A. Phelps.

Enclosed I deem to send me the History of the  
County Mo on this 1<sup>st</sup> day of November 1865. Within my hand  
I seal this 10 of November 1865.

Wm. A. Phelps  
Notary Public



James A Beal Plaintiff  
vs  
Andrew Unertel Defendant } In the Jefferson  
Circuit Court

James A Beal states that on 18  
day of August 1863 Henry Stillbuck  
as principal and Andrew Unertel and  
James A Beal as secunties executed a  
note for \$1200 in favor of Jefferson  
County per use of School Township No  
Eleven, that such was brought on said  
note in favor of Jefferson County to  
use of School Township No 11 against  
said Stillbuck Unertel & Beal in the Jefferson  
Circuit Court & judgment rendered in  
favor of Plaintiff against Defendants  
that execution issued on said judgment  
& was placed in the hands of the Sheriff  
of Jefferson County, that said Beal paid  
to said Sheriff the sum of \$1571. 65  
in satisfaction of the debt interest & costs  
on said execution, that Unertel was co-secu-  
rity with said Beal on the note afore-  
said on which the said judgment was  
rendered. & ought to pay to said Beal the  
sum of \$755. 82½ with ten per cent for one  
half of the debt paid by said Beal  
Plaintiff moves the Court for judgment  
against Andrew Unertel for \$755. 82½

one half of the amt paid by him as security  
on the principal debt aforesaid & for  
all other proper costs & relief  
J. A. Beal

J. A. Beal  
as  
Andrew Unested

Motion for judgment  
for money paid by Beal  
as security

Filed Nov 18 1865.  
Saml. A. Reppyellk

To Henry Stillbrink

You are hereby notified  
that I will apply to the Circuit Court  
of Jefferson County Missouri at the Court  
Room in Hillsboro in said County on the  
second Monday of May 1866 or so soon thereafter  
as a hearing can be had, for a judgment  
in my favor against you for \$1511.62  
with interest for amount I paid and satisfy  
ed a judgment <sup>on</sup> Execution ~~thereon~~, rendered  
in the Jefferson Circuit Court in favor  
of Jefferson County The use of School Town-  
ship vs Clever against Henry Stillbrink  
James A Real & Andrew Knut. which  
judgment was rendered May the 19 1865  
on note in which you were principal  
and I & Andrew Knut were Securities  
March 1866 J. A. Real

I hereby acknowledge service of the  
within Article this 5<sup>th</sup> day of April 1866  
Henry H. Brown

J. H. Brown

vs  
Henry H. Brown

Notice of motion for judgment  
on account for money paid  
by him as security

Filed May 14<sup>th</sup> 1866  
Saml. H. H. Brown

James A. Beal plaintiff

versus

Andrew Unertel deft

In the Jefferson County Circuit Court  
November Term 1865

And now comes the defendant in the above entitled cause and moves the Court to set aside and vacate the judgment rendered therein on motion on the 18<sup>th</sup> day of November 1865, in favor of said James A. Beal and against this defendant, and for cause to sustain his motion defendant says

That the said judgment is irregular and void as will appear by the records

That the Court never had any jurisdiction of the person of defendant, he not having been brought in either by summons or notice, nor appeared voluntarily

That defendant has a good meritorious and complete defence to said action

Wherefore defendant moves that the aforesaid judgment may be set aside, vacated, and for nought held, and that the execution issued thereon against this defendant and in favor of said Beal, returnable to the May term of this Court, may be quashed by order of the Court

by

Romanus Dinkelburg  
his atty

James A. Bear plaintiff

versus

Andrew Unrterl defor.

on motion

In the Jefferson Circuit Court

November Term 1865

Andrew Unrterl the above named defendant being duly sworn on his oath says, that he removed from Jefferson County, a resident of which he has formerly been to the County of St. Louis on the 1<sup>st</sup> day of April A. D. eighteen hundred and sixty five and has since that time been a constant resident of the County of St. Louis, that from said 1<sup>st</sup> day of April 1865 until the present day, he never was at any point within the boundary of Jefferson County, and had no place of abode therein. That he never received any notice whatever of a suit being instituted against him as security of one Henry Stelbrink by the County of Jefferson on a note for \$1200 given to said County on the 18<sup>th</sup> day of August 1863, that he never received any notice whatever, either in writing or by parol - of the motion made to be made or intended to be made by Jas. A. Bear the above named plaintiff for judgment against him on the 18<sup>th</sup> day of November 1865, either by said Bear or by or from any other person, and that the first information this affiant ever had of the fact that such motion was to be made or had been made or that judgment had been rendered thereon, was this day, when he was informed by his counsel of the fact

Affiant further says that he had a good and meritorious defence on said motion, that he is credibly informed and so believes the fact to be, that the said execution mentioned in plaintiffs motion, which was issued

against the said Henry Stelbrink and James W. Bear and this  
affiant was paid by said Henry Stelbrink by and with  
the money of said Henry Stelbrink. That said Bear never  
paid said ~~money~~ execution with his own money. but is  
in the whole matter conspiring and confederating with  
said Henry Stelbrink for the purpose of defrauding this  
defendant. And further this affiant says not

Andrew North.

Sworn to and subscribed before me this 12<sup>th</sup>  
day of May 1866

Witness my hand and seal  
S. A. Finkelnburg  
Notary Public  
St. Louis Mo.

2432

James W. Bear

vs.

Andrew North.

Motion to set aside Judg-  
ment for irregularity and  
affidavit in support

Motion overruled by the  
Court May 16<sup>th</sup> 1866

Filed May 14<sup>th</sup> 1866.  
Saml. A. Finkelnburg Clerk  
Mo.

Rowman Finkelnburg  
deputy clerk



James C. Root  
no.  
Andrew Shurtell

Notice to amend  
record

Particulars recorded by the  
Board May 16th 1866

Filed May 16th 1866.  
Dunn. Attest by Clerk

Wm. Houshauer & Frederick  
Clerks for Dept.