

Jefferson County Circuit Court
Case 2112 - Civil

Box

19

Folio - 40

September 1867

Thomas, John L.

vs

Beeler, Jesso F

Appeal

Plaintiff appealed from JP James C.
Power on \$14.50 account for legal
services

Grace & Buck

To John L. Thomas

No 2 - To Service of the Case of Pleasant
Thomas vs Jane & Buck & H. B.
Summers - before Justice of
the Peace & in Court
To Supton same for 5 years at 6¢.

Bal. Due —

\$15.00

4.50

\$19.50

Dr.

Filed July 16th
1867 J. B. Pomeroy
Justice

County of Jefferson
The State of Missouri

To the Constable
of Central Township Greeting We
Command you to summon Jesse F. Beeler
to be and appear before me the
undersigned Justice of the peace
within and for the Township and
County aforesaid at my office
in said Township on the third
Friday in August 1867 at the house
of Lemuel to answer the complaint
of John & Thomas Silver under
my hand this 16th day of July 1867
Jas C. Parmer
Justice of the peace

Executed the Within in Central Township
Jefferson County Mo on Jesse F. Beeler on
the 16th Day July 1867 By Reading the
Same to him

John Williams Sheriff

Summa	
John F. Thomas	
per	
Jesse F. Beeler	
Debt	1950
Quota fee	80
Sheriff's fee	50

John L. Thomas, Jr.
Jesse T. Beckles, Esq.

Before Justice James,

This affidavit states that he does not take
an appeal in the above entitled cause for
restitution or delay but because he feels himself
aggrieved by the proceedings in justice,
John L. Thomas,

sworn to and subscribed
before me August 16, 1867,
Jas. C. Power Justice
of the Peace

Filed August
16th 1867

J. B. Pomeroy
first up
the peak

Filed Aug 16th 1867

John L. Thomas & Co
Against
Jesse T. Butler, & Co

Before Justice Jones,

We John L. Thomas as plaintiff and

vs Jesse T. Butler

do hereby acknowledge ourselves to be
indebted to Jesse T. Butler the above named
defendant in the sum of twenty five dollars,
upon the condition that whereas said Thomas
has this day taken an appeal in the above
entitled cause to the Jefferson Circuit Court
now at the said Thomas shall prosecute his
appeal without delay with effect; or if on such
appeal if the judgment of the Justice be affirmed
or if on the trial anew in the appellate Court
judgment be given against the appellant &
he shall satisfy such judgment or if his
appeal shall be dismissed he shall pay

the judgment of the Justice together, with
the costs of the appeal, the recognizance
shall be void.

John L. Morison,
Attorney General

Bancroft
John S. Kansas
vs

Jesse Z. Keeler

Filed and
approved of this
16th day of Aug
1867 J. L. Palmer
Justice of the
Peace

John L Thomas

vs

Jesse H Bleben

Suit on account filed July 16th
1867 for attorney fees for \$19.50 Summons issued
against Defendant July 16th 1867 returnable on the
third Friday in August 1867 on this day the Summons
is returned duly executed and the parties being ready
for trial and singular the matters are submitted
to the Justice who on hearing the proofs and allegations
of the parties finds for the Defendant and the cost of
this suit amounting to one Dollar and seventy cts
wherefore it is considered that the Defendant
have and recover of the plaintiff the sum
of one Dollar and seventy cts and that he have
execution therefor James C. Palmer Justice of the peace
August 16th 1867 now on this day comes the Defendant
and tenders his affidavit and appeal bond for
Twenty five Dollars of him self and Sherer Green
as security and prays an appeal to the Circuit
Court from said judgement which is deemed
sufficient and therefore the appeal is allowed

James C Palmer Justice of the
peace

John J. Mearns

was

2691

John Belter

Transcript of

Deed to

Filed Sept 24 1867

E. H. Dorney Clerk

By E. J. Morrison Sept

Book for Sept 11 1867

Book for Sept 11 1867

Fee Bill

John L Thomas
vs

Jesse H Beeler

Jas C Pamer justice fees Summons 25-

Indict case 10

Packer case 10

Swearing 3 witnesses 15-

Judgement 50

affidavit for appeal 35-

Transcript 20

175-

John William Sheriff 50

2,25-

I hereby certify to
above to be true

J C Pamer Justice
the Justice

John L. Thomas

was

George Becken
free will

J. L. Thomas

vs

Jesse H. Buller

Plff moves the Court the set aside
the verdict & grant him a new trial
for the following reasons.

1. Because the Court should have
declared the law as asked by Plff.
2. The Court should have refused
the instructions asked for by Def.
3. The Judgment should have
been for Plff.
4. Because the State of limitation
is not bar in this case,
Thomas pro se



like for the
Edmunds

Thomson

Beeler }

1st

If the Court setting as a jury find from the evidence that the account sued on by Plaintiff in this suit became due in the year 1860, that Defendant has never promised in writing to pay the same and that this suit was not commenced within five years after said account became due to Plaintiff, then said account is barred by the Statute of Limitations and the Plaintiff can not recover

Thomas

Becker

The Court sitting as a
Jury declares the Law to be

1st That if the Court sitting as
a Jury find from the evidence
that the services for which this
suit was instituted were not
rendered by Plaintiff within
five years next before the
commencement of this suit
said cause of action is barred by the Statute
then the Plaintiff is not entitled
of ~~any~~ Limitations and the Judgment
should be for Defendant.

John L. Thomas }
Jesse F. Baker }

The Plaintiff asks the Court to declare
the law of this case as follows -

1. If the Court finds from the evidence
that in 1860 the Plaintiff rendered the
service claimed in his account sued
on: that in 1864, defendant requested
Plaintiff not to sue him on the account
till the suit between him & Broz ⁱⁿ case
was determined and that, ⁱⁿ case no suit
should be brought on said account till
said suit was determined he would
not plead the statute of limitation and
that Plaintiff then agreed not to sue & did
not sue on said account in pursuance
of said agreement till after said suit
was determined, then this was a sufficient
consideration for a new promise & the account
sued on is not barred by the statute of limitation.

Memoranda
or
Journals

Instructions



Known as dealer, July, May 16th 1868, \$10,000 5-541,

S. B.

De Comer Justice,
The Michigan Sheriff,

\$1,75-
2, 85

Cooney Oak, 10 kilo 50^c, oak 5^c Judg. 50^c

1,05-

Ant 35^c Ant 10^c, motion 20^c rule 20^c, ord 20^c

1,05

Ant 50^c, Ant 10^c, ord 20^c, making coat 20^c

1,00

Ant 30^c, Ant 15^c, dock 10^c apr. 10^c

85-

\$3,95

16,60



Thomas J. L.
- vs -
Jesse Buller

Pro Bono