

DeFerson County Circuit Court
Case File - Civil

May 1868, #153

Box 20 Folder 79

Vanderwort, William L.
McClelland, Matthew V.L.
Suggs, Richard M.
Suggs, Justus A.
et al.

vs
Beach, Lewis

Petition on account

Debt \$100 for fabric and clothing;
other plaintiffs Charles E. Barney,
William R. Pye; also "Vanderwort";
Elias F. Honey, Samuel J. Signor
garnishes

William L. Vanderwort,
 Mathew V. L. McCalland
 Richard M. Scuggs
 Justin A. Scuggs
 Charles E. Barney,
 William R. Pye, doing
 business under the firm
 name and style of
 Vanderwort, McCall-
 land & Co Plaintiffs
 Against
 Lewis Beach, Defendant

In the Jefferson
 Circuit Court.
 May Term 1868.

Plaintiffs state that defendant in October
 and November 1866, the defendant bought of them
 the following goods wares & merchandise at
 the prices set opposite each article viz:

Oct 13	1866	29 ³ / ₄ yds Canton flannel	35	10.41
		31 ¹ / ₂ " Wool "	48	15.12
		43 ³ / ₄ ¹ / ₈ cotton	19	8.31
		47 ¹ / ₂ " "	21	8.98
		40 " Cold Lambie	23	9.20
		41 ¹ / ₂ " Washington do	17 ¹ / ₂	7.22
		35 ¹ / ₂ " ¹ / ₄ do Shetling	155	37.27
		6 Misses Shaws	137 ¹ / ₂	8.25
		1 of Lb. Handker		1.45
				<u>\$106.21</u>

Ant Prot Ford				\$106.21
1	g	lb. Handker		1.65
1	"	Do		2.10
1	"	Do		3.00
1	"	Do		3.45
1	do	Linon Shirt Front		3.40
1	"	Do	Do	4.25
6/12	"	"	\$5.00	2.50
4/12	"	"	8.00	2.67
6/12	Men's Vests		22.	11.00
2	Do	How	3	6.00
1	"	"		3.50
1	"	"		6.25
5/12	"		7.00	<u>2.92</u>

\$158.90

1866
Nov 28 By Cash

58.90

Bal. Due -

\$100.00

Plaintiffs further state that defendant has not paid them above balance of one hundred dollars for said goods which is still due them & for which they ask judgment.

John L. Monney
Atty for Plaintiffs.

Anderson & Co

37

Levi Black

Partial on account

Drilled Nov 12th 1868

Edw. M. Newell

THE STATE OF MISSOURI, } ss.
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeling:

We command you, that you summon *Lewis Beach*

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 ~~sixth~~ *seventh* Monday after the
fourth Monday of March 1868 ~~next~~, then and there to answer unto
Vanderpool McCallaud & Co

upon *their* 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 hereunto affixed, at office in Hillsboro, this

Twelfth day of *March* A.D. 1868

Elias F. Honey
Clerk Circuit Court.
Es J. J. Honey Dep

I Executed this Writ in Jefferson County Missouri
on the Twenty fourth Day of March 1868 by
Delivering to Louis M Beach the Defendant
a true copy of this Writ and Petition as furnished
me by the Clerk

John Williams Sheriff

No 153

23rd

JEFFERSON CIRCUIT COURT.

May Term, 1868

Vandeventer M Chittenden

vs

Louis M Beach

original

John Williams

Sheriff fee \$1.00

March 24

Vanderroot, McClelland & Co } In the Jefferson
v } Circuit Court.
Lewis Beach } Nov. Term 1868.

To Elias J. Hooney Garnishee in
the above entitled cause.

At the time of the service of the
garnishment upon you did you
owe dependant any thing & if so
how much?

John L. Thomas.
Atty for Plaintiff

Daughters of Dr. C. H. H. H. H.

7.

Levin Beach

Levin Beach
Levin Beach

dated Nov 23rd 1868,

& A. H. H. H.

11540

Vanderroot McBlair and Hee }
Lewis Beach } On 7th Feb

Now at this day comes Eba
Hooney & Garnushee in the above entitled
cause. And makes answer as follows

That at the time of Garnushee's death he had in
his hand as Clerk of the Jefferson Circuit Court
Forty four and 5/10 dollars. being the amount
of an execution received from the Sheriff
of Cape Girardeau. by or an execution is-
sued from Jefferson County in favor Louis
Beach. against James distinctions.

That the above sum of \$44.55 was all
the money or property held by said Gar-
nushee for Lewis Beach

E. P. Hooney

Subscribed and sworn
to before me, this 13th
day of March. 1868.

Henry F. Adkins
Notary public

2517

Underworth & Co

3

Levin's Book

Andrew of Stornoway

files Nov 22^d 1868,
& J. H. H. H. H. H.

M. C. Bellond, Vandeventer & Co

vs
Lewis Beach,

} In Superior
Circuit Court,
May Term
1869.

To J. F. Signor, Garnisher -

At the time of the service of the garnishment upon you in this case did you owe the Defendant anything & if so how much - or do you owe him any thing now & if so how much?

At the time of the service of the garnishment upon you did you have in your possession or under your control any property, money, goods, accounts or evidences of debts belonging to Defendant. & if so state how much & of what it consists.

John L. Thomas
Atty for Plaintiff.

2517

McCluskey & Co

22

Levi Beach

Indians palms &

J. J. Lippin - Journal

Filed May 12 1868

Wm J. McQuip
By J. H. Ogden & Co

Vanderwort, McClelland & Co
vs
Samuel J Signor, Garnishee
of Lewis B Beach
In the Circuit Court
of Jefferson Co Mo.

now at this day comes the above
named Samuel J Signor and
respectfully shows the Court - That
Vanderwort, McClelland & Co as
plaintiffs, prior to the June Term 1869
of this Court obtained and had a judg-
ment against the above named
Lewis B Beach, and your petitioner
Samuel J Signor was summoned
by said Vanderwort, McClelland & Co
as garnishee of said Lewis B Beach
to answer at the last Term of this
Court - That this petitioner was
not at the time of the service of
said garnishment, nor at any time
since indebted in any manner
whatever to said Lewis B Beach
nor did he owe the said Beach
any money, goods or property, and
so this petitioner expected and
intended to answer said garnishment

and for the purpose of answering
said garnishment your petitioner
called on J. E. Leonard an attorney
of this Court and engaged him
to answer the same at the
proper time - afterward and before
the term of this Court at which
said answer should be made
this petitioner left this state for
a short time and remained
absent till after the term of
Court at which said garnishment
should have been answered
not knowing that his presence
would be necessary and
that said answer should be
sworn to by him, but confidently
believed that his said attorney could
could answer without his
presence - otherwise this petition
would have been present and
filed said answer in time -
That for want of answer
to said garnishment at the
last term of this Court a
Judgment was entered against
this petitioner and of which
~~he~~ he had no knowledge

till after said Term of this Court
had expired, and for this reason
a motion was not then made
to set aside said judgment -
That said judgment has been
followed by execution, and under
said execution, the Real Estate
of this petitioner is advertised
for sale by the Sheriff November
17th / 1869 - That if said sale is
made the defendant will lose
his property and be greatly injured
and damaged, ^{thru} ~~with~~ ^{his} ~~left~~ without
any recourse or remedy whatever
Therefore in consideration of the
premises, your petitioner prays
that said judgment against
this petitioner be set aside, that
said execution be ~~reversed~~ ^{staid till the Court has passed on this motion}, and
the Sheriff ordered not to proceed
with said sale, and that
this petitioner be allowed to file
his answer at once to said
garnishment

S. J. Signor.

Samuel J. Signor. the petitioner
makes oath and says that

the matters and things as stated
in the foregoing petition are
true

Subscribed & sworn to before
me this 16th day of Nov 1869
E. F. Kenney C. T. & C. Ch.
By L. H. Alford D. C.

J. J. Signos

2571
Vanderbilt McGraw

25

Samuel J. Legner

Pet. D.
motion to set aside
verdict & set aside

Samuel D. B.
att. p.

Filed Nov 16 7 1869
E. F. Kenney C. T. & C. Ch.

Vandervort, McWilliam & Co. } July 22nd 1868. Books 5/ 585
 = 70 =
 Lewis Beach } Jan, \$100.00 6 9/10

C. H. Strong etc

Exp Ret road 50^c 00000^c with recd. \$1.10 2.10

Books 10^c, files 5^c, paper 10^c 00000^c 35^c 60

July 30^c, Aug 10^c 00000^c 20^c making out 25^c 213.75^c 1.80

Andrew .05^c 5

\$ 4.35

John Williams own acct. \$1.00

Cattle 35- 1.35-

\$ 5.90