

July Term 1835

by the Court here that the said Plaintiff recover against the said Defendant their Costs in the behalf laid out and expended and that they have execution thereof & the defendant in mercy &c

John Kenney and Isley Kenney filed here a petition to have a mill dam across Fishing River on the lands in said Petition mentioned. It is Ordered that writ of ad quod Damnum do Issue returnable here to the next term of this Court to be executed by the Sheriff of Ray County on the 4 Monday in August next and this case is continued until next term of this Court and the Court having got through the business adjourn until Court in course

In Vacation September 6th 1835 in the Ray Circuit Court

W. W. Phelps Plaintiff vs Richard Simpson & Others Defendants. In case now at this day came the said Plaintiff by his attorney and made application for a dedimus to take depositions in the State of Ohio on behalf the plaintiff in this cause. It is therefore considered that the same be granted according to the request of the said Plaintiff

George Woodward Clerk

Edward Patridge Plaintiff vs Samuel D Lucas and Others Defs. In case now at this day came the said plaintiff by his attorney and made application for a Dedimus to take depositions in the State of Ohio on behalf the said plaintiff. It is considered that a dedimus be therefore granted according to the request of the said Plaintiff and is issued in these cases accordingly

George Woodward Clerk

In Vacation October the 16th 1835

Branick Wilkinson Plaintiff vs Zachariah Lee defendant. In Judgment this day by Jno. S. Wilkinson came and directed this suit to be dismissed and he having paid up the costs herein incurred as far as he can ascertain the same; It is Ordered that the said suit be dismissed from the docket of this Court which is done accordingly

George Woodward Clerk

A Circuit Court begun and held at Richmond in Ray County in the State of Missouri on the first Monday in November etc

prosecute her writ aforesaid against the said defendant, but vol-
=luntarily suffers her said action to be discontinued: Therefore it
is considered ^{on depts depts and adjudge} by the Court here that the said defendant recover against
the said complainant his costs in this suit by him laid out and ex-
pends in his defence and that he have execution thereof

William S. Miller Plaintiff in Equity

^{vs} Thomas O'Rienny and John H. Hugh ^{defendants} Now at this day came
by their attorneys and by consent this cause is continued until
the next term of this Court

Edward Sanderson Plaintiff In detinue

^{vs} Thomas W. Jacobs defendant } Now at this day came the parties
aforesaid by their attorneys and
the plaintiff filed here a bill of discovery against said defendant,
and the defendant filed an answer thereto, and said defen-
dant by his attorney offers himself ready for trial in the plea afo-
said, and the said plaintiff suggests to the Court here that he cannot safely
go into the trial of this cause, and moves for a continuance which is
granted by ^{consent} ~~order~~ of the Dept. Therefore it is considered by the Court here
that the said defendant recover against the said Plaintiff his costs
and charges by him sustained about his defence in this behalf since
last continuance of this cause and that he do have Execution
thereof And this cause is continued accordingly

William Thompson vs Joseph Thompson In detinue

this day came the defendant by his attorney and filed his plea of
non detinet, and this cause is continued until next term

Wm. Phelps Plaintiff

^{vs} Richard Simpson and others debtors in law } In ~~Equity~~ ^{Trust} Now at this day came the
parties aforesaid by their
attorneys and by consent this cause is continued until ~~the~~
~~29th day of February next~~ ^{next term}

Edward Pattidge Plaintiff

^{vs} Samuel D. Lucas and others defendants } In ~~Equity~~ ^{Trust} Now at this day
came the parties
aforesaid by their attorneys and by consent, this cause is continued
until ~~the 29th day of February next~~ ^{next term}

John Wilkerson Plaintiff In ~~Equity~~ ^{Trust} As against & Battery

^{vs} Asa Estes defendant } Now at this day comes the
parties aforesaid by their attorneys
and Joined Issue on the pleas herein and thereupon Come a Jury

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and thereupon the said John Crowley and Daniel Holman and David Lee his securities acknowledged themselves to owe and be indebted to the state of Missouri that is to say the said John Crowley in the sum of five hundred dollars and the said Daniel Holman and David Lee in the sum of two hundred and fifty dollars each to be levied of their respective goods and chattels lands tenements and bodies to be void upon this condition that if the said John Crowley shall make his personal appearance at at the next term of this court in Richmond on the first Monday of July next then and there to answer to an indictment in said court preferred against him for perjury and not depart thence without leave of the said court. and this cause is continued

until the next term of this court.
 The State of Missouri vs John at this day came
 vs Indictment for perjury } the said William Crowley
 William Crowley } into court in discharge of his
 recognizance, and thereupon the said William Crowley and Robert Lee and Henry McGee as his securities acknowledged themselves to owe and stand indebted to the state of Missouri that is to say the said William Crowley in the sum of five hundred dollars and the said Robert Lee and Henry McGee in the sum of two hundred and fifty dollars each to be levied of their respective goods and chattels lands and tenements and bodies to be void upon condition that the said William Crowley make his personal appearance in this court at the next term thereof on the first Monday of July next at Richmond then and there to answer to an indictment in said court preferred against him and that he do not depart thence without leave of said court. And this cause is continued until the next term of this court.

E Patridge vs J. P. Freshap } Now at this day came the said parties by their attorneys and on motion of the said plaintiff this cause is continued until the next Term of this court at the cost of the plaintiff.

W W Phelps vs J. P. Freshap } Now at this day came the said parties by their attorneys and Richard Simpson

on motion of the plaintiff this cause is continued until the next Term of this court at the cost of the plaintiff.

✓ Benben & Robert A. McBroskie Administrators of Levi McBroskie deceased
 vs. Allegations of Fraud vs. Non at this day came Zachariah Lee vs. the parties aforesaid by their Attorneys, whereupon came a jury to wit Henry McLee James Allison William McGinnell Israel A. Wendley Henry Emerson Isham Rees James Wells E. B. Creechmore William McGaugh David Hall Matthew McGaugh & Austin Ball twelve good and lawful men who being duly selected tried and sworn well and truly to try the issues joined between the parties aforesaid and a true verdict to render according to the evidence and the said plaintiff having submitted part of their evidence to the said Jury, they were by consent of said parties and the order of the Court discharged until nine o'clock tomorrow morning.

The Grand Jury came into court and reported that the Jail of said County was in good repair and presented upon the evidence of Philip Covington & Andrew McKaney, Andrew Sackey for keeping a ferry on Grand River in said County without licence: And the Court Adjourned until tomorrow morning nine o'clock.

John F. McLeod

Tuesday March 8th 1836.

The Court met pursuant to adjournment ^{same} present as yesterday.

✓ Benben and Robert A. McBroskie Administrators

vs. Allegations of Fraud vs. Zachariah Lee vs. The evidence in the above cause being concluded the said plaintiffs before the Jury retired suffered a nonsuit in the above cause, and thereupon the said plaintiffs filed their motion to set aside the said nonsuit and assigned for reason thereof that the Court erred in requiring the said plaintiffs to make proof of their letters of administration by the production of the same

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William W Phelps

vs
Richard Simpson and others

Trespass quare clausum frezit
Now at this day came the parties aforesaid by their attorneys and neither parties requiring a jury the said cause is by consent of the said parties submitted to the court, and the evidence therein being seen and heard the court here doth find the said defendants guilty in manner and form as charged in the said plaintiffs declaration and assess the said plaintiffs damages to the sum of ~~one~~ ^{seven hundred & fifty Dollars} ~~cent~~
It is therefore considered by the court here that the said plaintiff recover of the said defendants the said sum of ~~one~~ ^{seven hundred & fifty Dollars} ~~cent~~ for his damages herein sustained together with his costs and charges by him in this behalf laid out and expended and that he have execution thereof.

John H Field and William Moberly

vs
Deighton Ewell.

The Sheriff returned here into court upon the execution in the above cause among other things that he had levied said execution upon the following land to wit the south east quarter of the south east quarter of section twenty seven Township fifty three Range twenty seven also the north east quarter of the north west quarter of section of section fifteen Township fifty three of Range twenty seven also the south east quarter of the north west quarter of section fifteen Township fifty three of Range ^{twenty seven} as the property of said Deighton Ewell and that said land has not yet been sold. Therefore upon motion of the said plaintiffs it is ordered by the court here that a vendition ~~exponas~~ ^{exponas} issue in the above cause directed to the Sheriff aforesaid commanding him to expose said lands to sale to satisfy said execution:—

John H Field and William Moberly

vs
Deighton Ewell argumet on execution.