

In the Circuit Court of Ray County, September Term 1862. Friday 21st November 1862.

Robert Senior, Curator
vs Motion
Benjamin A. Rines et al

On motion it is ordered that the motion -
filed to set aside the Judgment herein be
continued to the next term of this Court

Mordcaui Oliver
vs Motion
Benjamin A. Rines et al

On motion it is ordered that the motion filed
to set aside the Judgment herein be contin-
ued to the next term of this Court.

The Union Bank of Missouri
vs Motion
Benjamin A. Rines et al

On motion it is ordered that the motion filed
to set aside the Judgment herein be continued
to the next term of this Court.

Ray County
vs
Benjamin A. Rines et al

On motion it is ordered that the motion filed
to set aside the Judgment herein be continued
to the next term of this Court.

Robert Senior Clerk of this Court here presents to the Court his account against
the County of Ray for the sum of eighteen dollars and seventy two cents, which
is audited, adjusted and allowed by the Court here, and it is ordered that
the same be certified to the County Court of said County for payment.

On motion it is ordered that Christopher T. Garner, trustee for the Executors
of Ohio Cleveland, be authorized to pay to John Switzer the sum of forty
two dollars as costs and expenses of keeping stock belonging to the trust property.

On motion it is ordered that Nelson C. Ellis heretofore appointed Receiver
of moneys paid to Kirby garnishes of George C. News, pay over the money
in his hands, to the Clerk of this Court to be by him applied to the payment of
costs adjudged in such garnishment and other cases against said News.

In the Circuit Court of Ray County in Vacation Saturday 22nd November 1862

Calvin Deener Satisfaction in full of The Judgment rendered in my favor
vs in the cause aforesaid, is hereby acknowledged
Absalom Grace Attest R. Sevier, clk B Calvin ^{4th} Deener

The appointment of Thomas J. Ogg, as deputy Sheriff, with his oath of office and approval of the Judge thereon endorsed is here filed -

In Vacation Friday 28th November 1862

George D. Wasson ^{Samuel} vs Hargrave
vs Samuel Pullins

Plaintiffs in this cause having heretofore filed their petition together with the bond and affidavit required by law for the prosecution thereof by attachment - and it being stated in said affidavit that the defendant Samuel Pullins is not a resident of this State. It is therefore ordered by the clerk of the Court aforesaid, that he be notified of the commencement of this suit by publication according to law, in the North West Conservator, a newspaper printed and published in the County of Ray aforesaid, as follows to wit -

To Samuel Pullins, the aforesaid defendant - You are hereby notified that the plaintiffs have commenced their action against you, by attachment, in the Court aforesaid, wherein the amount sworn to is, Seventy four dollars and seventy eight cents, being the amount of your three several promissory notes, one dated August 30th 1861, for the sum of five dollars, payable to Wasson & McFarland one day after date, with interest from maturity at ten per centum, and by them assigned to plaintiffs, one dated January 1st 1861, for the sum of eleven dollars and six cents, payable to S. Hargrave & Co. one day after date, with interest at ten per centum from maturity, and by them assigned to plaintiffs, and the third and last one of said notes dated January 1st 1861, for the sum of twenty three dollars and twenty eight cents, payable to plaintiffs one day after date with interest from maturity at ten per centum, and also your two several accounts for goods wares and merchandize, one with Wasson & McFarland for two dollars and forty cents, and by them assigned to plaintiff, and the other with Samuel Hargrave for twenty five dollars and forty nine cents, and by him assigned to plaintiffs. You are further notified that your property has been attached, and unless you appear in said Court at the next term thereof to be held at the Court house in the City of Richmond, in said County of Ray commencing on the 3rd day of March A.D. 1862 - and on or before the third day of said term, if the same shall so long continue, and if not then before the end of said term, and answer the action aforesaid, - Judgment will be rendered against you and your property sold to satisfy the same -

In Vacation Monday 5th December 1862 -

Jenson Bond vs Claim of Personal property David Whitmer and David J. Whitmer

Now at this day comes the said plaintiff, and he files his petition, claiming the possession of specific personal property therein described and with said petition also files the affidavit required by law, showing that the plaintiff is the owner of, and is lawfully entitled to the possession of the property described in said petition to wit, a bay stallion horse of the value of four hundred dollars, or thereabout, that said horse is wrongfully detained by the defendants, and further

The owner of, and is lawfully entitled to the possession of the property described in said petition to wit, a bay stallion horse of the value of four hundred dollars, or thereabout, that said horse is wrongfully detained by the defendants, and further

North West Quarter of Section Thirty, in Township fifty one, of Range twenty seven, containing seventy seven acres and fifty five hundredths of an acre, more or less, and the North West Quarter of the South West Quarter of Section thirty, in Township fifty one, of Range twenty seven, containing thirty eight acres and seventy four hundredths of an acre, more or less. That plaintiffs are unable to state the actual amount of the consideration, but are that the same was fully paid by said Benjamin J. Brown, and that he was prior to his death the owner of said real estate, and exercised all the rights of ownership in and to the same for a period of at least ten years preceding the time of his death, but that no conveyance was ever executed by you to deceased in his life time, or to plaintiffs since his death therefor. — Plaintiffs ask for an order, Judgment and decree of said Court, vesting in them as such administrators for the use and benefit of the estate of said deceased, the title to the real estate aforesaid, subject to any disposition he may have made thereof in his lifetime, and for such other and further relief in the premises as may be right and proper. — You are therefore required to appear in said Court, at the Court House, in the City of Richmond in said County of Ray, on the first day of the next term of said Court, being the 2^d day of March A.D. 1863, and answer the petition aforesaid, or the same will be taken as confessed.

In Vacation Tuesday 30th December 1862.

Sabey Photewell

vs

Charles H. Photewell

Now at this day comes the plaintiff aforesaid, in his own proper person, and here files his petition in this Court, and therewith also the bond and affidavit required by law for the prosecution thereof by attachment, and it being stated in said affidavit that the defendant Charles H. Photewell is not a resident of this State, — It is therefore ordered by the Clerk of the Court aforesaid, that he be notified of the commencement of this suit, by publication according to law in the North West Conservator, a newspaper printed and published in the County of Ray aforesaid, as follows to wit: — To Charles H. Photewell, the aforesaid defendant. — You are hereby notified that the plaintiff has commenced his action against you, by attachment in the Court aforesaid, wherein the amount sworn to is fifteen hundred and fifty dollars, being the amount of your three several promissory notes, one dated 23^d February 1859, for the sum of two hundred and forty six dollars and ninety five cents, payable to plaintiff one day after date, with interest at ten per centum, to be paid annually and if not so paid to become a part of the principal and bear the same rate of interest. — One other note, dated December 1st 1858, for the sum of thirty eight dollars, payable to John W. Photewell one day after date, and by him assigned to plaintiff, and the third one of said notes dated December 1st 1858, for the sum of one hundred and fifty dollars payable to John W. Photewell, one day after date, and by him assigned to plaintiff, and also on account of money loaned to you by plaintiff at your special instance and request, stated in the sum of eight hundred dollars, on which interest is claimed at six per centum from 10th January 1858. — You are further notified that your property has been attached, and unless you appear in said Court, at the next term thereof, to be held at the Court House in the City of Richmond in said County of Ray, commencing on the 2^d day of March A.D. 1863, and on or before the third day of said term, if the same shall so long continue, and if

In the Circuit Court of Maryland, Saturday, 19th September, 1792, by the said action against them herein remains undefended, and thereupon, on the motion of the plaintiffs an interlocutory Judgment by default is here rendered against the said defendant in the premises, and it is considered by the Court that the allegations contained in said petition be taken as confessed, and on the further motion of the plaintiffs an enquiry of the damages sustained by them in this action, is here awarded by the Court, to be made at the next term thereof, and this Cause is continued.

Benoni Bond
 vs
 Claim of personal property
 David Whitman and David J. Whitman

Shew at this day come the parties aforesaid by their attorneys, and on the motion of the defendants here is given them to file their answer herein, thirty days before the next term of this Court, and this Cause is continued.

William Allen
 vs
 Claim of personal property
 David Whitman and David J. Whitman

Shew at this day come the parties aforesaid by their attorneys, and on the motion of the defendants here is given them to file their answer herein, thirty days before the next term of this Court, and this Cause is continued.

James Hughes and Thomas J. Brown
 Administrators of the estate of
 Benjamin J. Brown, deceased.
 vs
 Defenses Claim

Shew at this day come the plaintiffs aforesaid, by their attorneys, and shew unto the Court, the publication of the Order made herein vesting the defendant of the commencement of this suit, and the said defendant comes not, nor does he answer to, or answer the petition of the plaintiffs. Whereby the said action against him herein remains undefended, and thereupon on the motion of the plaintiffs an interlocutory Judgment by default, and decree nisi, is here rendered against the said defendant, and it is considered by the Court, that the allegations contained, in said petition be taken as confessed. And this Cause on motion of the plaintiffs is submitted to the Court on the petition and proofs of the plaintiffs, all and singular the premises being seen, heard and by the Court here fully understood. The Court do the fore as is alleged in said petition, that the said Benjamin J. Brown, since deceased, in his lifetime, for a valuable consideration purchased of the defendants, the following described real estate, situated in the County of Maryland, The West half of the North West Quarter of Section thirty, in Township fifty one, of Prince Georges County, Dismas, containing Seventy seven acres and fifty five fractions, the more or less, also the North West Quarter of the South West Quarter of Section thirty, in Township fifty one, of Prince Georges County, Dismas, containing thirty eight acres and ~~four~~ four hundredths. Now on oath, that the said Benjamin J. Brown, paid in full the purchase money therefor, and was prior to his death for a period of at least ten years in possession of said real estate, and exercising the rights of owner ship in and to the same. The Court further finds that the defendant has failed to execute a deed to the said Benjamin J. Brown, or to his heirs or representatives, conveying title to said real estate in accordance with the purchase thereof, as aforesaid. And it appearing to the Court that the said Benjamin J. Brown died intestate, and that the plaintiffs are the administrators of his estate, the Court doth award and decree by the Court, that all the right title and interest of said defendant of in and to said real estate, pass to and vest in said plaintiffs as administrators as aforesaid, for their use and benefit, Separately and singly, of the estate of the said Benjamin J. Brown deceased, to be held and disposed of by them as the property of said deceased, subject to any contract or disposition that the said deceased may have made thereof, in his lifetime, and unless the said defendant shall appear in this Court, at the next term thereof, and show Cause for setting aside this decree, the same will then be made final. It is further ordered and adjudged by the Court that the defendants, pay the Costs of this Suit; the said plaintiffs to pay the same in the first instance, and this Cause is continued.

In the Circuit Court of Ray County, Thursday, 10th March, 1864.
 Present, John Henderson, Joseph Fodday, John Dickey, Allen Martin, Philip H. Miller, Isaac Proctor and John S. Parkman, twelve good and lawful men of Ray County who come to the bar of the Court here and take the oath prescribed for Jurors by the Constitution of the Constitution of the State of Missouri, adopted June 10th 1862, and are thereupon duly elected trial and sworn, and do solemnly swear to try and determine between the State of Missouri and Jonathan Miller the defendant at the bar, and do not intend to give according to the evidence, after hearing the evidence adduced on the part of the prosecution. For want of time to proceed further in the case, the Jury under a charge from the Court are allowed to disperse until the meeting of the Court tomorrow morning, until which time further proceeding in this case is laid over.

The State of Missouri vs. Felonious Assault
 James B. Turner

Now at this day comes the Circuit Attorney, who prosecutes on the part of the State in this behalf, and also comes the defendant of the said, without process, and it is ordered that the defendant enter into recognizance in the sum of five hundred dollars with sufficient security in the like sum, conditional for the appearance of the defendant in the Court at the next term thereof to answer in the premises, and thereupon the said defendant James B. Turner as principal and Peter Beckel and Jonathan Miller as his sureties, come to the bar of the Court here, and acknowledge themselves to owe and be indebted to the State of Missouri that is to say the said James B. Turner in the sum of five hundred dollars and the said Peter Beckel and Jonathan Miller, jointly and severally in the like sum of five hundred dollars, to be the basis of their respective good and lawful and real debts, to be void on condition that the said James B. Turner shall make his personal appearance in this Court on the first day of the next term thereof, being the 5th day of September, A.D. 1864 and answer to an indictment pending against him in said Court for making reflections upon one Isaac Duff and shall not depart said Court without the leave thereof, and the cause is continued

It is here ordered that the Court adjourn until tomorrow morning at nine o'clock

Friday 11th March, Term, 1864

The Court now pursuant to adjournment, present found as on yesterday

John C. Carter vs. Fidelity and Caution
 John W. Bond, guardian of Thomas H. Cannon

Now at this day comes the plaintiff of and in, by his Attorney, and on motion and by leave of the Court here files his interrogatories against said guardian

Person Bond vs. Claim of personal property
 Merrill Whitson and Maria J. Whitson

Now at this day comes the parties pursued by their attorneys, and both parties having ready for trial, and in here found and by oral consent of said parties the trial of this case by a Jury is here resumed, and is on motion submitted to the Court, and the Court having heard and considered the evidence adduced do the find for the plaintiff, and the property claimed in this petition having been taken by the Sheriff to him, it is ordered and adjudged that said plaintiff retain the possession thereof, and by further agreement of said parties that the costs of this case be adjudged against the plaintiff, it is considered by the Court that the defendants recover against the plaintiff their costs in this behalf expended and it is ordered that execution issue therefor

Satisfied Receipts & Lists C. page 5-6.