

Bundle No. 10

James Colburn vs. Court.

IN THE MATTER OF

Daniel Smoot

VS.

Frank & Jesse James

Filed *Jan 10* 1870

R. H. Grant Clerk

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145

... to Grant & Shaffer
... Motion returned
... returned
 p. 457 Publication ordered
 p. 479 PM file proof of publication
 p. 482 Publication approved
 p. 497 Defts have 45 days to plead
... returned
 p. 526 Continued
 p. 548 Answer filed
 p. 609 Continued
 Court Records No. 2, P. 32
... returned
 p. 96 Answer withdrawn
 p. 97 Judgment

Daniel Smoole
against
Jesse James & Frank James

Plaintiff
Defendants

In the Common Pleas
Court of Daviess Co Mo

Jury Term 1870

Plaintiff states that on the 7th day of December 1869 at or near the city of Gallatin in the County of Daviess and State of Missouri, the defendants Jesse and Frank James did feloniously steal take and carry away from this plaintiff and in his presence and against his will, by putting him the said plaintiff in fear of some immediate injury to his person the following personal property to wit: One bay horse with four white feet and a white snip in the nose of the value of one hundred and fifty Dollars. One Saddle of the value of Twenty Dollars One Bridle of the value of Two Dollars and One Halter of the value of One and $\frac{50}{100}$ Dollars. the property of this plaintiff by which the plaintiff says he is damaged in the sum of Two Hundred and Twenty three and $\frac{50}{100}$ Dollars for which he asks judgment

A. C. McDougal
att. for Plaintiff

Amiel Maisto

Plaintiff

against

Jesse James & Frank James

Defendants

In the Common Pleas Court of
Adair Co. Mo. Term Term 1890

Plaintiff states that on the 4th day of
December 1890, at or near the city of
Lallatin, in the County of Adair and
State of Missouri, the defendants, Jesse
James and Frank James did feloniously,
steal take and carry away from this plain-
tiff, and in his presence, and against his
will, by putting him, the said plaintiff in
fear of some immediate injury to his person
the following personal property, to-wit:
One bay horse, with four white feet and a
white snip on the nose, of the value of
One hundred and fifty Dollars, one saddle
of the value of Twenty Dollars, one Bridle
of the value of Ten Dollars, and one
halter of the value of One and ⁵⁰/₁₀₀ dollars
the property of this plaintiff, by which the
plaintiff says he is damaged in the sum
of Ten hundred and twenty three and
⁵⁰/₁₀₀ dollars, for which he asks
judgment.

L. B. Douglas
att'y for Plaintiff

Amiel Winsor Co
agent

Charles James & Sons & Co

R Stone

Michigan office

May, 10th 1870

D. W. Brewster

Dear Sir

Wm. H. Cutler

Daniel Smoot

Plaintiff

against

Jesse James and Frank James Defendant

In the Common Pleas Court of

Davies Co. Mo. Jan'y Term 1870

State of Missouri)

County of Davies) Daniel Smoot, Plaintiff

on his oath states that he has a just demand against Jesse James and Frank James the defendants; that the amount which he believes he ought to recover, after allowing all just credits and set-offs is Two Hundred and Twenty Three and $\frac{57}{100}$ Dollars, and that he has good

cause to believe, and does believe that the defendants Jesse James and Frank James did, on the 17th day of December 1869, feloniously steal, take and carry from affiant, and in his presence, and against his will, by putting him, the said affiant in fear of some immediate injury to his person, the following personal property: One Bay horse, of the value of One Hundred and fifty Dollars, one saddle of the value of twenty Dollars, one Bridle of the value of Two Dollars and one Halter of the value of One and $\frac{50}{100}$ Dollars, the property of this affiant by which affiant says he is damaged

Daniel Smoot
Sworn to and subscribed before

me this 11th day of January 1870
Robt L Dodge
Judge Common Pleas
Court

Amiel Smarte
against
James & Frank James

Affidavit for an
Attachment

Writ of Attachment.

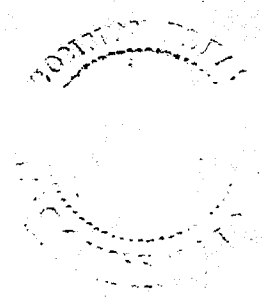
State of Missouri,
County of Danvers } ss.

The State of Missouri to the Sheriff of Danvers County--GREETING:

We command you to attach Jesse James and Frank James by all and singular Their lands and tenements, goods, chattels, moneys, credits, evidences of debt, and effects, or so much thereof as shall be sufficient to secure the sum of Two Hundred and twenty three Dollars and fifty Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said Jesse James and Frank James, that They be and appear at the next term of the Common Pleas Court, before the Judge thereof, on the first day of said term to be holden at the Court House within and for the County of Danvers, on the second Monday of April next, and then and there to answer the complaint of Daniel Conato as set forth in the annexed petition. And also that you summon all and every person in whose hands or possession soever any personal property, rights, goods, chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the plaintiff or his attorney as garnishees, and particularly

that They be and appear before the Judge of our said Court, on the first day of the term aforesaid, then and there to answer unto what may be objected against Them; and have you then there this writ.

In Testimony Whereof, I, Robert W. Crautham Clerk of the said Court have hereunto set my hand and affixed the seal of said Court, at office in Ballwin in the year of our Lord one thousand eight hundred and seventy



Robert W. Crautham Clerk.
By W. M. Sheets

David Smoot

Against

Passage of Frank's Law

copy of Editor's note

Returns this

Common Pleas
ATTACHMENT BOND... (Circuit Court.)

Daniel Smiate Plaintiff)

AGAINST

Jepe James & Frank James Defendant)

ATTACHMENT
IN A
CIVIL ACTION.

WE, *Daniel Smiate* as Principal,

and

Frank Ewing Security

acknowledge ourselves to be indebted to the **STATE OF MISSOURI** in the sum of *Four Hundred and fifty* Dollars, for the payment whereof we bind ourselves, our heirs, executors and administrators.

THE CONDITION of the above obligation is, that, Whereas, *Daniel Smiate* as Plaintiff, is about to commence a suit by Attachment, in the *Circuit* Court of *Darriess* County, Missouri, against *Jepe James & Frank James* Defendants, returnable to the next *regular* term thereof, wherein the sum sworn to is *Two Hundred and Twenty Three* Dollars and *fifty* Cents;

Now, Therefore, if the said Plaintiff shall prosecute *his* action without delay, and with effect; refund all sums of money that may be adjudged to be refunded to the defendant; or found to have been received by the Plaintiff, and not justly due to *him* and pay all damages that may accrue to any defendant or garnishee, by reason of the attachment, or any process or proceeding in the suit, or by reason of any judgment or process thereon, then this obligation is to be void; otherwise to remain in full force.

Witness our hands and seals, this *10th* day of *January*, A. D. 18*90*

Daniel Smiate
Frank Ewing



Approved this *10th*

day of *January*, 18*90*

Roll Holman Clerk.
By H. M. Sheets
S. B.

Printed and for sale by Wessittel, Koser & Wessert, Hanthelch, Mo.

ATTACHMENT BOND.

No.

1st *Common Pleas*
Circuit Court.

Samuel J. ...

John ...

SECURITIES.

Frank ...

Executed the within writ of
Attachment at the County of
Davies on the 10th day of January
A.D. 1878 by leaving the within
writ of attachment on One Bay
Mare, One Saddle and One
Bridle and Halter The defendants
Jessie James and Frank
James not found at my County

Given under my
hand this the 4th day of
February 1878

William F. Flint
Sherriff Davies County
By Thos. F. Hays
Clerk

SHERIFF'S RETURN.

I Certify that I executed the within Writ in the County of Clay State of Mo
on the 11 day of March, 1870, by leaving a copy
of the ^{within} Und. & Petition ~~therein~~ ~~issued~~ ~~with~~ ~~the~~
~~person~~ a member of the family where the within
named James G. Frank James usually
reside over the age of 15 years not further served
by order of Plaintiff's attorney
Mar 12/70

Fee, \$1.00 Paid

By Plaintiff

O. P. Mess

Sheriff of Clay County, Mo.

By J. B. Thomson
Deputy

WRIT OF ATTACHMENT.



Clay County Court of Common Pleas.

returnable April 2 Term, 1872,

April 2nd

vs. Attachment.

James G. Frank
Frank

WRIT OF ATTACHMENT.



STATE OF MISSOURI,

ss.

IN COURT COMMON PLEAS.

County of Darless

The State of Missouri,

To the Sheriff of Clay

County--GREETING:

We command you to attach

James and Frank James

by all and singular Their lands and tenements, goods, chattels, moneys, credits,

evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of

Two Hundred and Twenty Three Dollars

and Fifty Cents, with interest and costs of suit, in whose hands or

possession soever the same may be found, and that you summon the said James

James and Frank James to

be and appear at the next Term of the Darless County Court of

Common Pleas, before the Judge thereof, on the first day of said Term, to be holden at the

Court House in the City of Gallatin and State of Missouri, within and

for the County of Darless on the Tenth Monday

of April next, and then and there to answer the complaint of

James and Frank James

as set forth in the annexed petition.

as set forth in the annexed petition.

And also, that you summon all and every person in whose hands or possession soever any personal property, rights, goods, chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff, or _____ attorney, as Garnishees, and particularly _____

that _____ be and appear before the Judge of our said Court, on the first day of the

Term aforesaid, then and there to answer unto what may be objected against them. And have

you then and there this Writ.

Witness

Robert H. Holman

Clerk of our

said Court of Common Pleas, and the Seal thereof hereunto affixed, at

the Court House in City of Gallatin this

8th day of MARCH, in

the year of our Lord one thousand, eight hundred and seventy _____

Robert H. Holman Clerk,

Darless County Court of Common Pleas.

By Wm. M. Sheets D.C.

WRIT OF ATTACHMENT.



David Connelley
Court of Common Pleas.

turnable *April* Term, 187*2*.

David Connelley

vs. Attachment.

David Connelley

David Connelley

David Connelley

Fee, \$

Sheriff of

County, Mo.

Multiple horizontal dotted lines for writing the body of the writ.



I Certify that I executed the within Writ in the County of _____, on the _____ day of _____, 187*2*, by _____.

SHERIFF'S RETURN.

WRIT OF ATTACHMENT.



STATE OF MISSOURI,

County of Darless

} ss.

IN COURT COMMON PLEAS.

The State of Missouri,

To the Sheriff of Darless County--GREETING:

We command you to attach

Jesse James and Frank James

by all and singular Their lands and tenements, goods, chattels, moneys, credits, evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of Two hundred and twenty three Dollars

and fifty Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said Jesse James and Frank James To

be and appear at the next Term of the Darless County Court of Common Pleas, before the Judge thereof, on the first day of said Term, to be holden at the City of Hallatin and State of Missouri, within and

for the County of Darless on the next Monday of April

next, and then and there to answer the complaint of Daniel Moore

as set forth in the annexed petition.

And also, that you summon all and every person in whose hands or possession soever any personal property, rights, goods, chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff, or attorney, as Garnishees, and particularly _____

that _____ be and appear before the Judge of our said Court, on the first day of the Term aforesaid, then and there to answer unto what may be objected against them. And have you then and there this Writ.

Witness, Robert H. Grantham Clerk of our said Court of Common Pleas, and the Seal thereof herunto affixed, at the Court House in the City of Hallatin this 8th day of March, in the year of our Lord one thousand, eight hundred and seventy _____

Robert H. Grantham Clerk,
Darless County Court of Common Pleas.

By Wm. W. Sheets D.O.

Daniel Ennot

Plaintiff

vs
Frank & Jake James

Defendants

In Common Pleas
Court Daviess Co Mo

Defendants move the court to
quash the Sheriff's return of his
service of the petition and writ
upon them as made by the Sheriff
O.P. Mop. Sheriff of Clay County
Mo for the following reasons

1st Because said return does not
show that the person with whom
the writ and petition was left
was a member of Defendants
family or of either of them nor
does it show that the service
was made at the usual place
of abode of the defendants or
either of them.

Samuel A. Richardson
Atty for Defendants

Daniel Emott

Plaintiff

vs
Frank & Jake James

Defendants

In Common Pleas
Court Daviess Co Mo

Defendants move the court to
quash the Sheriffs return of his
service of the petition and writ
upon them as made by the Sheriff
O.P. Mop. Sheriff of Clay County
Mo for the following reasons

1st Because said return does not
show that the person with whom
the writ and petition was left
was a member of Defendants
family or of either of them nor
does it show that the service
was made at the usual place
of abode of the defendants or
either of them.

Daniel A. Richardson
Atty for Defendants

Daniel Demore
as
Trustee for James

motion to grant
relief of Sheriff

Admission of
Court
April 11th 1850
Robert M. [unclear]
Clerk

4/12/1870

issued from the clerk's office of the Common Pleas court of Dariss County Mo. in favor of Dariss County and against W. W. Dewey et al and acknowledged the same to be his act and deed for the purposes therein mentioned.

John W. Wood

Plaintiff

Against
Perriline

Defendant

Now comes the defendant by his attorney and by leave of court files motion to rule Plaintiff to give security for cost also files affidavit in support of said motion

Henry W. Elliott

Plaintiff

Against
Nathan Harmon

Defendant

Defendant's demurrer to Plaintiff's Petition being taken up and considered by the court is sustained.

Daniel Smoot

Plaintiff

Against
Frank & Jesse James

Defendants

Now comes the defendants in this case by their attorney and by leave of court files motion to quash the return of the Sheriff of Clay County of the service of the writ and petition

Robert
Matham Hoorman

Defendant

Defendants' demurrer to Plaintiff's
petition being taken up and considered by the court is
sustained

Daniel Smock

Plaintiff

Against
Frank & Peter Jones

Defendants

Now comes the defendant in this case
by their attorney and by leave of court files motion
to quash the return of the sheriff of Lelan County
of the service of the writ and petition

Marvin Deann

Plaintiff

Against
Daniel Smock

Defendant

Now comes the defendant in this case
by his attorney and by leave of court files answer

SHERIFF'S RETURN.

I Certify that I executed the within Writ in the County of _____, on the _____ day of _____, 187____, by _____

State of Missouri
County of Clay & Sec.
I certify that the within named
debt with Jesse James and Frank James
cannot be found in my County
this 16th day of June A.D. 1870

Fee, \$ 1.00

O. P. Moss

Sheriff of Clay County, Mo.

WRIT OF ATTACHMENT.



Court of Common Pleas.

Returnable Term, 187____,

vs. Attachment.

Daniel Smoot

Plaintiff

against
Jesse James & Frank James

Defendants

Civil action by attachment
In the Common Pleas Court of Boone
County Missouri July Term 1840

This affiant says that Jesse James and Frank
James, the defendants in the above entitled
cause, have absconded or absented them-
selves from their usual place of abode
in this State, so that the ordinary pro-
cess of law cannot be served upon
them

Daniel Smoot

Subscribed and sworn to before me this 12th
day of July 1840

Wm. Bostaph

Clerk

Daniel Smoot

Plaintiff

against
Jesse James & Frank James Defendants

Civil action by attachment
In the Common Pleas Court of Adams
County Missouri July Term 1840

This affiant says that Jesse James and Frank
James, the defendants in the above entitled
cause, have absconded or absented them-
selves from their usual place of abode
in this State, so that the ordinary pro-
cess of law cannot be served upon
them

Daniel Smoot

Subscribed and sworn to before me this 15th
day of July 1840

Wm. Bostaph

Clerk

WRIT OF ATTACHMENT.



STATE OF MISSOURI,

County of *Dariss*

} ss.

IN COURT COMMON PLEAS.

The State of Missouri,

To the Sheriff of *Clay* County--GREETING:

We command you to attach

Jesse James Ed Frank James
by all and singular *their* lands and tenements, goods, chattels, moneys, credits, evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of *Two Hundred Ed Seventy three* Dollars and *Fifty* Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said

Jesse James Ed Frank James to be and appear at the next Term of the *Dariss County* Court of Common Pleas, before the Judge thereof, on the first day of said Term, to be holden at the *Courthouse in the City of Ballwin* and State of Missouri, within and for the *County of Dariss* on the *Second* Monday of *July* next, and then and there to answer the complaint of *Daniel Swoole*

as set forth in the annexed petition.

And also, that you summon all and every person in whose hands or possession soever any personal property, rights, goods, chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff, or attorney, as Garnishees, and particularly

that *they* be and appear before the Judge of our said Court, on the first day of the Term aforesaid, then and there to answer unto what may be objected against them. And have you then and there this Writ.

Witness, *Robert H. Loranthau* Clerk of our said Court of Common Pleas, and the Seal thereof hereunto affixed, at the Court House in *Ballwin Mo.* this *14th* day of *June*, in the year of our Lord one thousand, eight hundred and seventy

Robert H. Loranthau Clerk,
Dariss County Court of Common Pleas.



AFFIDAVIT OF PUBLICATION.

ORDER OF PUBLICATION.

Slate of Missouri,
County of Daviess, }
In the Daviess county
July Term 1870. } Common Pleas Court
Daniel Smoot, Plaintiff }
against, } Attachment
Frank James and Jessé James, Defendants
Now at this day comes the Plaintiff by
his Attorney, and it appearing to the
satisfaction of the Court, that the Defend-
ants cannot be summoned in this action,
It is ordered by the Court that publica-
tion be made, notifying them that an
action has been commenced against them
by petition in the Common Pleas Court,
within and for the County of Daviess and
State of Missouri; the object and gen-
eral nature of which is to obtain a judg-
ment against them, in a suit for damages
for the sum of Two Hundred and twenty-
three dollars and fifty cents (\$233.50) that
their property has been attached, and
that unless they be and appear at the
next term of this Court to be holden at
the Court House in Gallatin, in the county
of Daviess, on the tenth day of October
A. D. 1870, and on or before the third
day thereof (if the term shall so long con-
tinue, and if not then before the end of
the term), Judgment will be rendered
against them and their property sold to
satisfy the same. It is further ordered
that a copy hereof be published, in the
Gallatin Weekly Democrat, a news-
paper published in the County of Daviess,
for four weeks successively, the last in-
sertion to be at least forty weeks before
the commencement of the next term of
this court.

SEAL.

Witness my hand and official seal, at office in Galatin, Mo., this August 9th. A. D. 1870.
R. H. GRANTHAM, Clerk.
By Wm. M. SHEETS, D. C.
H. C. McDUGAL, Attorney.

STATE OF MISSOURI }
COUNTY OF DAVIESS. } SS.

Harfield Davis

....., publisher of the

~~Gallatin Weekly Democrat~~, on his oath says that the advertise-
ment, a copy of which is herelo annexed, was published in the
GALLATIN WEEKLY DEMOCRAT, a newspaper published
in Daviess County, Missouri, 4 weeks, as follows:

In A.D.'s. 5, Aug 25th 1870 Vol. _____
" " 1, Sept 1st 1870
" " 7 " 8 " "
" " 8 " 10 " 70

Harfield Davis

Sworn to and subscribed before me, this _____
day of October 1870.

Robt L. Dady
Judge

AFFIDAVIT OF PUBLICATION.

ORDER OF PUBLICATION.
 State of Missouri,
 County of Daviess, }
 In the Daviess county
 Common Pleas Court
 July Term 1870.
 Daniel Smoot, Plaintiff
 against, Attachment
 Frank James and Jesso James, Defendants.

Now at this day comes the Plaintiff by his Attorney, and it appearing to the satisfaction of the Court, that the Defendants cannot be summoned in this action, It is ordered by the Court that publication be made, notifying them that an action has been commenced against them by petition in the Common Pleas Court, within and for the County of Daviess and State of Missouri; the object and general nature of which is to obtain a judgment against them, in a suit for damages for the sum of Two Hundred and twenty-three dollars and fifty cents (\$223.50) that their property has been attached, and that unless they be and appear at the next term of this Court to be holden at the Court House in Gallatin, in the county of Daviess, on the tenth day of October, A. D. 1870, and on or before the third day thereof (if the term shall so long continue, and if not then before the end of the term), Judgment will be rendered against them and their property sold to satisfy the same. It is further ordered that a copy hereof be published in the Gallatin Weekly Democrat, a newspaper published in the County of Daviess, for four weeks successively, the last insertion to be at least four weeks before the commencement of the next term of this court.

Witness my hand and official seal, at office in Gallatin, Mo., this August 9th, A. D. 1870.
 R. H. GRANTHAM, Clerk.
 By Wm. M. SHEETS, D. C.
 H. C. McDUGAL, Attorney.

STATE OF MISSOURI }
 COUNTY OF DAVIESS. } SS.

O Harfald Davis, publisher of the ~~Gallatin Weekly Democrat~~, on his oath says that the advertisement, a copy of which is hereto annexed, was published in the GALLATIN WEEKLY DEMOCRAT, a newspaper published in Daviess County, Missouri, 4 weeks, as follows:

In No's.	<u>5</u>	<u>Aug 25th</u>	<u>1870</u>	Vol. _____
"	<u>6</u>	<u>Sept 1st</u>	<u>1870</u>	
dated "	<u>7</u>	<u>" 8</u>	<u>" "</u>	
"	<u>8</u>	<u>" 15</u>	<u>" 70</u>	

O Harfald Davis

Sworn to and subscribed before me, this 10th day of October 1870.
Robt L Dodge
Judge C P C

Daniel Croate
against
Frank & Jesse James
Proof of Publication

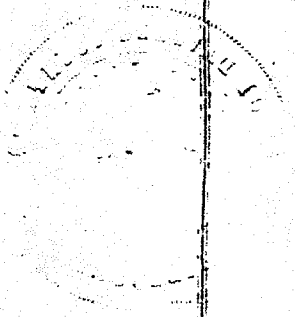
Friedrich ~~my~~ ^{per} ~~my~~ ^{copy}
Oct. 10th 1870
R.A. Grantham
© 1870

Amiel Emarte

1870

Levee & Street James

Application for Bill of Exchange



Received in my office
July 17th 1870
R. H. Brewster
Clerk

2nd Day

Deliber Term 1870, Sunday Oct. 11th 1870

2nd Day

Mary Emmons

Plaintiff

Against

Henny F. Emmons

Defendants

Proof of Publication appeared

Daniel Donato

Plaintiff

vs

Jacob & Frank James

Defendant

Plaintiff Proof of Publication appeared

John Rogan Et al

Plaintiff

Against

Arthur Hamilton Et al

Defendants

10/14/70

Plaintiff

William T. Black

Against

J. B. Francis et al

Defendants
to Plaintiff

By agreement of Parties the
-inued, and Plaintiff has leave to file an
or or before the 1st day of the next term or

Plaintiff

J. Pines R. Dumas

Against

Rover & Gurney

Defendants

the last
to cause

By Agreement of Parties
continued

ant be

Daniel Somote

Against

Frank & Jesse James

of his
defend

Defendants have 45 days

fundam
red that

Plead and cause continued

at the
time

A. Dezarne

Against

Daniel Somote

Issue being Made up this

ed

examining under them, and that the charges in these proceedings be
taken against the parties in toto according to their respective rights
as declared by the judgment of the Court, says that an attorney fee of
twenty five (\$25) dollars be allowed Mrs. G. Williams for bringing this case
to the Court as other costs in this suit,

State of Missouri, to the wof.
Frank Bird, & Norman Bird,

Plaintiffs

Against-

James W. Wood, Attorney, of St. Louis, Mo.

Defendant,

Now at this day comes the defendant in the above entitled
cause and by leave of the Court files defendant answer,

James Wood

Plaintiff

Against-

Frank Bird, & Norman Bird,

Defendants,

Now at this day comes the defendant in the above entitled cause by their attorneys
and by leave of the Court files answer to plaintiff's petition,

1

Daniel Smoot Plaintiff
Against
Frank James &
Jesse James Defendants
In the Common Pleas
Court - Daviess County, Mo.

Defendants for answer to Plaintiff's petition deny that on the 17th day of December 1869 at or near the City of Gallatin in the county of Daviess and State of Missouri or at any other time or place they did feloniously or otherwise steal take or carry away from the Plaintiff or in his presence or against his will or by putting him the said Plaintiff in fear of some immediate injury to his person or otherwise the following ~~personal~~ property to-wit: One Bay Horse with four white feet and a white strip on the nose of the value of one hundred and fifty Dollars or a horse of any other description or value whatever. Defendants deny that they did feloniously or otherwise steal

take or carry away, at the place
or in the manner aforesaid one saddle
of the value of twenty dollars. or ~~of~~
any saddle of any value whatever,
or one Bridle of the value of two dol-
lars or any Bridle of any value
whatever, or one halter of the value
of one and ³⁰/₁₀₀ dollars or any
halter of any value whatever.

Deny that Plaintiff is damaged
in the sum of Two hundred and ~~three~~
three & ³⁰/₁₀₀ dollars, or any other ~~sum~~
By any act of the defendants
or amount. And having fully
answered ask to be discharged
with their costs.

Samuel Richardson & Co
Atty for Defendants

25-2-21
25-2-22
239.42
29.94

David Simons
711
Rose Simons
Frank Simons

303.16
14.40

389.56
24.80

294.19
25.47

324.23
5.42

329.65
8.22

330.43

2.50
8

Bill Summers

copy of

done this

John D. Severe et al

Plaintiff has 45 days to file amended

and cause continued

State of Missouri ex rel Eliza Sharp et al

Against

John Ballinger et al

By agreement of parties this cause & the motion filed at this term is continued

Nancy Knight et al
Ex parte

Continued to await report of

of real estate by guardian

Henry Michaels et al
Against

Erasmus Severe

Defendant by his attorney files answer to plaintiffs petition,

Daniel Swoot

Against

Frank and Jesse James

Defendants by their attorney with answer filed in this cause.

W. F. Hughes

Against

fourth day October term 1871

October 30th 1871

Daniel Smoot

Against

Frank James ^{vs}
 Jesse James

Now at this day comes the plaintiff herein by his attorney and this cause coming on for trial, the defendants though called come not but make default and it appearing to the satisfaction of the court that defendants have been duly notified of the pendency of this suit by publication and it further appearing to the court that this suit is founded on damages sustained by the plaintiff as stated in his petition. A writ of enquiry of damages is ordered returnable forth with and upon enquiry the court finds for the plaintiff in the sum of two hundred and twenty three and ⁵⁰/₁₀₀ dollars.

It is therefore ordered adjudged and decreed by the court that Plaintiff have and recover of defendants said sum of two hundred and twenty three and ⁵⁰/₁₀₀ Dollars with six per cent interest per annum thereon from the date hereof together with his costs in this suit expended, and that the property of the defendants attached in this cause be sold to satisfy the same and that execution issue therefor.