Platte County Circuit Court
Circuit Court
October Term 1842

Box 6 File 25

Wood, Richard P

vs

Long, Benjamin S

Assumpsit

State of Missouri } Platte Circuit Court
County of Platte ss } October Term 1842
Platte County Court.

Richard P. Wood com-
plains of Benjamin A Long of a plea of Trespass
upon the case on promises
&c. For that whereas heretofore to wit on
the twelfth day of April eighteen hundred and
forty two at the county of Platte state of Missouri aforesaid
in consideration that the said plaintiff at the spe-
cial instance and request of the said defendant undertook
deliver to the said defendant a certain negro man
slave of the said plaintiff of great value to wit
of the value of nine hundred dollars in exchange for
a certain negro girl and a certain sum of money
to wit the sum of four hundred dollars to be paid
in cash or cash notes of the said defendant by
the said defendant by a certain writing therein and there
made and delivered by the said defendant to the
said plaintiff which said writing the said plaintiff
now brings here into court the date whereof is the
day and year aforesaid undertook and then
and there faithfully promised the said plaintiff
that the said negro girl slave of the said de-
fendant was then and there sound of body and
mind and the said plaintiff avers that he
confiding in the said promise and undertak-
ing of the said defendant did afterwards to wit
on the day and year aforesaid at the county of
Platte aforesaid deliver to the said defendant the
said negro man slave of the said plaintiff in ex-
change for the said negro girl and the said sum of
money to wit the sum of four hundred dollars
to be paid in cash and cash notes of the said

defendants yet the said defendant contriving and fraudently intending to injure the said plaintiff did not perform or regard his said promise and undertaking but thereby subtly and craftily deceived the said plaintiff in this to wit that the said negro girl [redacted] time of making of the said promise and undertaking of the said defendant as aforesaid was not sound of body and mind but on the contrary thereof was at that time unsound of body and mind which the said defendant well knew and was of such unsound nature to the said plaintiff to wit at the county aforesaid and whereby also the said plaintiff hath been put to great charges and expenses of his own monies in and about the feeding keeping and taking care of the said negro girl alone in the whole amounting to a large sum to wit the sum of fifty dollars to wit at the county aforesaid

2d count 3 And whereas also afterwards to wit on the day and year aforesaid at the county aforesaid Plaintiff aforesaid in consideration that the said plaintiff at the like special instance and request of the said defendant had then and there delivered to the said defendant a certain other negro slave of the said plaintiff of great value to wit of the value of nine hundred dollars in exchange for a certain other negro girl slave and a certain sum of money to wit the sum of four hundred dollars to be paid in cash and cash notes of the said defendant he the said defendant then and there undertook and promised the said plaintiff in writing by a certain instrument then and there made and delivered by the said defendant to the said

plaintiff which said writing the said plaintiff
was to bring here into court the date whereof
is the day and year aforesaid understood
and then and there faithfully promise the
said plaintiff that the said last mentioned
negro girl at the time of such last mention-
tioned exchange was sound of body and mind
yet the said defendant contriving and inten-
-ding to injure the said plaintiff did not per-
-form ~~or~~ regard his said last mentioned promi-
-ise and undertaking but thereby craftily and
subtilly deceived the said plaintiff in this to
wit that the said last mentioned negro
girl at the time of the said last mentioned
exchange was not sound of body and mind
but was at that time insane of body and
mind and thereby became and was of no use
or value to the said plaintiff. To wit at the
County of Platte aforesaid and whereby also
the 2d plaintiff hath been put to great charges and
expenses of his monies in and about the keeping
feeding and taking care of the said negro girl
slave in the whole amounting to ~~a large~~
sum to wit the sum of fifty dollars To wit
at the county of Platte aforesaid

3d Count. And whereas also afterwards to wit on the day
and year aforesaid at the County of Platte
aforesaid in consideration that the said plaintiff
at the [illegible] special instance and request of
the said defendant had then and there bar-
-gained with the said defendant for a certain
other negro girl slave and upon certain
terms then and there agreed upon between
him the said plaintiff and the said defen-
-dant he the said defendant in & a certain in-

strument in writing then and there made and delivered by the said defendant to the said plaintiff which said instrument in writing is now here to the Court shown the date whereof is the [redacted] year aforesaid then and there warranted the said last mentioned negro girl to be of sound body and mind and a slave for life. Nevertheless the said defendant contriving and fraudently intending the injury of the said plaintiff did not perform or regard his said last mentioned warranty promise and undertaking so by him made as aforesaid but thereby craftily and subtilly deceived the said plaintiff in this to wit that the said last mentioned negro girl at the time of the making of the said ~~last mentioned~~ warranty was not of sound body and mind whereby the said last mentioned negro girl became and was of no use or value to the said plaintiff and he the said plaintiff hath been put to charges and expenses of his money in and about the feeding keeping and taking care of the said last mentioned negro girl slave amounting to a large sum to wit the sum of fifty dollars at the county of Platte aforesaid

4th Count — And whereas also afterwards to wit at the county of Platte aforesaid on the day and year aforesaid in consideration that the said plaintiff at the like special instance and request of the said defendant had then and there bought of him the said defendant a certain other negro girl named Ann then about fourteen years old of dark mulatto color at and for a certain other price then and there agreed upon between him the said plaintiff and the said defendant

then and there

the said defendant warranted the said
mentioned negro girl to be of sound body
mind and a slave for life. nevertheless the
said defendant contriving and fraudently intend-
ing to injure the said plaintiff did not per-
form or regard his said last mentioned warran-
ty but by him made as aforesaid but thereby
craftly and subtly deceived the said plaintiff
in this to wit that the said last mentioned
negro girl at the time of the making of the
said last mentioned warranty was not of
sound body and mind. whereby the said last
mentioned negro girl became and was of no
use or value to the said plaintiff and he the said
plaintiff hath been put to great charges and
expenses of his money in and about the feeding
and taking care of the said negro girl in the
whole amounting to a large sum of money to wit
the sum of fifty dollars to wit at the County aforesaid yet the said defendant not regarding
his said promise and undertaking but contriving
and intending to deceive and defraud the said
plaintiff hath not kept and performed the same
or any or either of them or any part thereof
although often requested so to do but to
do this has hitherto wholly refused and neglected
and still neglects and refuses to perform and keep
the same or any or either of them or any part thereof
To the damage of the said plaintiff of
Four Hundred Dollars and therefore he brings his
suit &c

Jno. D. Pitt
Atty for
Plaintiff

3

Ca. Capias 269—

R. P. Wood
Pl'ts } $50 in assumpt
B. S. Long

Clerk of Platte Circuit-
Court—
will issue a summons
on
the within

Sheriff's Fee 100

Dated 26th September 1842
Jesse Morin Clk
By Sam Adams D.C.

2 1/2 c 4
1 53 76
4 15 94

PRINTED AT THE FAR WEST AND PLATTE OFFICE ADVERTISR, LIBERTY.

STATE OF MISSOURI, } SCT.
COUNTY OF PLATTE, }

The State of Missouri, to the Sheriff of Platte County....Greeting:

You are hereby commanded to summon Benjamin F. Long

that he be and appear before the Judge of our Platte Circuit Court, at the court-house in Platte City, on the first day of our next October term of said court, to be holden at Platte City, on Monday the 24th day of October next, to answer unto Richard C. Moore of an action of Assumpsit

Fail not at your peril; and have you then and there this writ.

WITNESS, JESSE MORIN, Clerk of said Circuit Court, with the seal thereof affixed at Platte City, the 26th day of September A. D. 184 2

Jesse Morin Clerk

By Ira Morris D. CLERK.

Executed on Benjamin S Long by Reading to him
with Declaration and Summons thereunto
annexed to him in Platte County Mo on the
30th day of Sept 1842

Jones H Owen Sheriff
Pl

Benjamin S. Lang
ats
Richard P. Wood

In the Platte Circuit
Court of October Term
1842.

And the said defendant,
by his attorney comes and defends the
wrong and injury when &c, and
saith that he did not undertake as
promise in manner and form as
the said plaintiff hath thereof above
complained against him; and of
this he puts himself upon the Country.

Bennett & Hudgins
Attys for Deft.

Richard P. Wood

v

Plea Gun Action.

Benjamin S. Lang.

Filed the 28th Oct
1842 Minute E

State of Missouri, } Sct.
COUNTY OF PLATTE.

The State of Missouri

To Mrs Sarah Duncan John G. Hayden Daniel Cagy James Dillonghby & Frederick Marshall

You are hereby commanded to make your appearance before the Judge of our Platte Circuit Court at the Court house in Platte city on the 30th day of March next, to give evidence between R P Wood plaintiff and B S Long defendent—on the part of the Plff and this you are in no wise to omit.

Witness, JESSE MORIN Clerk of said Circuit Court with the seal thereof affixed at Platte city the 16th day of Jan A. D. 1849

Jesse Morin Clerk,

Exc ended July 8/43
Edward Hoyle

Prod
by Spa
Long

Summons
Mrs Sarah Duncan
& G Haigdon Daniel
Carey Mines
Kelloughby and
H Marshall

Jus 200

State of Missouri, } Sct.
COUNTY OF PLATTE.

The State of Missouri

To William Baldwin

You are hereby commanded to make your appearance before the Judge of our Platte Circuit Court at the Court house in Platte city on the 3 day of March next, to give evidence between R P Mood ——— plaintiff and Benjamin A Long ——— defendent—on the part of the Plaintiff and this you are in no wise to omit.

Witness, JESSE MORIN Clerk of said Circuit Court with the seal thereof affixed at Platte city the 16th day of January A. D. 1843

Jesse Morin Clerk.

Ward Hall
vs
Lon Q

Clement C
Ox M. Baldwin

Feb 5-d

Executed the within subpoena
J. B. Morton
for J. H. Overshiner

B

R C Wood
vs
Assumpsit
B S Long

And the said plaintiff as to the plea of the said defendant by him above pleaded and wherein he hath put himself upon the country doth the like

Wm Elliott
Atty for Plff

R. S. Wood
vs } Assumpsit
B. A. Long

Summons & plea
Jan Issue
Verdict in favor

Filed 17th May 1848
Jos. Mains Clerk
By Sam Norris Deputy

State of Missouri
County of Platte } Set

The State of Missouri to
James Billingsley John Hayden J
Marshall & William Baldwin you are
hereby Commanded to be and appear
before the Judge of Our Platte Circuit Court
at the Court house in Platte City on the 13th
day of July next to give evidence between
P P Wood Plaintiff and Benjamin L Long deft
On the part of the Plaintiff fail not at
your Peril Witness Jesse Morin Clerk
of said Circuit Court with the
Seal thereof affixed at Platte
City the 5th of June 1843

Jesse Morin Clk

P. P. Wood
Vs
B. S. Long

Sfa

J Millonghby
J Hayden
J. Marshall
Wm Baldwin

Executed July 10 1863
T 31 Township

Jus 200

State of Missouri }
County of Platte } Set

The State of Missouri to
James Ray & [redacted] Ray & Joseph M Wood
You are hereby commanded that you be and appear
before the Judge of Our Platte Circuit Court
at the Court house in Platte City on
the 13th day of July next to give evidence
between R P Wood Plaintiff and B
A Long defendant on the part of the
Plaintiff, fail not at your peril
Witness Jesse Morin Clerk of
said Circuit Court with the
Seal thereof affixed at Platte
City the 8th of June 1843

Jesse Morin Clk

R. P. Rogd
vs
B. S Lorig

State of Missouri }
County of Platte } Set

The State of Missouri to James
M Burnett Thomas B Wimble and David Z Duncan
you are hereby Commanded to be and appear before
the Judge of our Platte Circuit Court at the Court
house in Platte City on the 13th day of July Instant
to give evidence between R P Wood Plaintiff
and Benjamin A Long defendant on the part of
the defendant fail not at your peril Witness
Jesse Morin Clerk of said Circuit Court
with the seal thereof affixed at Platte
City the 1st day of July 1843
Jesse Morin Clk

R. P. Wood
as
Bd Supvs
Bd Supvs

J. W. Burnett
J. B. Trimble
~~J. T.~~ Duncan

Executed 4th day July 1917
Johnson H. Avery
by John S. Potter