

Tofferson County Circuit Court
Case File. Civil

Box

21

Folds

18

May 1868

Blank, Philip

vs

Brackvogel, Hermann
Brackvogel, Albert

Appeal

Defendants appealed from JP B.S.
Reppy on \$90 account for painting,
shingling, and mason work

Messrs. Herman Brachvogel & ~~Herman~~ Albert
Brachvogel, Vineland Jefferson Co. Mo.
vs. Phillip Plunk Do.

1866. October 14th to 20th inclusive
pointing, shingling & Mason's
work & mason's work for 4 days
equal to 4 days @ 250 per day 20.00
labor of self 4 days @ 500 12.00
Underpinning house 12.00
17 perch rock quarried @ 300 36.00
10 perch rock @ 1000 } 10.00
(underpinned by Negro) }
Amount \$ 90.00

D. Soto Jefferson County. Mo.
 sworn July 12th 1867.

The State of Missouri

I do ~~certify~~ ^{testify} & declare to all the truth,
in different County, greeting: - We command
you to summon Benjamin Brachvogel & ~~Robert~~
Brachvogel to appear before the undersigned
one of the Justices of the Peace of ~~the~~
County, in different County, on the 24th day
of August, 1867, at 10 o'clock in the forenoon
at his office in the said township, to an-
swer the complaint of Philip Blank.

Given under my hand this 2nd day
of August, 1867.

D. S. Kelly
Justice of the Peace.

I executed this writ in the Township of
Vails in Jefferson County the on the 6 day of Aug
1867 by reading the same in the presence and
hearing of William Breckwelder one of the within
named Defendants: I further executed this
writ by leaving a true copy of the
same at his usual place of abode
of the within named defendant
Breckwelder in the Township of Vails
in Jefferson Co. together with a return
thereon of the same to me the
day of Aug
1867

Witness my hand
and seal this 6th day of Aug
1867

For 90 cents
R. M. M. M.
Tens of Vails
New York

The State of Missouri, to E. W. Harmony.
^{Peter} Moore, James Washburn, Ira Bredell,

You are hereby commanded to be and appear personally before me, Benwell S. Leppay, one of the Justices of the Peace within and ^{for} Valle Township, in the County of Jefferson on the 24th day of August 1864. at the hour of ten o'clock of the forenoon of that day at my office, in the township and county aforesaid, to testify on the trial of a cause wherein Phillip Bunk is plaintiff, and Albert and Henry Buchvogel are defendants, on behalf of the plaintiff and hereby fail not at your peril.

Witness my signature this 17th day of August 1864.

B. S. Leppay
Justice of the Peace

I executed this writ in
the Township of Valle in
Jefferson county Mo. on
the 15 Day of August
A.D. 1867

by reading the same in
the presence and hearing
of E. W. Harman and J.
B. Reed Jas. Washburn and
Moore the with
is named

Fee \$ 1.00

mileage 25

\$ 1.25

J. Washburn
Clerk of Valle
Township

SUBPŒNA.

Philip Blank

VERSUS

A. V. H. Baranbragle

12th July

Justice of the Peace

I executed this writ
in the Township of Valle
in the County of Jefferson
on the 2.12.1867 Sept 1867
by reading the same in
the presence of James
Washburn Seter, more
E. M. Harman and Isaac
Bredel the within named
Free and R. Washburn
milage 25-
\$ 1.25-
Cans

THE STATE OF MISSOURI,

To my Constable of St. Louis Township, in St. Louis County—GREETING:

YOU ARE HEREBY COMMANDED, that you cause to come before me,

a Justice of the Peace within and for said Township, at my

office in the city of St. Louis, *At* good and lawful men of the Township aforesaid, by

whom the truth of the matter may be better known, to make the jury between *Philip Blatt*

plaintiff, and

Alfred Blatt defendant, in an action of

because as well as the said

defendant, as the said

plaintiff, between whom the controversy is, have put themselves upon a jury, and have you then

there this writ.

Given under my hand, this *14th* day of *Sept* 18*67*

JUSTICE. *Wm. B. B.*

in obedience to the summons of the
within writ I have summoned as
James Samuel. Washburn Wm Allen
Wm Butler John Craig & Walter Weaving
ton Butler

to Gaet and I wish men residents
one to them of said county of fifteen
to the and appear at the time and place
within mentioned
this 14 Day of Sept 4 1867
The \$ 100

R. Washburn
Cans of Salt
Shenandoah's



Circuit Court Jefferson County
Philip Blank

Respondent
vs

Hermann Brachvogel
Albert Brachvogel
Appellants

Bond on Appeal from

Judgment of Justice of

Peace -

B. S. Rippy

Justice

We the undersigned

B. Cohen of the State of Jefferson County Mo.
and Gust Hamel of the same place
acknowledge ourselves indebted to Philip
Blank of the same place in the sum of two
hundred dollars to be void upon this condition
Whereas Hermann Brachvogel & Albert Brach-
vogel have appealed from the judg-
ment of B. S. Rippy a Justice of the Peace
in an action between Philip Blank plaintiff
and Hermann Brachvogel & Albert Brachvogel are
defendants, now if on such appeal the judgment
of the Justice be affirmed or if on the said trial
a new or in the appellate Court judgment be given
against the appellant and he shall satisfy such
judgment or if his appeal shall be dismissed
and he shall pay the judgment of the Justice to-
gether with the costs of the appeal this recognizance
shall be void

Approved this 21st day of
September 1867

B. Cohen

Gust Hamel

B. S. Rippy
Justice of the Peace

Levin's Leont
Jefferson County

Philip Blank
Respondent

Agst
Hermann Brachvogel &
Albert Brachvogel
Appellants

Bond on Appeal

Ira E. Leonard
att'y for Appellants

Philip B. B. B.

Suit on account for Twenty Dollars Summons
Hermann Brachvogel issued and delivered to Constable R. Washburn
Albert Brachvogel Aug 5th 1867 returnable Aug 24th 1867: Returned
this Aug 24th 1867 Executed according to Law by reading the

Justice fees Same to the Defendant: And the Justice being Sick this

Suit will be continued until the 14th day of Sept 1867

And on this 14th day of Sept 1867 The Plaintiff

appearing and the Defendant as well by his attorney

Chas. Primm The Plaintiff established his

account by proofs and the Defendant not producing

any proof to the contrary The Justice renders

Judgement in favour of the Plaintiff & Adjudging

the Defendant to pay to the plaintiff the amount

of his account of \$90 - and cost of this suit

and the Plaintiff to have execution therefor

The Plaintiff called for a jury which was summoned

but desires not to use it - And on this 21st

day of Sept 1867 Comes the said Defendant and

files his Affidavit and Bond for Appeal

With B. Cohen and Gust Hamel as Securities which

is granted by the Justice - No execution had been issued

B. S. Rippey
Justice of the Peace

I certify that the above is a correct transcript of

My Docket

B. S. Rippey

No 2.
2'266

Philip Blank
as } appeal

H & A Bruckogel

489

529

540

604

633

Dated Oct 21' 1867
Elias D. Honey M

~~Levinus Leont~~ Jefferson County

Philip Blank

Respondent

against

Hermann Brachvogel

Albert Brachvogel

Appellants

Appeal from Justice Judge.

B. S. Ryspy Justice of the Peace

Judge rendered Sept 14th 1867

State of Missouri

Jefferson County } ss

Albert Brachvogel being duly sworn deposes and says that the application for an appeal in the action wherein Phillip Blank was plaintiff and Hermann Brachvogel and Albert Brachvogel were defendants and tried before B. S. Ryspy Esq a Justice of the Peace in & for said County of Jefferson on the 14th day of Sept 1867 is not made for vexation or delay but because he believes the appellants are injured by the judgment of the Justice rendered on the trial of said action.

Subscribed & sworn to before me this 21st day of Sept

1867 Ira E. Leonard

Notary Public

Jeff Co Mo.

Albert Brachvogel

Circuit Court
Jefferson County

Philip Blank
Respondent

against

Heinrich Brachvogel
Albert Brachvogel
Appellants

Affidavit on Appeal

J. E. Leonard
Atty for Appellants

Indy. 5-29
motion over bond 840

COUNTY OF JEFFERSON.

The State of Missouri,

To

Edmund Scott Harker

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the *fourteenth day of March 1868* at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

James Bell is
Plaintiff, and *Turner Henson* is

Defendant, on the part of

Defendant and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this *6th* day
of *April* . . . A. D. 186*8*.

E. F. Honey Clerk.

For Edmund Bell

SUBPŒNA.

TO
Jefferson Circuit Court

May ... TERM, 1867

Ocell
vs
Sherman

For Debt,
E. D. Sherman
Chas. Norden

John Williams
Sheriff fee \$1.00

April 7

I do hereby certify that the within Subpoena in *Apparition*
lawfully returned on E. D. Sherman and Charles Norden
on the 7th of April 1868 by reading the same to each
of them.

John Williams Sheriff.
By R. E. Whithead & others

COUNTY OF JEFFERSON,

The State of Missouri,

To

Washington H. Honey and
John Moore,

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the *12th day of May 1868* at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

Philip Blackie is

Plaintiff, and

As it is charged

Defendant, on the part of

Stanley

and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *30* day of *April* A. D. 186*8*.

E. F. Honey Clerk.

Per C. H. Honey

SUBPŒNA.

TO
Jefferson Circuit Court

May ... TERM, 1868.

Blank,
vs
Brachvogel

For Pltff
Mark Hammon
Peter Moore
John Walburn
Shriff fee \$100

I do warrant the within Subpoena in of Jefferson County
Missouri on Washington Hearnery and Peter Moore
on the 2 day of May 1868 by reading the same to each
of them

John W. Williams Sheriff
By R. G. Whithead Deputy

COUNTY OF JEFFERSON,

The State of Missouri,

To James Washburn & his
Burdels,

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 12th day of May 1868 at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein Philip Shunk

Plaintiff, and N. H. Brachmyle,

Defendant, on the part of Plaintiff and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 11th day of May, A. D. 1868

Elias F. Honey Clerk.
Per C. D. Shunk

SUBPŒNA.

TO

Jefferson Circuit Court

May ... TERM, 1868.

Blank

Drachvogel.

For D,

James Washburn x
Joa Durdell x

John Williams
Sheriff fee \$1.00

I do hereby certify that within
on the 12th Day of March 1868 in
Washington John Durdell my Deputies
the same to each of them
John Williams Sheriff

Philip Blank
vs.
Kermann Brachvogel
and Albert Brachvogel, } In the Jefferson County
Circuit Court,
May Term 1868.

Now on this day comes defendants by
their attorneys and move the court
to grant a new trial of the above en-
titled cause for the reason
1st, because the verdict of the jury is against
the evidence,
2^{ndly}, because evidence was improperly ad-
mitted after the close of the case and
after arguments of counsel,
3^{rdly}, because the evidence admitted after
the close of the case can be rebutted,
4th, because the verdict is against law and
facts proven,
5th, because the by admitting evidence
after the close of the case, defendants
were surprised.

Leonard & Ahlers
Attys for defendants.

Philip Blank
vs.

Heerm & Albert
Brachnager.

Motion of defen-
dants for new
trial.

Filed May 12th 1888.
E. A. Honey C.

New trial granted
on payment of
costs —

Philip Blank, } In the Jefferson Circuit Court,
 vs } May 15th 1868,
 H & A Brachvogel,

New Trial granted Defendants upon
 Payment of all costs herein,

Fee Bill,

E. J. Honey clerk, files $\frac{40}{4}$ sep. $\frac{50}{4}$ dock, $\frac{10}{4}$ Ing $\frac{10}{4}$	\$ 1.10
oaths $\frac{30}{4}$ out jury $\frac{10}{4}$ out vero $\frac{15}{4}$ Indgt. $\frac{50}{4}$ org $\frac{20}{4}$	2.15
motion $\frac{20}{4}$ rule. $\frac{20}{4}$ org $\frac{20}{4}$ Ing $\frac{10}{4}$ Indgt. $\frac{10}{4}$ apps $\frac{10}{4}$	.80
costs. $\frac{40}{4}$ J. B. $\frac{10}{4}$ copy crs. $\frac{90}{4}$	<u>1.40</u>
John Williams Sheriff sero 4 Spas. 12. calls. $\frac{30}{4}$	2.30
summoning jury \$1.	<u>1.00</u>
B. L. Peppy Justice,	3.90
Washburn Constable,	4.40
E. M. Harmony witness	1.00
Isaac Bredell,	1.00
James Washburn "	1.00
Peter Moore,	<u>3.45</u>
	<u>23.50</u>

Lury Fee

12.00
35.50

The undersigned clerk in and for said court
 do hereby certify that the above and foregoing
 is a true Bill of costs in said cause, and
 that a new trial was granted Defendants upon
 payment of the same,

Witness my hand the seal of said court
 at office in Hillsboro this June 26th 1868.

Elias J. Honey Clerk
 Per O. L. Kime Deputy

Philip Blank,

- vs -

vs. A Brachvogel

Due Bill \$35.50

COUNTY OF JEFFERSON.

The State of Missouri,

To *Simon Bell & Paul Judenack*

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *14th day of November 1868*, at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Blank vs. H. A. Bachelder* is Plaintiff, and *Defendant*, and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office,

this *30th* day of *Oct* A. D. 186*8*

Elias F. Honey Clerk.

By Chas. H. Harris Secy

SUBPOENA.

To Jefferson Circuit Court.

Nov. _____ Term, 1868.

Philip Blank,
vs
H. A. Bruchvogel,

for Debt,

Simon Feldt
Carl Fredericksen,

John Williams
Sheriff fee

\$1.00

Served the within in Jefferson County, Mo on the 12th Day of
November 1868 on Simon Feldt and Carl Fredericksen
by reaching the same to each of them

John Williams
Sheriff

COUNTY OF JEFFERSON.

The State of Missouri,

To Samuel Steeg & Joseph Martin returned.

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 19th day of November A D 1868 at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein Charles Black,

is Plaintiff, and Hermann Bachmayer is

Defendant, on the part of Defendant, and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office,

this 30th day of October A. D. 1868

Elias F. Honey Clerk.

By Wm. H. H. H. H. H.

SUBPOENA.

To Jefferson Circuit Court.

Nov.

Term, 186

Philip Blank

vs
H A Bruchogge,
for Deft.Samuel Kelly
Joseph Martin SealedJohn Williams
Sheriff fee \$1.00

I certify the within is a Jefferson County Writ on the
12th Day of October 1868 on Samuel Kelly and
Joseph Martin by executing the same to each
of them

John Williams
Sheriff

Philip Blank, pett, } In the Circuit
 against } Court of Jefferson
Albert and Hermann } Co. Mo,
Brachvogel, defds. }

Now on this day came the above named defendants by their Attorney and state, that at the May Term 1868, of said Circuit Court the defendants made their motion to said Court, to set aside the verdict of the jury, given at said term in the above case and grant a new trial to defendants, that said motion was sustained by the Court, and a new trial granted to upon defendants paying the costs of said Term; that the clerk of said Court by mistake entered an record, that said new trial was granted upon defendants paying all the costs accrued till then in said suit,

Now upon the premises aforesaid defendants move the Court to cause said Record to be amended so, that the same may correspond with the actual facts of the case, as above stated.

Henry F. Ahlers
Atty for defendants.

In the August
Court of Jefferson
Mo.
Term 1868

Philip Blank
vs,
Albert & Hermann
Brachnager,

Motion
to amend record,

Filed Nov 19th 1868
E. J. Honey, C.

by the
Society of Friends
for the
Society of Friends
for the
Society of Friends

for the
Society of Friends
for the
Society of Friends

of skinned friend now the
 stretched in orange
 briefs 65¢ 50¢ and 25¢
 44¢ 69, 55¢ skinned
 hundred and fifty Dollars weight
 and weight of gold
 must be in distance from all manner
 of foreign and local and all manner
 of the whole of the world.

Tunnel born in 1 September 1846

Thine
P. P. Clark



20, 30
 141, 75 - done
 69, 55 - done
 141, 75 - done
 69, 55 - done

List of Work done for
 Mr Brachvogel by J Plank
 Digging in well $7\frac{1}{2}$ at 500 ^{40 feet} 3750
 underpinning house 1250
 underpinning & tending Kitchen 2900
 5 bag troughs 1250
 half days Work 200
 Cementing Pile for ducks 100
 Blessing Sisters 150

 8455

~~Carpenter work~~

Carpenter work in Sellar 350

Houine's Est.

as
Smith this 22nd winter

Hermann Brachvogel & Albut Brachvogel
to Phillip Brachvogel Jr

1866. Oct. 17th to 20th inclusive pointing shing-
ling & masons work 2 mens work for four
days equal to eight days \$2.50 a day 20.00

labor of self for four days at \$3.00 12.00

Underpinning house

~~12.00~~

12 perch of rock quarried \$3.00

36.00 12

10 Perch Rock quarried 1.00

10.00

Underpinning by negro

90.00

Amount

St. Louis Jefferson County Mo.

July 13th 1867

12

10

10

32