

May 1868

Poston, Henry

vs

The St. Louis & Iron Mountain
Rail Road Company

Appeal

Defendant appealed from JP
B.S. Repp on \$100 damages
for injuring a horse

The State of Missouri, To the Constable of Waller

Township, in

Jefferson County, Greeting:

We Command You to Summon Heath Davis of Overmountain Cove Road to appear before the undersigned, one of the Justices of the Peace of Waller Township, in Jefferson

County, on the 25th day of June, A. D. 1868, at 10 of the clock in the forenoon, at the office of W. B. S. Ripley in said Township, to answer to the complaint of Henry Boston.

Given under my hand this 8th day of June, A. D. 1868.

W. B. S. Ripley
Justice of the Peace.

I executed this will in the Township of Wells in Jefferson
 county the 9 day of April 1868 on the said
 Lewis and Sen Mountain said said read company
 by executing the same in the presence and hearing of John
 Hammond a Justice of the Peace of the said Township
 Sen Mountain said said read company at Wells
 in said Township said said read and also by delivering a
 true copy of the same to John Hammond a Justice of the
 said Lewis and Sen Mountain said
 said company at Wells

on the 9 day of April 1868

Dec 3325
 mid 137
 5026

Amount of Debt \$900

Justices fees 55

Constable fees

R. W. H. T. M.
 Constable

STATE OF MISSOURI,

COUNTY OF ST. LOUIS, } SS.

TO

E. L. Foster William Bridgman Richard Shurt
James B. Baker (colored) & J. J. Rankin

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of St. Louis, in the County of St. Louis, on the *29th* day of *June* 1868, at the hour of *10* o'clock, *9* M., at his office in said Township, to testify on the trial of a case wherein

St. Louis & Oregon Mountain Rail Road plaintiff, and
Henry Baker defendant,

on the part of the *Plaintiff*; and of this you are not to fail at your peril.
Given under my hand this *11th* day of *June* 1868.

B. S. Hepburn, JUSTICE of the Peace

SUBPOENA.

Henry Paston

VERSUS

St Louis & Iron Mountain R.R.

I executed ^{Justice} this writ in
Jefferson county Mo this 18th
day of April A.D. 1865 by reading
the same in the presence and
hearing of C. S. Foster w. B. Beckel
Richard Shurt James Barker
and S. J. Grant in the within
named

Fees \$ 1.25 Dr. Washburn
mil \$ ~~25~~ 1.50 — Cars
\$ 1.50 of Velle Town
ship

St. Louis AND Iron Mountain R. R.

SUPERINTENDENTS OFFICE,

R. P. Stanley & Co. Lds.

St. Louis 186

Concedist. March 31, 1868.

Edw. Handwing Esqr
Supt.

Sir

About $\frac{3}{4}$ of a mile north of Vineyard Station March 30th a horse ascended the bank on the South or East side of the track & thrust his head between the journal on rear driving wheel of and foot board of Engine No. 8. In C. Thorpe Eng^r Cyden Thorpe Fireman. The blow knocked him down the hill, but he rose and walked off apparently not much injured -

Yours or
(signed) E. J. Clark
Conductor

The foregoing is a true copy of the original report now on record in the office of the Company

Thos. Allen
Pres^t St. L. & Iron M. R. R.
Wm. Allen.
Secy St. L. & Iron M. R. R.

Henry Pastore

vs

The St Louis & Iron Mountain
Rail Road Company

Before B. S. Rippey

(a Justice of the Peace
within & for the County of
Jefferson & State of Missouri

James A. Billings attorney for
the defendant in the above entitled cause
being duly sworn upon oath states that he
this application for an appeal is not made
for the purpose of delay or vexation but because
he believes the appellant is injured by the
judgment of the justice

Sworn & subscribed to before
me this 30th day of April 1868

J. A. Billings

Just Hamer
Notary Public in Jeff. Co. Mo.

207
Henry Paston
vs

The St Louis & I M R R

Agreed to for an
Appral

2635

Filed May 6th 1868
E. F. Hiney (cl)

We the undersigned James A Billings and
John Hammel acknowledge ourselves indebted to
Henry Poston in the sum of Three Hundred Dollars, the
void upon this condition Whereas the St Louis and
Iron Mountain Rail Road Company has appealed
from the judgement of B S Rippe a justice of the
peace, in an action between Henry Poston plaintiff
and the St Louis and Iron Mountain Rail Road
Company defendants now if on such appeal the
judgement of the justice be affirmed or if on the
trial comes in the Appellate Court judgement
be given against the appellant, and he shall
satisfy such judgement, or if his appeal shall
be dismissed, and she shall pay the judgement
of the justice together with the costs of the appeal
This recognizance shall be void

Approved this 30th day of J A Billings

April 4th 1868

B. S. Rippe
Justice of the Peace

John C Hammel

Henry Paston
VS
The St Louis & Iron R R
Appeal Bond

Henry Paston

Before B. S. Reppy J.P.

The St Louis & Iron Mountain R.R.

Justice fee	
Docket & index	20
Summons	35
Subpoena	35
Exhibits	25
Judgment	50
Appellate	35
Bond	35
Transcript Docket	1.00
Certificates	35
	<u>3.70</u>

Suit for damages on account of injuries done to a Horse one hundred dollars. Summons issued this 8th day of April 1868 and delivered to Washburn Constable returnable April 25th 1868. Summons returned April 25th 1868. Executed according to Law and the parties appearing on this 25th day of April 1868 and the proofs and allegations being heard it is considered that the plaintiff recover judgment for damages five dollars & 75 cents debt and costs of this suit. And on this 30th day of April 1868 Commence the said defendant by his attorney J. Billings and files his affidavit and Bond for appeal with John C. Hamel as Security which is granted by the Justice. B. S. Reppy Justice of the Peace

Constable fee	
Summons	35
Mileage	15
Witnesses	125
Mileage	25
	<u>200</u>

Witnesses for James Spraddling
C. L. Gould

State of Missouri }
County of Jefferson } set

I B. S. Reppy a Justice of the Peace within and for Jefferson County do Certify the foregoing the foregoing to be a full true and complete transcript of entries and proceedings in the case of Henry Paston vs The St Louis & Iron Mountain Rail Road as the same are of record on my Docket and that the papers thereto attached are all the original papers on file in my office.

Witness my hand this 1st day of May A.D. 1868.

B. S. Reppy
Justice of the Peace

Henry Pastore

vs

The St Louis & O M R R

Transcript of Docket

for appeal from Judgment

of B. L. Ruppel & D.