

Jefferson County Circuit Court
Case File - Civil

Box

21

Folio 53

May 1868

Stalker, John

vs

Stephens, Edward

Stephens, Washington

Appeal

Defendant appealed from JP
Herman A. Wittich on charge of
leave from JP Thomas Godfrey
on \$100 damages for killing
plaintiff's dog.

John Stoker Plaintiff
against

Edward Stephens

Washington Stephens & sign defendants

plaintiff states that
on the 7th day of August 1867
at Big River Bridge in Jefferson County in
the State of Missouri the defendant Edward Stephens
did injury to the plaintiff as follows that is to say
By willfully and maliciously and without
permission or cause by shooting and killing a Dog
by which plaintiff says he is Damaged fifty
Dollars for which he asks Judgement against
Edward Stephens and Washington Stephens & sign
the father and natural Guardian of
Edward Stephens Given under my hand this
18th day of September 1867

John Stoker
mark

Stcher
25
Stcher
Compliment

C

The State of Missouri John Donagan Constable
of Merrimac Township in Jefferson County

Greeting

you are hereby commanded to summon six Good
and Lawful men of your Township qualified to act
as Jurors in the Circuit Court and in no wise of
Kin to either party nor interested in the suit
to appear before me Thomas Godfrey a Justice of
the Peace on the 5th day of October 1867 at Ten o
clock at my office in Merrimac Township in the
County of Jefferson to make a jury for the trial
of an action now pending before me said Justice
between John Stoker plaintiff and Washington Stephens
Seignior and Edward Stephens defendants and share you
then and there this writ

Witness my signature this 18th day
of September 1867 Thomas Godfrey
Justice of the Peace

11

John Staker

or

Washington Stephens

Luz Summons

Cash Lee \$100

in evidence to this writ of habeas summons
to James H. Stevens above John Tillotson
John Staker

John Jameson Campbell

21
The State of Missouri, to Elias Well near Hollandsburg

William Stephens Jacot Wellly Stand Bannery of Clement

You are hereby commanded to be and appear personally before me, Thomas H. Bradley
one of the Justices of the Peace within and for Madison Township, in the county of Jefferson,
on the 5th day of October..... 1867, at the hour of 10 o'clock in the evening and on
that day, at my office in the township and county aforesaid, to testify on the trial of a cause wherein
William Stephens..... is plaintiff, and William Stephens..... defendant, in behalf
of the plaintiff..... and hereof fail not at your peril. Elias Well

Witness my signature, this 18th day of September 1867.

Thomas H. Bradley Justice of the Peace.

Exacted this rent in numerous towns &c

This 2^d day of October A^d 1807 backing
the same to the within named John Bull
Jesse Hutchinson Othman Henry A^d J^r Greenwell
Methuen Stephen great J^r &c
per \$1:50

John Morgan Cantor

The State of Missouri, To the Constable of *McIntosh* Township, Jefferson County,

GREETING:

We command you to summon *Washington Stephens & Benjamin*
Bellevue to appear before the undersigned,
one of the Justices of the Peace for *Jefferson* Township, in Jefferson county, on the *5th* day of
October 1867, at *11* o'clock in the *am* noon, at my office, in said township, to answer the
complaint of *John Starnes*

Given under my hand, this *18th* day of *September* 1867.

John Starnes Justice of the Peace.

Presented this writ in ~~the~~ Merriam Township
Jefferson County on the 20th day of September A D 1867
by reaching the same to the defendants Edward
Alphons Washington Alphons Desjardins

John Livingston Constable

Deputies \$ 50 00
Justice fees 2 50
Doubtless
70

The State of Missouri, TO *Charles H. H. H.*

You are hereby commanded to be and appear personally before me, *Thomas H. H.*.....
one of the Justices of the Peace within and for *Madison Co.* Township, in the county of Jefferson,
on the *27th* day of *October*..... 186*7*, at the hour of *12* o'clock in the *evening*, noon of
that day, at my office in the township and county aforesaid, to testify on the trial of a cause wherein
James H. H...... is plaintiff, and *James H. H.*..... defendant in behalf
of the *Madison Co.*..... and hereof fail not at your peril. *Washington Stephens*
Witness my signature, this *27th* day of *October*..... 186*7*.

Thomas H. H...... Justice of the Peace.

Presented this writ in Precinct Township
this 1st day of October 1867, by reading the same
to the within named Oliver Butch

John Dungan Can Talk

Credited
Dec - 25 -

The State of Missouri, TO

Wm. A. Steele *Jacob Dealy*

You are hereby commanded to be and appear personally before me,

Thomas A. Goodrich

one of the Justices of the Peace, within and for *Madison Co.* Township, in the county of Jefferson,
on the *22d* day of *October* 186*7*, at the hour of *10* o'clock in the *evening* noon of
that day, at my office in the township and county aforesaid, to testify on the trial of a cause wherein
William Steele is plaintiff, and *William A. Steele* defendant in behalf
of the *plaintiff* and hereof fail not at your peril. *Col. Wm. Stephens*

Witness my signature, this *22d* day of

October 186*7*.

Thomas A. Goodrich Justice of the Peace.

Countable fees 5⁰⁰

Exceeded this will in Nicaragua Township
by reaching the same to the within
named place and last being

John D. Dunnington Countable

The State of Missouri to John Doncegan
Constable of Medicine Township in Jefferson
County speaking

you are hereby commanded to summon
his good and lawful men of your township
qualified to act as jurors in the Circuit Court
and in no wise of them to either party, nor intimated
in the suit to appear before me Thomas Godfrey
one of the justices of the peace on the 2d day of
November 1867 at my office in Medicine Township
in Jefferson County, to make a jury for the trial
of said action now pending before me said justice
between John Stecher Plaintiff and Edward Stephens
and Washington Stephens Defendants and
there you shall and that this will
witness my signature this 20th day of October 1867

Thomas Godfrey
Justice of the Peace

in Decedent's & this will I have
summarized as follows: ~~Actual~~ Body
Slaver Fee ~~to~~ Benefactor \$1000
David Foster.

John D. Morgan Constable

Stoker
vs
Stephens
Jury Summons
Constable \$1.00.
Jus

John Stecher vs
against
Elliott Stephens
Washington Stephens began with

obligation for costs
We find our selves to pay all costs that
have accrued in many respects we give in this
cause John vs Stecher
small

Approved this 22 day of
November 1867
Thomas Goodley
Justice of the peace

Arthur D. Smith

Stoher
vs
Stephens
obligations
for costs

John Stephen (Stephens)
Against Edward Stephens,
Washington Stephens,

At this affiant Washington Stephens
states that he thinks, he cannot af-
firm proceed to trial, or get justice, before
Thomas Godfrey J. P.
Washington Stephens,

Seem to and subscribed
to this a day of November 1867

Thomas Godfrey
Justice of the Peace

Stoker
vs
Stephens
affidavit
Change venue

John Stoker plf action for Damages
against
Edward Stephens
Washington Stephens being defts

plaintiff states that on
the 7th day of August 1867 at Big River Bridge in the
County of Jefferson in the State of Missouri the defendant
Edward Stephens did injury to the plaintiff as follows That
is to say by wilfully and maliciously and without cause or
permission by shooting and killing a dog by which
plaintiff says he is Damaged fifty Dollars for which
plaintiff asks Judgement

And directed as Summons to issue
which is done and delivered To John Donagan Constable
Returnable October 5th 1867 Given under my hand this
18th day of September 1867 Thomas Godfrey Jps
October 5 1867 This case is continued at the Request
of the plaintiff until September 2^d 1867 and the
parties all verbally summoned Thomas Godfrey Jps
September 2^d 1867

This day appeared Washington Stephens being
and filed his Affidavit for a change of venue
which is granted and this suit is transferred to
Justice wherry of Merrimac Township

Thomas Godfrey
Justice of the Peace

State of Missouri
County of Jefferson

John Stoker plf
against
Washington Stephens being
Edward Stephens defts

I Thomas Godfrey a Justice of the peace within and for the Township of Merrimack in the County of Jefferson aforesaid hereby certify that the above and foregoing is a full True and complete Transcript of all the entries made in my docket relating to said case of John Staker plaintiff against Edward Stephens and Washington Stephens defendants and that such Transcript is accompanied by all the process and other papers filed with the Justice relating to such suit Given under my hand this 9th day of September 1867

Thomas Godfrey
Justice of the peace

Justice fees \$ 3 80

Witness fees

✓ D. A. Hollandsback 50
✓ Milton Stephens 50
✓ Jacob Deally 50
✓ Frances Kamey 50
✓ A. J. Crommel 50

Jury fees
Michael Kelly 50
Christopher Higgins 50

Constable fees \$ 5 00

I certify the above fees is correct
Thomas Godfrey Justice of the peace

State of Missouri }
County of Jefferson }

To the constable of
Merriam Township, Jefferson county, greeting:
We command you to summon Washington
Stephens Jr. & Edward Stephens, to appear
before the undersigned, one of the Justices of the
Peace for Merriam Township, in Jefferson
county, on the 11th day of January 1868,
at ten o'clock in the forenoon, at my office,
in said township, to answer the complaint
of John Stoker

Given under my hand this 16th day of
December 1867

Herman St. Ulrich
Justice of the Peace

Damages \$20.00
Justice fee .90
Constable do 2.20

For the above
McIntyre \$30

State of Missouri }
County of Jefferson } ss

To John Stoker,
You are hereby notified, that the trial
of the cause, wherein you are plaintiff
& Edward Stephens & Washington Stephens
defendants, transferred from the office of
Thomas Godfrey, to me, the undersigned,
will be held at my office in Merrimac
township & the county of Jefferson, on the
11th day of January 1868; you are therefore
requested to attend at the usual hours, 10
o'clock in the forenoon. Witness my signature this
16th day of Dec 1867
Gerrman A. Which
Justice of the Peace

J. Stoker

vs

W. Stephens

E. Stephens

Notice

Justice fee .25

Constable fee .25

Milage 00.20

State of Missouri }
County of Jefferson }

To ^{Phillip Heldebrande} Silas Null, Jacob Dealz,
D. St. Ballansbeck, Milton Stephens, Francis Ramez, and St. J. Crum ^{Coell}

You are hereby comanded to be and appear personally before me, Herman St. Ulrich, one of the Justices of the Peace within and for Merrimac Township, in the county of Jefferson, on the 11th day of January 1868, at the hour of ten o'clock in the forenoon of that day, at my office in the township and County aforesaid, to testify on the trial of a cause wherein John Stoker is plaintiff and Washington Stephens & Edward Stephens defendants, in behalf of the plaintiff, and hereof fail not at your peril.

Witness my signature, this 26th day of December 1867.

Herman St. Ulrich
Justice of the Peace

State of Missouri
County of Jefferson }

To Thomas Gately deputy constable
of Medina Township in Jefferson County, greeting:
You are hereby commanded to summon six good and
lawful men of your Township, qualified to act as
jurors in the Circuit Court and in no wise of the
to either party, nor interested in the suit, to appear before
me Herman A. Ulrich, a justice of the Peace in and
for Medina Township on the 11th day of January 1868,
at ten o'clock in the forenoon, at my office in ~~the~~ Township
and county aforesaid, to make a jury for the trial of
a case now pending before said justice, between John
Coker Plaintiff, and Edward Stephens & Washington
Stephens defendants, and have you then and there
this writ.

Witness my signature this 10th day of January 1868

Herman A. Ulrich J. C.

21
Dewie

John Chester

25.

Edward Stephen
Washington Co

Guest Names:

Alford Bristol

Isaac Bennett

~~James D. Bennett~~

~~James D. Bennett~~

Daniel McKinnis

William Deagan

Henry Spillman

Esther Genderson

State of Missouri } John Stokes
County of Jefferson } Calvarna Stephens & Washington Stephens

This affiant states that he can not safely proceed
to trial, without Philip Heidebrand, Francis Dancy
& Jacob Dealy as witnesses
thereon to and subscribed before the undersigned
this 11th day of Jan. 1868

John H. Stokes
mark

affidavit
of
John Stoker

State of Missouri

County of Jefferson } To Rily Boran
you are hereby commanded to be and
appear personally before me Herman A Ulrich
a Justice of the peace within and for Merriam
Township in the County of Jefferson on
the 8 day of February 1868 at 10 o'clock in
the fore noon at my office in the township
and County aforesaid to testify the truth to say
in a certain matter of controversy now pending
before said Justice wherein John Stoker
is Plaintiff and Edwort Stephens and
Washington Stephens is Defendants on
the part of the Plaintiff and thereof
fail not at your peril

Witness my signature This 4 day of
February 1868

Herman A Ulrich J P

Servant

John Thompson
Candler

State of Missouri }
County of Jefferson }

To the constable of Merrimac
Township in Jefferson county, greeting:
You are hereby commanded to summon
six good and lawful men of your
township, qualified to act as jurors
in the circuit court and in no wise
of kin to either party, nor interested
in the suit, to appear before me
Herman St. Ulrich, a justice of the
Peace, in and for Merrimac township
on the 8th day of February 1868,
at ten o'clock in the forenoon, at
my office in the township and county
aforesaid, to make a jury for a
trial of a cause now pending before
said Justice, between John Stoker plaintiff
and Edward Stephens & Washington
Stephens defendants, and have you
then and there this writ

Witness my signature this 7th day
of Febr. 1868

Herman St. Ulrich J. P.

In Obedience to this writ I have
summoned as Jurors Symon Dennen
Henry Sygman William Hagan
Patrick Macchiever Alfred Richter
Gustave Segure

John Stokes
or
L. Stephens
W. Stephens
Dennie
for a jury
fee for 15
cents. \$1.00
Symon Dennen
Patrick Macchiever
Alfred Richter
William Hagan
Gustave Segure

February 27th, 1868. We, the Jurymen in the trial be-
tween John Storer, Plaintiff, and Edward Stephens and
Washington Stephens vs., Defendants, after examining
the testimony on both sides, do agree that Mr. Stephens
is liable for the death of the dog, and shall pay Mr.
Storer to the amount of \$10. (ten dollars) and costs.

Wm. T. Beman

Foreman.

Verdict
of
the jury
Hoper
vs
Stephens
do

John Stoker
vs.
Edward Stephens } before Herman A. Ulrich
Washington Stephens } J. P.

This affiant states, that the application for an appeal by Washington Stephens, defendant in the above entitled cause, is not made for vexation, or delay, but because this affiant believes that the appellant is injured by the judgement of the justice sworn to and subscribed before me, this 12th day of February 1868

Washington Stephens
Herman A. Ulrich
Justice of the Peace

Admiral
of

Wilmington Delaware
for an appeal

We the undersigned, Washington Stephens
and John H. Winar, acknowledge our-
selves indebted to John Stoker, in the sum
of one hundred dollars, to be void upon
this condition: Whereas, Washington Stephens
has appealed from the judgment of Herman
A. Ulrich, a justice of the Peace, in an action
between John Stoker, plaintiff, and Washing-
ton Stephens sr. defendants; now, if, on
such appeal, the judgment of the justice
be affirmed, or, if, on the trial anew 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 jud-
gment of the justice, together with the
cost of the appeal, this recognizance
shall be void

Washington Stephens
John H. Winar

Approved, 12th day of Feb. 1868

Herman A. Ulrich
Justice of the Peace

Bond for
an appeal

John Stoker

Edward Stephens
Washington Stephens

} change of venue
before Herman A. Ulrich
J. P.

Filed for suit a change
of venue, taken from the office of Thomas
Godfrey and brought before the undersigned.
All papers relating to the cause filed in
my office. Summons issued this 16th day
of December 1867 Suppense for witnesses
also issued the 16th day of Dec. 1867,
and delivered to Thomas Hatch Deputy
constable for Merrimac Township, made
returnable Jan. 11th 1868

Jan. 11th 1868 Summons and subpoenas
returned served also a venire for a
jury with the following men as jurors
indorsed, to wit: Alfred Riddler, John
Beeman, Patrick McCrefer, William
Hagan, Henry Lillman and Christian
Grunzler.

The parties being called the plaintiff
came forward and filed his affidavit
that he cannot safely proceed to trial
for the want of three of his material
witnesses being absent, the case is therefore
continued till February 8th 1868.

The following witnesses were present
and verbally notified to attend on
the 8th of Feb. 1868, to wit: Silas Mull,
D. B. Hollenbeck, Milton Stephens and
J. A. Commonwealth.

Summons for a jury issued Feb. 6th
made returnable Feb. 8th

Feb. 8th jury summoned in accordance
with the following jurors: Alfred
Richter, Lyman Daman, Henry
Gillman, William Hagan, Patrick
Kearney and Gustav Duggan.

Both parties being ready the jury was
sworn. The jury after hearing the
evidence returned the following
verdict into court: The jury in
the trial between John Hoker ^{Plaintiff} and
Edward Stephens and Washington
Stephens ^{Defendants}, after examining
the testimony on both sides, do
agree that Mr. Washington Stephens
is liable for the death of the dog
and shall pay John Hoker the
amount of \$10 (ten) and cost.

Lyman Daman
It is therefor adjudged by the Justice
that plaintiff recover of defendants
the sum of ten dollars for his
damages and thirty one dollars
and fifty cents.

Vermon A. Whick
J. C.

Damages	\$ 10.00
Justice fees	1.30
Comptable do	9.10

Witness fees	
Michael Daly 1 day	30
Christopher Higgins do	30
Christian Younger do	30
Gustav Dussan do	30
Louise Freeman 2 days	1.00
Alfred Richter do	1.00
William Dagan do	1.00
Henry Lillman do	1.00
Patrick Mc Cooper do	1.00

Witness fees	
Ritz Boren 1 day	30
Wilhelm Hildebrandt do	30
Silas Hall do	30
✓ D. A. Hallsbeck 2 days	1.00
✓ Jacob Dealy do	1.00
✓ Francis Pramey do	1.00
✓ J. A. Cummrell 3 days	1.50
✓ Milton Stephens do	1.50

Mr. Washington Stephens so after
filing his affidavit for a appeal
and filing the necessary bond the
same is granted Feb. 12th 1868

Wm. A. Wright
J. J.

State of Oregon }
County of Jefferson }

John Stokes plaintiff

Edward Stephens

Washington Stephens defendants

I, Norman A. Ulrich,
a justice of the peace within and
for the township of Merriam, in
the county of Jefferson, aforesaid, hereby
certify that the above is a true and
genuine transcript of all the entries
made on my docket, relating to
said case of John Stokes plaintiff
Edward Stephens and Washington
Stephens defendants, and that
the transcript is accompanied by
all the papers filed with the justice
to each suit and also that the
within fees is correct.

Given under my hand this 12th
day of Feb. 1868

Norman A. Ulrich
Justice of the Peace

2592

John Stokes

W^m Stephens
D. Stephens

Filed Feb 17 1868

Edw May Jr

Transcript

John Stoker, Plff & appellee }
 Against }
 Washington Stephens Sr. }
 et al, Defts & appellants }
 Appeal from
 Justice of the
 Peace.

To John Stoker, the above named Plff
 & appellee - You are hereby notified
 that we have taken an appeal in the
 above cause from the judgment of
 the Justice therein to the Jefferson Circuit
 Court.

Wm. Stephens et al defts
 By Thomas atty.

I served the Within in Jefferson
 County Mo on the 4th day of April
 1888 on John Stoker by delivering
 to him a true copy of this notice
 JOHN WILLIAMS Sheriff

John Stokes

vs

W Stephens et al

Notice of appeal

Original

April 4

John Williams

Sheriff Bee

50

COUNTY OF JEFFERSON.

The State of Missouri,

To Washington Stephens Sr,
Edward Stephens, Oliver Buick

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 13th 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

Plaintiff, and

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 29th day

of April, A. D. 1868.

Elias F. Honey, Clerk.

Per ord. Wm. S. S. S.

SUBPŒNA.

TO

Jefferson Circuit Court

May TERM, 1868,

Staker
vs
Stephens

For debt,

Wash Stephens Sr.
Edward Stephens
Oliver Bittick

Wills. # 125

Presented this writ in Meramec Township by reading to
the same to the within named Washington Stephens
and Edward Stephens and Oliver Bittick not found
in my County this the 8 day of May 1868

John Williams Sheriff

Per John Dunning Constable

See 1:25

COUNTY OF JEFFERSON.

The State of Missouri,

To Milton Stephens & Charles Stephens

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, ~~and~~ ^{for} ~~the~~ ^{the} ~~purpose~~ ^{purpose} 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

John Baker is
Plaintiff, and Washington Stephens et al,

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 12th day
of May, A. D. 1868,

Elias F. Honey Clerk.
Per C. D. Stephens et al

SUBPÆNA.

TO

Jefferson Circuit Court

May TERM, 1868,

Stoker
vs

Stephens

John Williams
Sheriff fee \$1.00

I certify this in Jefferson County Mo on
the 12 day of May 1868 in the above
case Charles Stephens by executing the
same to each of them

John Williams
Sheriff

John Slotkin } In the Jefferson Circuit
vs } Court May Term 1868.
W. Stephen et al }

Now at this day comes W. Stephen one of the
above named defendants moves the Court
to dismiss this cause of action as to him
for the following reason.

Because there is no cause of action
alleged against said defendant in the
complaint filed.

Witness

Atty for W. Stephen.

John Storer
2

W. Stephens Sr. et al

Motion to dismiss
to W. Stephens Sr.

Dated May 13th 1868
C. P. Hovey W.

enclamed

Honey E th — files, \$1.10 docks 5. ^c —	\$1.15	
motion 25 ^c rule 20 ^c dis 35. ^c Ins 10. ^c	.55	
Dis 35. ^c Indgt. 50. ^c Ins 10. ^c appr 10. ^c or 20. ^c	~~5.95~~	
seft. 35. ^c making cost. \$1. ~~4.13~~	1.35	
2 Spas 50. ^c	.50	
	\$1.75	
		475
		\$46.05

46,05

John Williams Sheriff. Ave Japan #2, 1900, 25th colls, 10,

2, 35

C Stephens 3- 30

7, 40

Washington Stephens 3- 30

7, 40

Milton Stephens 3- 30

7, 40

Ch

Stoker
vs
Stephens

Free Bill
