

Jefferson County Circuit Court
Case Files - Civil

Box 25 Folder 5

November 1869

Fred eritze, John M.

Glatte, Conrad

Ennus, George

Marx, Peter

vs.

Jefferson County

Appeal

Plaintiff appealed from County Court
on damages assessed for gravel road
from Hillsboro to Lemay's Ferry

Jefferson County Court

J. M. Friedman

July Term 1869

Jefferson County

I Philip Phipps obligate myself
to pay all costs which have accrued
or may accrue in the above ^{cause} ~~case~~
adjudged against the above
named plaintiff

Philip Phipps

J M Funder

4

Jefferson County

Appeal Bond

In Frederick } In the County Court
in }
Jefferson County } July Term 1869.

Philip Piptine attorney for
the above plaintiff makes oath
and says that the appeal taken
in the above entitled Cause is
not taken for vexation or delay
but because appellant believes
the appellant is aggrieved
by the judgment of the
Court.

Sworn to & Subscribed
before me July
21st 1869.
Wm. M. Muller

J. M. Fredericks

Jefferson County

affidavit for appeal

Filed July 26th 1869
E. F. Honey clk

COUNTY OF JEFFERSON,

The State of Missouri,
To *John S. Kirk & Alexander*

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 *18th* day of *May*, *1869* 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 May*, Plaintiff, and *Jefferson*

Defendant, on the part of *Jefferson* 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 *25th* day of *Feb* A. D. 186*9*

John P. Honey
Clerk.

SUBPOENA

To Jefferson Circuit Court.

P. Max

of
Jefferson County,

J. Grim. J. Kirby

J. Lingerhans

for Plff

F. L. Oct 28

4th Nov 10

Sheriff fees \$1.50

Recd \$1.50

By att. W. C. Chance
att. atty

Received the within Subpoena on 4th Nov. 10
and I will in obeyance of the said Subpoena on the 19th Nov. 1889
be looking it to read in their presence and
hearing

J. Lingerhans
Sheriff

COUNTY OF JEFFERSON,

The State of Missouri,

To

J. H. Brown, et al vs J. H. Brown, et al

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 *16* day of *February*, *1889* 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 *Linwood Statts* Plaintiff, and *Alfred Brown, et al* Defendant, on the part of *as* 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 *25* day of *Oct* A. D. 18*89*

Clerk.

E. F. Honey
E. F. Honey

SUBPOENA

To Jefferson Circuit Court.

Conrad Glat
vs
Jeff Cantley
for Plaintiff
J. Wynn. J. Kirk
J. Longcherry.

FL 0728

\$ Lyman Nov 10

Sheriff fees \$150

Dearest Mr. Smith
I received your letter of the 10th of Nov. 1870, and I am glad to hear that you are well. I am well and hope to hear from you soon. I am, dear Mr. Smith, very truly,
Yours,
J. Smith

Feb 8.50

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COUNTY OF JEFFERSON,

The State of Missouri,

To *Wm. J. Langhney & James Cook*

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

16th day of

Novr 1869

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

John Brown,

Defendant, on the part of

John Brown,

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 *25th* day of *Feb*

A. D. 186

9

Elias F. Honey Clerk

Wm. J. Langhney & James Cook

Served the within Subpoena on F Kirk F Longhewy
and F Grinn in Jeff Co Mo on the 11th Nov
1869 by reading it to each in their presence
and hearing

F Tuchtenyer

Sheriff

Fees \$1.50

By R McNamee
Dist. Clerk

SUBPOENA

To Jefferson Circuit Court.

D. Bergard

Jefferson County.

F Grinn, et al. Party 11

F Longhewy.

In Debt

F F 001 25

Nov 16 1869

Sheriff fees \$1.50

COUNTY OF JEFFERSON,

The State of Missouri,

To *Wm. H. H. & J. H. H.*

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 *16th day of Nov* 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 *George Canack* Plaintiff, and *Jefferson County* Defendant, on the part of _____ 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 *25th* day of *Oct* A. D. 186*9*
Elias F. Honey Clerk.

SUBPOENA

To Jefferson Circuit Court.

George Ernst
vs
Jeff County,

for Jeff
Elm. T. Kirk
J. Lungehans

XL - Oct 28

Elm. Nov 10

Sheriffes \$1.50

Nov 8 1.50

By all of above
J. Lungehans
Sheriff
J. Lungehans
J. Lungehans

Served the within Subpoena in Jefferson Co. on
on J. Lungehans and J. Kirk on the 10th
Nov. 1869 by reading it to each in their presence
and hearing

COUNTY OF JEFFERSON,

The State of Missouri,

To ~~John M. H.~~ Merrill & Co

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 16th day of June 1869 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 J. M. Hudson is Plaintiff, and Stephen Kennedy, 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 November A. D. 1869
Elias F. Honey Clerk.

SUBPOENA

To Jefferson Circuit Court,

J. M. Freeman

vs

Jefferson County

for Debt

Merrill Parke

Witness

COUNTY OF JEFFERSON,

The State of Missouri,

To *Frank Wm. Clark Fred Langdon*

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 *16th day of Nov*

1889 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 M. McDunne*

Plaintiff, and

Jefferson County
Defendant, on the part of *Shelf* 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 *25* day of *Oct^r* A. D. 18*89*

E. F. Honey Clerk.

Wm. A. Starnes

SUBPOENA

To Jefferson Circuit Court.

J. M. Anderson,

vs.
Jefferson County,

Ex Min. H. Kirby

vs. L. J. Longchey,

72 Oct 28

Return Nov 10

Sheriff fees \$1.50

2
Fees \$1.50

J. L. Longchey Sheriff
By H. Kirby
D. M. Kirby

Served the within Subpoena on H. Kirby
at his and J. Longchey's in H. Kirby's office
on the 10th of Nov. 1889, by reading it in their presence
and hearing

COUNTY OF JEFFERSON,

The State of Missouri *vs* *John Smith* *Plaintiff*
To *Amos M. Anderson, Attorney General,*

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 *first* *with*

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 *Frederick T. Davis* Plaintiff, and

Jefferson County,
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 *16th* day of *November*, A. D. 1869
E. F. Honey
Clerk.

Payd At Court 28th

Served the within Subpoena this 16 day of November
1864 by reading the same to the within named S. Marsden
and Anton Gayer in their hearing and presence at Jefferson
County Mo

fees \$100

Fred Luchtemeyer Sheriff
By Fred Vollmuth
Deputy

2943

SUBPOENA

To Jefferson Circuit Court.

Frederick states

Jefferson County

S. Marsden

Anton Gayer

Served

J. M. Frederitz
vs
Jefferson County } In the Jefferson
Circuit Court

Defendant moves the Court to
Dismiss the appeal in this
Cause for the Reasons

1st Because no notice of the
Appeal was given to the
Road Commissioner of
said County of Jefferson

Geo. J. Williams
Att. for Defendant

J. M. Frederitz
vs
Jefferson Co,

Motion to dismiss
appeal

filed Nov 19 1869
E F Wemyer

J. M. Frederitz,
Against
Jefferson County

In the Circuit Court
of Jefferson Co. Mo.

Now at this day Comes the
Defendant and moves the Court
to assess against Plaintiff all
Costs of witnesses together with
the costs of subpoenaing them on
his behalf at this Term of the
Court for the Reasons

1st That the same is a cause in which
no costs for such purposes can
legally be taxed against Defendant.

Williams
Atty. for Def.

J. M. Fredritz
by
Jefferson Co,

Motion to Tax
costs

Filed Nov. 26th 1869
Elias F. Koenig

COUNTY OF JEFFERSON,

The State of Missouri.

To

Grant Thomas Kent v
Michael Henry

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 21st day of
February 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

Jacob Mc Theodore

Plaintiff, and

Jefferson County
Plaintiff

Defendant, on the part of _____ 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 14th day of

January A. D. 1851

Elias F. Honey

Clerk

By L. H. Deputy

July Term 1870

2943
Francis John M^r

vs
Jefferson County

J. Green x J. Kirk

+ J. Lungehans x

J. R. P. B.

Served the within was 17th day of January A. D. 1870
by meeting the same to the within named ^{Thomas} ~~Thomas~~ ^{Thomas} ~~Thomas~~
and Thomas Kirk and Fred Loring Channing in the hearing
and presence of Jefferson Davis and

Dec 15th

Fred Loring Channing
By Fred Loring Channing

Deposits

In the Circuit Court of Jefferson County
Term held Adjourned Term 1869
July 5 1870

John M. Fredesio vs the ~~County~~ Damages
Plaintiffs ~~County~~ Error to the Circuit
Court
against
Jefferson County Defendant

Now again come the parties aforesaid by their respective attorneys, and the Court being now sufficiently advised of and concerning the premises doth consider and adjudge that the Judgment rendered herein by the County Court be reversed annulled and for naught held and esteemed & that the cause be remanded back to the County Court and it is further adjudged that the Defendant pay all costs herein & that execution issue therefor.

State of Missouri }
County of Jefferson } I, Elias P. Honeycutt of
said Circuit Court hereby certify that, the foregoing
is a full true and complete copy of the Judgment Rendered in
the above entitled cause as fully as the same remains
of Record in my office

In Testimony Whereof I have hereunto set my hand and
affixed the seal of said Court this 13th day of April 1870
Elias P. Honeycutt
By L. H. Alfred Deputy.

Seizure Court of Office
John H. Hutchinson
at
Holland County.
Mandate.
Judgment of County Court
Edward

Recd May 24th 1870
E. H. H. H. H.

Recd Apr. 15th 1870
H. H. H. H. H.

John M. Frederick } In the County
 vs } Court of the
 Jefferson County } County of Jefferson
 April Term 1870.

Now comes the plaintiff and objects
 to the assessment of the Commissioner,
 made, of the damages to plaintiff's
 lands and improvements by the
 opening of the Grand road lead-
 =ing from Hillsboro to Lemay
 Ferry because the amount
 of said damages is insufficient
 to indemnify the said plaintiff
 and because the said plaintiff
 is entitled to more damages
 than said Commissioner has
 awarded -

J. M. Frederick } P. P. Shinn
 vs } for the plaintiff
 Jefferson County } In the
 County Court }

All agree that no objections shall be
 made to the Report of the Commissioner
 in this cause whether the same be sufficient
 or not ~~this April 19th 1870~~. The only obje-
 tion is as to the amount of damages.
 April 19th 1870.

P. P. Shinn
 Jos. J. Williams
 Atty. for the County,

J. M. Furditz,
Jefferson County

Deputies to report
of Commissioners.

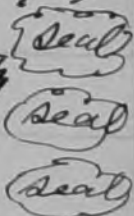
Filed May 24 1870
C. D. Jones et

Recd Apr. 19 1870
R. M. Muller

John M. Frederickzie, - Plaintiff } In the County
 Against } Court of Jeffers-
 The County of Jefferson, } son County
 (in the State of Missouri) } Defendant } Missouri,

We the undersigned Jefferson County
 by Abner Green County Attorney for said County and
 acknowledge
 ourselves indebted to John M. Frederickzie in
 the sum of ~~three~~ ^{thirty} hundred dollars, to be void
 upon this Condition; Whereas, the County of
 Jefferson has appealed from the judgment
 of the County Court of Jefferson County Mis-
 souri, in an action between John M. Fred-
 erickzie, Plaintiff, and the County of Jefferson
 (in the State of Missouri) Defendant; Now, if
 on such appeal, the judgment of the County
 Court aforesaid be affirmed, or if, on the trial
 anew in the appellate Court, judgment be
 given against the appellant, and she shall
 satisfy such judgment, or if her appeal shall
 be dismissed, and she shall pay and satisfy
 such judgment of the said County Court,
 together with the costs of the appeal, then this
 Bond shall be void, otherwise to remain in
 full force. - Witness our hands & seals this 18th day of
 May 1870.

Jefferson County, Mo.
 Abner Green County Attorney for said County
 John L. Thomas



J. M. Frederitz
Jefferson County

Bond for
appeal

John M. Frederitzi vs
Jefferson County } In the County
Court of
Jefferson County
Missouri

Joseph J. Williams ~~agent~~ for Jefferson
County, the Defendant on his oath
says that the application for an
appeal by the defendant in said
Cause is not made for vexation
or delay but because this affiant
believes that the appellant is
agrieved by the judgment of
the Court & the verdict of the
Jury

Sworn to ~~and~~ and
Subscribed
before me May
18th 1870

Wm. Mullins

Jos. J. Williams

J. M. Funderberg
29

Jefferson Co.

Affidavit
for appeal

Filed May 24 1870
E. A. Honey

State of Missouri } In the County Court
County of Jefferson } April Term 1870
The following proceedings were had, to wit,

Apr. 20th 1870

John M. Frederick and others } For damages on account of Grand Theft.
Jefferson County } At this day came the parties in
the above cause, (by atty) and a jury of 13 men consisting of
C. P. Horine, J. E. Walker, H. North, Louis Partry, Richard Haysler,
Joshua ~~Langston~~, Alvin McCulloch, Almer Lewis, George Williams, W.
Metts, J. W. Blake and Fines Williams are impannelled and
sworn to try the case, after hearing the evidence adduced
and argument of counsel, the jury return the following verdicts
Wt the jury find for J. Michael Frederick the sum of two hundred dollars
C. The Horine foreman

Wt the jury find for Conrad Glatt the sum of one hundred and fifty
dollars C. The Horine foreman

Wt the jury find for Geo. Emms the sum of one hundred Dollars
C. The Horine foreman

Wt the jury find for Peter Marx the sum of one hundred
Dollars C. The Horine foreman

May 18th 1870

John M. Frederick, Glatt Geo. Emms, Peter Marx } For damages.
Jefferson County } Now at this day came J. E. Walker,
Williams and Almer Graw attorneys for the County and file their
affidavits and bonds for an appeal from the judgment of the jury
made in this cause on the 20th of April last, to the Circuit
Court of Jefferson County, which bond is approved and

the appeal granted,

The above and foregoing is a complete
and correct Transcript of proceedings had in the County
Court in said cause after being remanded by the
Circuit Court of Jefferson County,

Witness my hand, and the seal of said Court
here to affixed this 23rd day of May AD 1870

Wm. M. Miller Clerk of Court
Jefferson County Mo.

John & Mrs. Gooding, Comrs West
George Combs & Peter May

8943
Jefferson County

Miss Lotman

Filed May 24th 1850
Olio & Henry etc

John N. Frederick's, Plaintiff } In the County
Against } Court of Jef=
Jefferson County, - Defendant } ferson County
Missouri

To John N. Frederick, - appellee;
You are hereby notified that the above Defend
ant, Jefferson County, by her Attorney, has taken
an appeal from the Judgment of the County
Court of Jefferson County Missouri, in the
above entitled Cause, to the Circuit Court
of the County of Jefferson in the State of
Missouri,

August 18th 1870, } Abner Green, County
Attorney for said Jefferson
County

I executed the within Notice on the within named James H. -
Frederice, by handing him a true Copy of the same at
the County of Jefferson on the 23^d day of August 1870
Subscribed & sworn to before
me this 2^d day of Sept 1870
J. J. Whitmore County
Court Justice -

J. Marshall

Aug^t 23^d 1870

In Circuit Court
Jefferson County

John H. Frederice
vs.
Jefferson County

Notice of appeal

(Copy)

The State of Missouri,

COUNTY OF JEFFERSON.

To

Henry Baker

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 6th day of Sept 1870, 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 M. Addams

Plaintiff, and

Alfred Bandy, Deft

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

herety affixed, at office, this 6th

day of

Sept A. D. 1870

Elias F. Honey Clerk.

As seen to actual duty

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Sept Term, 18*90*

Indorse

to
Jeff Circuit Court

Henry Baker

Served 6th

served the within Subpoena this 6th day of September
1880 by reading the same to the within named Henry
Backus in the hearing and presence of Jefferson
Barnes the

fees 50 cts

Test Subscribed and sworn to
by meel Solomon A.

Deputy

The State of Missouri,

COUNTY OF JEFFERSON.

Do Annee Marchess, *John, Clerk in Charge*
vs *Wm Harnier* & *J. G. Whithead*

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *6th* day of *Sept 1870*, 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 M. Haddock*

John M. Haddock Plaintiff and
John M. Haddock Defendant, on the part of *John M. Haddock*; 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 *18th* day of

August A. D. 1870

Elias F. Honey

Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Sept,

Term, 1870

Mearns

vs
Jefferson County

Deft

Samuel Mearns X

W P H Mearns X

Le F Mearns X

Pls Mearns X

See Mearns X

The State of Missouri,
COUNTY OF JEFFERSON.

To Jacob Grimm Merrill Parker
Deputy Sheriff Jackson Parish

You are Herby Commanded, That setting aside all manner of excuse and delay, you
appear before our Circuit Court, for the County aforesaid, on the 16th day of
September, 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 Goodacre

Plaintiff, and

Defendant, on the part of John Goodacre
; 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 twenty Ninth day of
August A. D. 1876

Elias F. Honey
Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Seph

Term, 18

Medrusie

Jefferson Co

Witnesses for Pelf

Frank Grimm +

Merril Parke x

Lucas Rush +

Frank Kirk +

Scroell

Deer to the within write on 5 day of September
by return the same to the within mount
Oberil Park and. Juees Back and Frank Kirk
and Frank Ginn in Jefferson County. Va.

Dec 8, 200

For Duckenberger Sheriff
by Jacob Hager
By Sept

The State of Missouri,
COUNTY OF JEFFERSON.

To

W. H. Nelson & William M. Steele

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the

21st

, 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

J. M. Judson.

Plaintiff, and

Defendant, on the part of

J. H. Co. 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

August A. D. 1870

Clerk.

E. F. Honey

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Sept

Term, 1870

Fredrusie

vs
Jeff Leo

J. E. Millsie
Wm. McKee } *Deft*

Served the within Subpoena this 6th day of September 1879
by meeting the same to the within named, J. C. C.
Wills on and Mr. Brocklee in their dearness
and presence at Jefferson County Mo

Good Luck ever yours
By Good to the world
J. C. C.

John M. Fendley } In the Circuit
Jiffen v. Jiffen } Court of
County No } Jefferson Co
Sep. 6. 1870

Now comes the plaintiff and
moves the court to dismiss
the appeal taken from the
judgment in the County
Court in this cause

Because the appeal was not
taken within ten days after
the judgment was rendered

P. P. P. in
P. P. P. Tally.

J M Funderberg

4

Wffm on County

motion to dismiss
appeal

Filed Sept 15th 1870
Elias D. Honeycutt

John M. Frederitzie
vs
Jefferson County } In the Circuit
Court of Jefferson
County Missouri

Now at this day comes the Defendant
and moves the Court to set aside the
decision and judgment of the Court
sustaining the motion heretofore
filed herein to dismiss the appeal
and to grant a rehearing of said
motion, for the reasons

152 ~~Because~~ ^{Because} ~~That~~ the decision of the Court in
sustaining said motion was
against the Law

Green & Williams
Atty's. for Defendant,

John M. Goedenzie

17

Jefferson County

Motion for
new trial

Filed Sept 16 1870

E. J. Hines C.R.

John M. Frederitzge, - Plaintiff } In the Cir-
 Against } Cuit Court
 Jefferson County, - Defendant } of Jefferson
 } County Missouri

This Affiant, Abner Green, County At-
 torney for Jefferson County aforesaid, states that
 the application, by said Jefferson County by her
 said Attorney for an appeal from the Judgment
 of said Circuit Court in the above entitled cause
 wherein John M. Frederitzge is Plaintiff and
 Jefferson County (in the State of Missouri) is De-
 fendant, ~~to the~~ Second District Court of Mis-
 souri, is not made for rescation or delay but
 because this Affiant believes that the ^{said} Defend-
 ant - the appellant - is aggrieved by the Judg-
 ment and decision of the said Circuit Court

Subscribed before me Oct 24 1870
 Wm Mullins Clerk

Abner Green
 County Atty for Jeff. Co.

John M. Frederickzic, - Plaintiff } In the Circuit Court
Against } of Jefferson County
Jefferson County, - Defendant } Missouri,

We, Jefferson County, by Abner Green, County Attorney for said County, as Principal, and Abner Green & John William, as securities, acknowledge ourselves indebted to John M. Frederickzic, the plaintiff in the above Cause, in the sum of four hundred dollars, to be void upon this condition, - That whereas, the said Jefferson County by her Attorneys has appealed from the Judgment of the Circuit Court of said County, in an action wherein John M. Frederickzic is Plaintiff, and Jefferson County (in the State of Missouri) is Defendant, to the Second District Court of Missouri, - Now if the said Appellant will prosecute her appeal with due diligence to a decision in the said Second District Court, and shall perform such Judgment as shall be given by the said Second District Court, or such as the Second District Court may direct the said Circuit Court to give, and if the Judgment of such Circuit Court, or any part thereof be affirmed, that she will comply with and perform the same, so far as it may be affirmed, and will pay all damages and costs which may be awarded against the said Appellant by the Second District Court, then the above Bond to be void, otherwise to remain in full force.

Witness our hands and seals this

In Circuit Court
Jefferson County

John N. Freudentz
vs,
Jefferson County

Bond

Filed Jan 24th 1870
E. H. Hovey

DD, ^{not} day of October 1870.

Jefferson County
By John Brown County
Att'y for said County,

Recd

Geo Williams
Att'ny General

Recd

Approved Oct 24 1870

Wm H. Brown
Att'y General

Recd

John M. Frederitzie } In the Circuit
no } Court of Jefferson
Jefferson ~~County~~ } County Missouri

Be it remembered that on the 15th
day of September 1870 the same being
during the September Term of The
Circuit Court of the aforesaid County
of Jefferson, ^{for the year 1870} the plaintiff filed in
~~said~~ said Court a motion to dismiss
the appeal in the above cause
which motion is as follows viz
(Here copy motion to dismiss appeal)
Whereupon Defendant for the
purpose of proving that the County
of Court of said County of Jefferson
adjourned on the 23rd day of April
1870 till the 3rd Monday in May
1870 and also that the appeal in
said Cause was taken ^{at} on the session
of said County Court held on the
3rd Monday of May 1870 and also
that the same was an adjournment
of the April Term 1870 read in
evidence from the Record of said
County Court An order of said Court
shown by the said Record to have
been made on the 23rd day of April

1870 which order is as follows viz
(Here copy order adjourning April Term)
and also Defendant read in evidence
an entry from said Record of said County
Court purporting to have ^{to} show that
a session of said County Court convened
on the 3rd Monday in May 1870
which is as follows, viz,

"At an adjourned Term of the County Court of Jefferson
County Missouri began and held on the third
Monday in May A.D. 1870 were present Hon,
G. J. Johnston P. J. Antoine Yerger and William
Wendrickson Associate Justices J. Luchtemyer
Sheriff and R. W. McMullin Clerk of said Court,"

Defendant also read in evidence from
said Record of said County Court an order
purporting to be an ^{order of} adjournment of
said Court on the ~~3rd Monday~~ or
16th day of May 1870 till the next

day which order is as follows (Here
also an entry of adjournment of said Court from the 19th to the 18th of May 1870 as
copy same) and also an order
from said Record of said County Court
in the proceedings of said Court for
the 18th day of May 1870 purporting
to be an order granting granting the
appeal in this cause which is as
follows viz (Here copy same)

following (Here copy order adjourning from May 17th to 18th)

the foregoing was all the evidence
in said Cause the Court thereupon
sustained Plaintiffs motion and did
dismiss said appeal, to which
action of the Court Defendant at the
time excepted, Defendant afterwards
on the same day filed a motion for
a rehearing or new trial of said motion
motion which is as follows (Here
copy motion for new trial) which
motion the Court overruled to which
action of the Court in overruling said
motion for a new trial or rehearing of
said motion Defendant at the time
excepted and said Circuit Court
and during said term made an order on the 24th day of September
1870, by consent of plaintiff and Defendant
extending the time for ^{preparing &} filing an affidavit for
appeal appeal Bond & Bill of Exceptions by
Defendant thirty days from September 24th
1870 which order is as follows (Here copy same)
and Defendant in pursuance of said order
now here on this 22nd day of October 1870
tenders this Bill of Exceptions and prays
that the same be signed sealed and made a
part of the Record which is done
J. H. Vail Judge (Seal)

J. M. Spedentie
Jefers on County

Bill of Exceptions

Correct
Thomson
for Rev

Filed Oct 24th 1870

Eliza J. Hawley, Clerk

5,

Frederitzie + other } April Term 1870,
 County, } J E E Rice

Ino M Frederitzie - -

E J. Hoenig clerk, files ^{60c} 4 Spas ^{\$1.00} // 1.60

Motion ²⁰ rule ²⁰ motion to dismiss ²⁰ rule ²⁰ motion to lay cost ²⁰ 1.00

Indgt reversing co ct Judgt ⁵⁰ and ²⁰ vs for ex ²⁰ .90

Motion for new trial ²⁰ Ent of filig Rice ³⁵ ex and granting appeal ³⁵

Sheriff Serv 12 Spas, \$6.00

8-

10 Mary

mutton ²⁰ rule ²⁰ not dis ²⁰ rule ²⁰

80

mutton ²⁰ rule ²⁰ not dis ²⁰ rule ²⁰

60

but + killing ³⁵ rule ³⁵ not dis ³⁵ rule ³⁵

70

2400 ⁵⁰ mutton ²⁰ rule ¹⁰

88

2,935

Sherry den 3000

3,50

6,435

~~71~~

8,

Geo Lane,

Machine 20 rule 20 mch 100 20 rule 20

80

Machine 100 each 20 mch 100 20 rule 20

60

Machine 100 each 20 mch 100 20 rule 20

70

Machine 100 each 20 mch 100 20 rule 20

85

295

Machine 100 each 20 mch 100 20 rule 20

3,300

6,450

3-
1

C. G. Lab.

motion ²⁰ rule ²⁰ - motion to dismiss ²⁰ rule ²⁰. 80
motion to tax cost ²⁰ motion new trial ²⁰ - rule ²⁰ 60
Entry of filing Bill ³⁵ Ex - or grant appeal ³⁵ 70

2 ffus ⁵⁰

Making cost ²⁵ fee bill ¹⁰

50
2,60
85
2,95

Sheriff Serv 3 ffus

350
6,45

Witnessed *Dim*

Sept 3 1870

S. Drazier	4-3	— \$ 964
J. Kink	4.40	70.20
L. Rash	4-5-2	5.16
M. Parks	4 ~~98~~	11.36
Saml Marsden	5-14	6.12
M. A. Amick	5-5	5.40
Henry Becker	2	2.00 ~~112~~

[Handwritten scribbles and calculations]

40
14
24
46
64
1000

40
14
24
46
64
1000

92
16
552
92
1472
181

104
832

42
46
252
42
672
440
1072

90
8
70

46
16
276
46
736
1110

46
14

[Handwritten signature]