

Tofferson County Circuit Court
Case Files - Civil
September 1870, NO. 27

Vinyard, Charles

vs

St. Louis and Iron Mountain Railroad Co.

Negligence

Killed one jackass; \$200 damages

Box 27 Folder 47

Charles Vinyard, - Plaintiff
Against
The St. Louis and Iron Mountain
Rail Road Company, - Defendant,
In the Circuit Court of
Jefferson County Missouri
September Term 1870.

The Plaintiff states that the Defendant is an incorporated Company, duly incorporated by law, under the name of The St. Louis and Iron Mountain Rail Road Company, and that the said Defendant is the owner of a Rail Road extending through Jefferson County, Missouri. - And the Plaintiff states that the said Defendant, on or about the 13th day of February 1870, at the County of Jefferson aforesaid, by its Officers, Agents, and Conductors, in running its engines, locomotives, and Cars on said Railroad track in Jefferson County aforesaid, ran its said engines, and Cars over, and thereby killed, a Jackass then and there being, of the value of two hundred dollars, and belonging to the Plaintiff. And the Plaintiff states that the portion of said Railroad track, where the said Jackass was killed, (and which is in the Town of Victoria) is not inclosed on either side, by a lawful fence, - nor were there kept up and

maintained, ^{at the time} any cattle-guards, at any of the Rail-
road Crossings on that portion of said Railroad, ^{as required by law} -
And Plaintiff states that said animal was
not killed at the crossing of a public high-
way over said Railroad. - The Plaintiff
therefore states that, by the acts and doings of
the Defendant, and its failure, ^{and neglect} to erect and
maintain fences and Cattle-guards as aforesaid,
as required by law, Plaintiff has sustained
damages to the amount of Two hundred
dollars, and for which he asks judgment.

Abner Green
Attorney for the Plaintiff

By Joffen Grant Cant
September 1870

Charles Brainerd

28,

We St. Louis & non Prom-
tini Residence Co,

of the

Let numerous wine
to Jeff, Co, Co, Coft,
of the
for the

At St. Louis 28th 1870
Miss B. Henry At

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } SS.

THE STATE OF MISSOURI,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you, that you summon

The St. Louis & Iron Mountain Rail Road
Company

if ~~it~~ be found in your County, that ~~it~~ be and appear before the Honorable
Judge of our Circuit Court, on the first day of the next term thereof, to be
begun and held at the town of Hillsboro, within and for the County of
Jefferson, on the ~~First~~ Monday after the fourth Monday
of September next, then and there to answer unto

Charles Vinyard

upon ~~his~~ original petition, a copy whereof is herunto annexed
and accompanies this writ, and have you then there this writ.

Witness, **ELIAS F. HONEY**, Clerk of our said
Circuit Court, with the seal thereof herunto affixed,
at office in Hillsboro, this 28th

day of July A. D. 1870

Elias F. Honey Clerk Circuit Court.

By Lewis H. Aspin Deputy.

3724

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1870

John Vandercant

Plaintiff

AGAINST

J. Lewis Brown

W. H. B. Defendant

(1879)

received this 29th day of July on a writ habeas corpus

The writ was served on the 29th Day of August A.D. 1870 by delivering a copy thereof to A. Middle, an Agent and Employee of J. Mountains and Louis Lewis an incorporated Company, the Head of which is not in my County. The within is a true copy of the original as delivered to Fred Luckenmeyer and by the Clerk of the Court

Sheriff Jefferson Co
per Fred Volmoch

Deputy

fees 1.00

Charles Vinzard
 vs
 The St Louis and Iron
 Mountain Rail Road
 Company

In the Circuit Court of
 Jefferson County
 September 9 1870

Now comes the defendant by its attorney
 James A Billings & petitions the Hon Court for a
 change of venue in the above entitled cause
 for the following reason that the inhabitants of
 this the County of Jefferson State of Missouri
 are prejudiced against the defendant
 aforesaid so much so that said defendant
 cannot have a fair trial in this cause on
 account of said prejudice existing Therefore
 your petitioner prays the Court to make an
 order changing the venue in this cause to
 some other County in this fifteenth judicial
 Circuit where the cause aforesaid alleged does
 not exist and as in duty bound your petitioner
 will ever pray

J. A. Billings
 Attorney at Law

State of Missouri
 County of Jefferson

I James A Billings being duly
 sworn upon his oath states that he is the
 attorney and general business agent of the
 defendant aforesaid and applicant for
 change of venue herein and that the

petition aforesaid for change of venue and
the matters and things as therein stated are true
to the best knowledge and belief of affiant and
that the defendant aforesaid have just cause
to believe that it cannot have a fair trial
in Jefferson County Missouri on account of
the causes alleged in said petition for change
of venue

Sworn & subscribed to before
me this 3rd day of September 1870
Elias H. Honey Clerk of the Court
By Lewis H. Aspert D.L.

J. A. Billings

Today

De Humen leant leant
Charles Lindbergh
in

At Home & on Main Street
Fair Road Company
Debitum per Change
of money

John Quincy
Adams

Filed Sept 6 1870
Elias D. Newmyer

Charles Vinyard } Fee Bill.
 St Louis & M R A Co

E J Honey Clerk Circuit Court,

Cop pet. ⁵⁰ ex s ⁵⁰ writ scap ¹¹⁰ files ¹⁰ affd ¹⁵	\$ 2.45	\$ 2.45
Ent file app for chg name, ³⁵ ord for chg ⁵⁵ ord to make ³⁵ Pruning	1.05	
Doct ⁵ 1350 words & fig @ 15 per 100, ^{2.25} ex s to same ⁵⁰	2.80	
Mattng cost ¹⁰ Postage ¹⁵ Index ¹⁰	35	\$ 6.65

A Luchtmeyer Secy Deft,

^{1.00}
 \$ 7.65

Charles W. King
no. 1
St Louis and St M. RR

Geo. Dill