

Tofferson County Circuit Court
Case Files - Civil
September 1873

Box 31 Folder 37

Wideman, Isaac F

vs

Wideman, James L, Sr.

Appeal

Defendant appealed from IT
Stephen Pounds on \$36.90
account for making nails, cash
loaned

James S. Williams

To Isaac H. Williams Jr

1879 To floating and putting up 300 racks

at P.D. for hire and

\$8.00

5.00

To five days work plus per d

To 4 day work by Isaac Williams \$100 per 1410

\$1144

3445

To Hentry Ranch

111

To Himmathy Luce

150

To Hocking

836.95

To Hocking out ar

211.50

200

Bill to Brattin & others 3 day
3 day waiting state building fence

J. H. 1890
1890

Filed for
collection

Feb 1893

Stephen Pomeroy
J P

S U M M O N S .

The State of Missouri,

To the Constable of *Bergin* Township, in the County of Jefferson,

GREETING:

We Command you to summon

James L. Wideman Son

to appear before the undersigned, one of the Justices of the Peace of
Bergin Township, in Jefferson County, on the *5-11-*
day of *April*, 187*3*, at *10* o'clock, in the fore-
noon, at his office, in the said Township, to answer the complaint of

Isaac H. Wideman On account of *\$30.94*

Given under my hand, this *25* day of *March*, A. D. 187*3*

Stephen Fox

Justice of the Peace.

Returned the within this the 5th day of
April A D 1873
Peter Strickland
Constable

SUMMONS.

Isaac L. Wideman } Plt.

vs.

James L. Wideman } Def't.

Issued... 3 day of March 1873.

Returnable... 5 day of April 1873.

Amount of Plaintiff's demand... \$ 36.74

Justice' Fee... \$ 7.15

Stephen Pounds

Justice of the Peace.

March 15th 1873. Served this

Summons by March 5 by reading

in the hearing of

James L. Wideman (Sec)

the 5th day of March 1873

My Fees 1 Summons \$ 35

Mileage \$ 35

Peter Strickland

CONSTABLE.

THE STATE OF MISSOURI,

To

Wally Wideman

Greeting :

You are hereby commanded to be and appear personally before me
Stephen County, one of the Justices of the Peace within and
for Burlington Township, in the County of Jefferson, on the
5 day of April 1873, at the hour of 10 of the clock in
the forenoon of that day, at my office in the township and county afore-
said, to testify on the trial of a cause wherein Isaac H. Wideman
is plaintiff, and James S. Wideman, Son is de-
fendant, in behalf of plaintiff, and hereof fail
not at your peril.

Witness my signature, this 3 day of March 1873

Stephen County,

Justice of the Peace

SUBPOENA.

Isaac H. Wideman } P't.

vs.

James L. Wideman Sen } Def't.

Before

Stephen Pounding

Justice of the Peace.

WITNESSES.

Wesley Wideman

Served the within Subpoena on

By leaving a Copy of
the Same at the
residence of Wesley
Wideman with the
as member of the family

My Fees.....\$ 5.00

Peter Strickland

Constable.

Returned the within the 1st day of
of June a d 1875
Peter Strickland
Constable

we the undersigned James L. Wickman
and ~~J. L. Wilson~~ ^{J. L. Wilson} Acknowledge ourselves
Indebted to Isaac I. Widman in the sum
of Fifty Dollars to be void upon this
condition whereaz James L. Wickman has
appealed from the Judgment of Stephen
Pounds a Justice of the Peace in an action
Between Isaac I. Widman Plaintiff and
James L. Wickman Defendant now if on
such appeal the Judgment of the Justice be
affirmed or if on the Trial awarded 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 together with the cost of the
appeal this recognizance shall be void

James L. Wickman
mark

J. L. Wilson

Approved July the 14th 1878

Stephen Pounds
Justice of the Peace

Isaac P. Widman

amc	Isaac P. Widman	Sim	Justice of the Peace
Sept	\$36.90		An action of Debt
Justice fees	35		on an Account for the
Indefing	10		Sum of \$36.90 ch
Entry	10		Summons Issued
For three Subp	10		on the 3 ^d day of March
for three Con	10		1873 returnable on
for Jury	50		the 5 th day of April
for Judgment	35		1873 on the regular
for recognizans	35		Return day the Constable
for a warrant	75		Returned the Summons
Constable fees for 3 Subp	35		Executed ~~affidavit~~
Meilage	100		and the defendant appeared
Summons Issued			By agent Sam Williams
			and said Agent for

Sam Williams filed an affidavit stating that Samuel P. Widman the defendant in the above cause was sick and unable to attend and asked for a continuance until my next Lord day being the 3^d day of May 1873. Stephen Pounds.

Now at this third day of May 1873 come the parties to the above entitled cause and on account of a difficulty between said parties said cause was continued until next Lord day being June the 7th 1873. Stephen Pounds.

Now at this 7th day of June 1873 come Isaac P. Widman the Plaintiff in the above entitled cause and made affidavit stating the absence of a material witness who was unable to attend said cause is continued until July the 5th 1873. Stephen Pounds.

On My Regular Court day July the 3rd 1873

The parties in the above Entitled Cause being called the defendant failed to attend court and after hearing the proofs and allegation in the above Cause Judgement was Entered against said Defendant for the Sum of Thirty Six Dollars and Ninety Cents and cost of Suit

Stephen Pounds J.P.

This is To certify that the above is a true Transcript of the Entries in my Docket pertaining to the above Cause given under my hand this the 14th day of July 1873

Stephen Pounds Justice of the Peace

Filed July 21st 1873

W. J. Boyce clk

Isaac F. Wideman Pltff. } In the circuit
against } court of Jefferson
James L. Wideman Defd } county missouri:
appeal. Sept. term 1873

The Plaintiff moves the court to
dismiss the appeal in the above entitled
cause, for the following reasons, viz;

First Because the judgment rendered by the
Justice for Plaintiff is a judgment by
default, and the Defendant took the
appeal without first moving the justice
to set aside the default and grant
a new trial.

Second Because the Defendant failed to
make a motion before the justice
to set aside the judgment by
default, before taking his appeal.
and the Justice transcript shows
that no such motion was made, and
overruled, by the Justice before the appeal
was allowed, - and therefore the
granting of an appeal by the
Justice was contrary to law.

} Sam. Byrns
Atty for Pltff

In Circuit Court
Jefferson County,

Isaac F. Wideman

vs

Gas. L. Wideman

Motion to

dismiss appeal

Filed Sept 28 1878

W. S. Boyce CLK

In the Circuit Court of Jefferson
County Missouri.

September Term A.D. 1873.

Sept 9th 1873.

The following proceedings were had viz:
Isaac S. Wideman }
James S. Wideman } Now come the defendant by
his attorney and suggests to the court here
the diminution of the record in this cause
and that the Justice Stephen Pounds before
whom said cause was tried has failed
to certify to this court, all the record and
proceedings in said cause before him, It
is therefore ordered by the court that said
Stephen Pounds certify to this court a
complete transcript of his docket, and all
proceedings had before him, together with
the original papers filed in ~~said~~ ^{the} cause
aforesaid, and file them in the office
of the clerk of our said court forthwith,
and that he certify how he obeys our
our commands.

A true copy from the record.

Witness W. S. Boyce Clerk of our said
court with the seal thereof hereunto
affixed at office Sept 9th 1873.

W. S. Boyce Clerk

By C. H. H. Morine Deputy

Isaac & Wideman
vs
James & Wideman
Certiorari to
Stephen Pounds
(original)

I, Stephen Pounds, the within named Justice of the peace, certify that I filed herewith a complete transcript of my docket, and all proceedings had before me, together with the original papers filed in the cases lately pending before me, wherein Isaac & Wideman is complainant, and Jas L. Wideman defendants.

This 17th day of Sept, 1873. Stephen Pounds

Justice of the Peace

Isaac H. Wideman Before Stephen Pounds
Justice of the Peace

James L. Wideman } Action of debt on
Leibt \$36.90 } account for the sum of
for Entry 10 } \$36.90 Summons served
Indefinite 10 } March the 3rd returnable
Judgment 40 } to the 5th day of April 1873
for 3 Subp 10 1/2 } On the return day the
for 3 Com 10 1/2 } Constable returned the
offense Bond 3 1/2 } Summons executed
Transcript 3 1/2 } and the above named
Constable for 12m 3 1/2 } defendant appeared by
3 Subp 7 1/2 } agent Isaac Williams and
Mileage 3 1/2 } affidavit that James L.
jury 10 0 } Wideman was sick and
unable to attend and

Said cause was continued until the 3rd day
of May 1873

Now at this the Third day ^{May} 1873

Comes the Parties to the above Entitled cause
and on account of a difficulty between the
Parties said cause was continued until
the next Low day being June the 7th 1873

Stephen Pounds J P

Now at this the 7th day of June 1873

Comes Isaac H. Wideman the Plaintiff in
the above Entitled cause and made affidavit
stating the absence of a Material Witness
who was unable to attend said cause was
continued until July the 5th 1873

Stephen Pounds J P

Now at this the 5th day of July 1873

The parties to the above Entitled cause being
called the above named defendant failed to
come and after hearing the proofs and allegations
judgment was entered against said defendant
by default for the sum \$36.90 & cost of suit. Pounds J P

Now on the 14th day of July 1873

Comes James Le Wideman defendant
in the above entitled cause and made
~~affidavit~~ a motion to move said cause
to Before Esq. ~~Heath~~ some other Justice
which was refused because said James
Le Wideman refused to make the required
affidavit Then said James Le Wideman
made a Motion for an appeal to the
Circuit Court which was granted

To hereby certify ^{that} the above ~~is~~ ^{Stephens Pounds} is
a correct Transcript of all ^{the} entry in
my docket pertaining to the above
cause given under my hand this
the 10th day of September 1873

Stephens Pounds
Justice of the Peace

At the Clerk of the
Circuit Court
of Jefferson County
Mo.

3848

Isaac J. Wideman

vs

James L. Wideman
