

Jefferson County Circuit Court
Case Files - Civil
January 1874

Hartman, L. A.
Graham, William

VS

Coffin, J. B.

Appeal

Defendant appealed from JP
J. Ed. Walker on \$36.10
account for Lumber;
depositions

Box

32 Folder 25

SUMMONS.

THE STATE OF MISSOURI,

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

GREETING:

We Command you to summon

J. B. Coffin

to appear before the undersigned, one of the Justices of the Peace of

Central Township, in Jefferson County, on the *24th*

day of *October*, 1873, at *ten* o'clock in the forenoon,

at his office, in said Township, to answer the complaint of

Carlman and Graham

Given under my hand, this *14th* day of *October* A. D., 1873.

J. Ed Walker

Justice of the Peace.

Summons

Wartman & Graham
against
J. B. Coffin

before
J. Ed Walker J. P.

Debt. —	\$ 36.10
Int at 6% from Aug 1873 —	
Justice fees to d —	1.05
Constables fees —	35

Mon sent of Plffs
Costs 175
Oct 24/73

I executed the within at the County of Jefferson
State of Missouri by Reading the same to J. B.
Coffin on the 9 day of Oct 1873.

J. B. Proff
Sherrill

NOTICE TO TAKE DEPOSITIONS.

Wartman vs Graham

Plaintiff

AGAINST

J. B. Coffin

Defendant

J. B. Coffin

TO THE ABOVE NAMED

*Before J. Ed. Walker Justice of
the Peace for Central Township in
the County of Jefferson*

State of Missouri.

—You are hereby notified, that depositions of witnesses to be read in evidence in the above entitled cause, on the part of the Plaintiff, will be taken at the Office of Justice Powers on Broadway between Mallon and Biddle Streets St Louis in the County of St Louis, and State of Missouri, on the 22nd day of October

A. D. 1873, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon of that day; and that the taking of said depositions, if not completed on that day, will be continued from day to day, at the same place, and between the same hours, till completed.

*Service of the above notice is hereby acknowledged, and issue of
judgments, and all exceptions as to time, waived.*

Wartman vs Graham

Notice to see this within named J. B. Coffin
by handing a true copy of the same
to me this

8th day of December 1873
J. Ed. Walker J. B.

Attest

Depositors of witnesses produced sworn
and examined on the twentysecond day
of October AD Eighteen hundred and
seventy three between the hour of eight o'clock
in the forenoon and six o'clock in the afternoon
of that day at the City of St Louis County of
St Louis State of Missouri before me ~~the~~
a Notary Public within and for the County
aforesaid in a certain cause now pending in the
County of ~~Jefferson~~ before J. E. Walker
a Justice of the Peace for Central Township
in said County of Jefferson, State of
Missouri between Hartmann and Graham
plaintiffs and J. B. Coffin, defendant,

William Graham of lawful age being
produced sworn and examined on part
of the plaintiffs, deposes and saith.

That the Account, Exhibits marked
A and B are correct that the
Amount of Thirty six Dollars
and ten Cents is lawfully due the
firm of Hartmann and Graham
after allowing all just Credits and
Offsets and that the Accounts are
taken from the books of the said
firm, and the deponent further
saith that he is one of the firm
and plaintiff in the above Suit
William Graham

Sworn to and subscribed before me
the 22^d day of October A.D: 1873.
~~My sworn~~
at Stary Public.

B. J. Chnts.
of lawful age, being produced, sworn
and examined on part of the plaintiffs
deposits and saith, that he is the
book keeper of the firm of Hartmann
and Graham. That he was keeping
the books for said firm and that
to his best knowledge ^{and belief} the accounts
as Marked A and B are correct,
that he made out said accounts
from the books of the firm, and
deponant further saith that he
has seen the defendant J. B. Coffey
different times, in regard to said
accounts, and defendant assured
that he would settle the same but
never done it, The amount of
Thirty six Dollars and two cents is
still due the firm of Hartmann
and Graham after allowing the
defendant all just credits and offsets
as by the books of said firm.
B. J. Chnts

Sworn to and subscribed before me
the 22d. day of October AD 1873

Wm Powers
Notary Public.

State of Missouri }
County of St Louis } ss.

J. William Powers

Notary Public within and for the
County of aforesaid do certify that in
pursuance of the within Notice came
before me at my Office in the City and
County of St Louis and State of Missouri
William Graham and B. J. Chute
who were by me severally sworn to testify
the whole truth of their knowledge touching
the Matter in Controversy aforesaid that
they were examined, and their exami-
nation reduced to writing, and subscribed
by them, respectively in my presence
on the day, between the hours and at
the place in that behalf first aforesaid,
and their said depositions are now
herewith returned. And I further certify
that said William Graham and
B. J. Chute are residents of said
County of St Louis, State of Missouri
Given under my hand at
the City of St Louis, in the County

of St Louis State of Missouri
on this the twenty second day of October
AD Eighteen hundred and
twenty three

Wm D. Swann
Notary Public St Louis
Co Mo.

Dressed Flooring,
SIDING,
FINISHING LUMBER,
Joist, Timber, Fencing,
SASH, DOORS, BLINDS, &C.
—
TERMS CASH:
If not paid within thirty days
we reserve the right to
draw at sight.

Bought of **HARTMAN & GRAHAM,**
DEALERS IN
LUMBER, LATH AND SHINGLES,

1428 Broadway, between Bates and Cass Avenue,

And 238 South Water Street, CHICAGO, ILL.

June 28	1300 ft 2 nd Rate Siding	21	27 30
	1000 " 3 " Siding		29 00
	500 " Star mah 52 5	39	19 50
	30 pa 2x4 10-200		47 1
	30 pa 1 1/2 mah 52 5		29 0
	5 pa 20x6 17/16 #1	2 1/2	10 75
	1 " 20x6 17/8 "		2 50
	40 pa 10x12 Sash	300	2 00
	1 frame		75
	3 Window Frames 10x14		11 25
	1 " 20x6		3 50
	4 1/2 " Laths	3 1/4	14 63
Mar 26	7 " No 1 Shingles	3	21
10	300 ft 3 rd Rate Siding		9 00
Jan 4	2000 " 16 " Siding	20	40
25	200 " Dutch Star 14 52 8	4	8
	100 " 12 " " "		4 00
	1200 ft 2 nd Rate Siding	21	25 30
	1000 " " " "		38
	1500 " Cheating	16	24 00
	100 " Star mah 52 5	21	4 00
	52 pa 2x4 14 = 485 ft	20	9 70
	17 " 2x6 14 238 "	2	4 76
	18 " 2x4 8 43 "	2	86
	4 " 4x4 14 76 "	2	1 52
	30 pa 9x14 Sash	600	1 80
	3 pa 20x6 17/16	2 1/2	6 15
	4 pa 8x10 Sash	400	1 60
	3 " Laths	3	9 00
	6 " No 1 Shingles	3	15 00
Mar 10	500 Rough Siding	21	10 50
	100 ft 3 rd Rate Siding		2 10
	3 1/4 " No 1 Shingles	2 40	7 80
	10 pa 9x14 Sash		75

Amount Forwarded

377 27

Mar 18

To Amount Bnt Forward

377 21

1300 ft 2R up Jaling
1200 " Sheathing
1000 " 2R up 24 flang

120 ft 2x4-18

18 " 2x4-16

10 " 4x4-10

24 " 2x6-18

10 " 2x6-16

17 " 2x10-16

16 " 2x6-10

600 ft Star inch 525

32 ft 2x4-12

2 " 2x6-10

10 " 1/2" 1/2" Plungles

5 " Laths

8 Pr 10x16 Lip Jaul

1 Hon 2" 6" 17/18

6 " 2x6-10 17/16

8 Pr 10x16 Blimb

1 Tramon for 2" Door

200 Rough Pickets

10 ft 2x4-16-16 ft

11 " 2x8-14 205 ft

29 400 ft 3R up Flaming

30 " Star inch 525

16 ft 1 1/2x4-14-112

100 Rough Palms

15 ft 2x4-10-150

10 " 2x4-16 160 370

25 ft Battens 14 ft

150 ft 3R up Flaming

2 " Star 1/2" Plungles

27 2000 ft wide Sheathing

Amount Forward

256 00

21 420

" 336

" 430

3/4 13 00

2 00

2 1/2 200

225

2 1/2 7 00

100 230

3 430

3/4 630

17 3400

779 68

Wadman & Graham

against

J. B. Coffin

Filed October 6th 1873

J. Ed Walker,
Justice

Depositor's taken before
Justice Wm. Powers

Hartmann & Graham
Before

J. Ed. Walker

as } Justice of the Peace,
} Central Township

J. B. Coffey

Here paid by plaintiffs
\$ 2 50

Victoria Station, June 2nd.

Harman & Graham } Before J. Ed. Walker & Co.

vs

J. B. Coffin

Now at this day come plaintiffs
by attorney & moves the Justice to set aside
the verdict in the above case for the
following reasons to wit:

Because said non suit was improperly
given.

Because the depositions taken by plaintiff in
said case were misarranged & did not
come until after said trial day of said
case.

John S. Thomas & Bro.,
Attys for Plaintiffs

Hartman ^{vs} Graham

J.B. Coffin

Motion to set aside

non suit

Filed October 31st 1873

J. Ed. Walker ^{J.P.}

Notice of Setting Aside Judgment. [J. P.]

(WHITTLESEY'S FORM, No. 344.)

Wartman and Graham

Plaintiff,

vs.

J. B. Coffin

Defendant,

STATE OF MISSOURI,

County of *Jefferson* ss.

BEFORE

J. Ed. Walker

Justice of the Peace.

To the Defendant *J. B. Coffin*:

Take Notice that the judgment* of *Non Suit*, entered in this case, has been set aside by the Justice, and that said cause will be tried on the *20th* day of *November*, A. D. 1873, at *10* o'clock *A. M.*, at the office of the undersigned, Justice of the Peace in and for *Central* township, in the County of *Jefferson* State of Missouri.

Witness my Hand, this *31st* day of *October*, A. D. 1873.

J. Ed. Walker

Justice of the Peace.

* State whether of non-suit or default.

NOTICE

Of Setting Aside Judgment

Hortman & Graham
vs. Plaintiff,

J. B. Coffin
BEFORE Defendant.

J. Ed Walker
Justice of the Peace.

Costs per 55

Continued Nov 20/73
to Dec 5/73

I received the bill with a copy of the
notice to the plaintiff and of the
order in said bill. I have in
the meantime by the way of the
bill of exchange for 1473

E. E. Coffin
for the bill

Wartman & Graham 3

¹³
J. B. Coffen 3

Defendant moves

The Court, to suppress the
Depositions filed in this case

13 Because the same do not
purport to have been taken
at the place specified in the
notice

J. B. Coffen
By Williams
Attorney

Heartman vs Graham

=VS=

J. B. Coffin

Motion to suppress

Depositions

Filed Jan'y 2nd 1874
J. Ed. Walker
Justice

overruled

Wartman & Graham } Before
J. B. Coffen } J. E. Walker
Justice,

Now at this day comes the Defendant
& moves the Court to dismiss this
case because

1st no statement of the case or other
cause of action or Bill of items
is on file in this case as the
foundation of the case as required
by Law

2nd Because the given names of
the plaintiffs are not set out in
in claim or other statement filed
in the case, & because there is
nothing on file in the case showing
who the plaintiffs are, or that
any person or persons are
plaintiffs

3rd Because the plaintiffs can
not be identified by any name or
names by which they sue in the
case
William B
For Defendant

Wartman & Graham

^{vs}

J. B. Coffen

Motion to Dismiss

Filed Jan'y 2nd 1873

J. Ed. Walker

overruled

L. A. Hartman & Wm Graham
To

J. B. Coffen

Dr

1873

To Commissions on Lumber
Sold at divers times
for them as their agent
and which they agreed to
pay

\$90.00

Wentman &

Graham

vs

J. B. Lofgren

Off 2012

Gilda Perry 2nd B7C

Ed Walker
Justice

L. A. Hartman & } Before
Wm Graham } J. Ed. Walker
J. B. Coffen^{us} } Justice of
The Peace

This affiant states that the
Application for an appeal by
the Defendant in the above
Cause is not made for vexation
or delay but because this
Affiant believes the Appellant
is injured by the Judgment
of the Justice

Sworn to and } J. B. Coffen
Subscribed }
before me }
January 10 1874 } C. W. Christopher
J. P.

Wartman & Graham

vs
J. B. Cooper

affidavit for
appeal

Filed January 12th 1894

Ed. Walker
Justice

approved this 12 day of January 1874

Justice of the Peace

J. Ed. Walker

L. A. Hartman & } Before
William Graham } J. Ed. Walker
vs } Justice,
J. B. Coffen }

See the undersigned
J. B. Coffen and
and

do acknowledge our selves indebted
to L. A. Hartman and William
Graham in the sum of Fifty five
Dollars to be void upon this condition
Whereas J. B. Coffen has appealed
from the judgment of J. Ed. Walker
Justice of the Peace in an action
between L. A. Hartman and
William Graham against
J. B. Coffen now if on such
appeal the judgment of the
Justice be affirmed or if on a
trial come in the appellate
Court judgment be given
against the appellant & he
shall satisfy such judgment
judgment, or if his appeal
shall be dismissed and he shall
pay the judgment of the Justice together
with the costs of the appeal this recognizance
shall be void, James Guther

Signed

Bessie Kinney
J. B. Coffen

Wartman Graham

nr

J. B. Leffen

Bond for appeal

Filed January 12th 1874

J. Ed. Walker
Justice

File & file these before
the Justice by Saturday
the 10th if possible if
you want the appeal
if you cant, do it by
Saturday Monday the
12th may do but would
rather not risk it
so file them Saturday
if you can, if not then
Monday

Hartman ^{and} Graham Plffs. }

against

J. B. Coffin Deft }

Plaintiffs filed for suit
October 6th 1873 an account dated Aug 18th 1873
being a balance due by Defendant of thirty six &
¹⁰/₁₀₀ Dollars and directed summons to issue which
is done and delivered to J. B. Moss Special
Deputy, returnable October 24th 1873 my
special law day. J. Ed. Walker J. P.

And now to wit October 24th 1873 comes the defend-
ant but the Plaintiffs although called come
not, but make default. It is therefore con-
sidered by the Court that this cause be dis-
missed, and that the Defendant recover of
the Plaintiffs his costs in this suit expended
laid at one dollar ^{and} seventy five cents. —

J. Ed. Walker J. P.

October 31st 1873 now come the Plaintiffs and
show good cause to the satisfaction of the Justice
for setting aside the nonsuit herein. — It is there-
fore considered that said Nonsuit be set aside ^{and}
that a new trial be granted, said Plaintiffs having
paid all costs that have accrued in this cause

And I do fix the 20th day of November 1873 at 10
O'clock A. M. for the trial of this cause. Notice
issued to Defendant, given to E Eaves Constable

November 20th 1873 — now at this day come the

parties, and the Plff makes motion to amend the style of this cause, and the record, to show that Lancelot A Hartman and Wm Graham compose the firm of Hartman and Graham, and by agreement this cause is continued until my regular law day December 5th 1873.

Dec 5/73 Continued by consent of parties to Jan'y 2/74.

January 2nd 1874 Now at this day come the parties by their attorneys, and the defendant files his motion to suppress depositions of Plaintiffs which motion is by the Court overruled.

Defendant then files motion to dismiss this cause, which is by the Court overruled.

Defendant then filed an offset amounting to ninety dollars. And this cause was submitted to the Justice. It is therefore considered by the Court that the Plaintiffs recover of the defendant the sum of thirty six dollars and ninety cents the amount of their debt with interest, together with their costs and charges herein expended taxed at one dollar and seventy five cents.

J. Ed. Walker Justice

Jan'y 12th 1874 Defendant filed his affidavit and bond for appeal which was approved

J. Ed. Walker Justice

State of Missouri }
County of Jefferson }

I, J. Ed. Walker Justice of the
Peace Certify that the foregoing is a complete
transcript of all the proceedings had before me
in the above entitled cause, as taken and
copied from my docket

Given under my hand this 12th day of
January 1874

J. Ed. Walker Justice

Del Bill (on New trial)

Justice fees continuance Nov 20/73 35[¢]

Continuance Dec 5/73 35[¢]

Judgt ⁵⁰ the Transcript 65

185

E Eaves Constable serving notice

55

2,40

Wardman and Graham before
 against { Fed Miller
 Justice
 J. B. Coffin

Transcript of Appeal

35-44

Boyce clk.

Loats 30 cont 20
 motion 20 rule 30
 Indlg. 50 motion 20
 rule 20
 Leave 6 file Rice 5
 files 40 Shu 20
 213 10 costs 20

50
 40
 70
 20
 35
 65
 30
 315

Filed January 17th 1874

W. D. Boyce clerk

County of Jefferson,

The State of Missouri.

To Jas Allen Esq Smith Mitchell
Jas Bennett A J Fishback J R Cross and ors
Court. vs ors B. Lang

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 14th day of May 1874

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

Wartman vs Graham are

Plaintiff and J B Coffin is

Defendant, on the part of Supt

and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with

the seal thereof hereto affixed, at office, this 6th day

of May, A. D. 1874.

W. S. Boyce
Clerk,

R. C. Ho. Shrine Supr

Hartman & Graham

vs

Coffey



Wartman & Graham Plaintiffs } In the 1st
against } person Co.
J. B. Leoffin Defendant } Cir. Ct.

Sept. Term 1874

Now at this day comes the Plaintiff
and moves the Court to dismiss
the appeal in the above cause
for the following reason
Because said appeal was taken
by Defendant more than
three months before last term
of this Court and he has failed
to give notice of his appeal
the same not having been taken
on the day of trial before the
Justice of the Peace

John L. Thomas & Son
Attys for Plaintiffs

Hartman Graham
Against
J. B. Leoffin

Motion to Denies
Appeal

3644

Filed Sept. 16 1874
W. S. Boyce
clerk

Hartman & Graham } In circuit
vs } Court
J. B. Coffen

Defendant moves
the Court to set aside
the order dismissing this
appeal & to reinsert the
same on the Docket for
the reasons

1st That the appeal was
wrongly dismissed —
J. B. Coffen
By attorney

Herman Graham

my
Cotton

Motion

Filed Sept. 2nd 1874

M. S. Boyce

Clk