

Jefferson County Circuit Court

Case file - Civil

April 1876

Box

35

Folder 26

Pipkin, Philip
vs

Waters, F.D.

Appeal

Defendant appealed from JP
Robert N. Hunt on replevin of
one horse

Philip Ppkin } Before R. N. Hunt
vs } Justice of the Peace
F. D. Waters }

Plaintiff states that he is lawfully entitled to the possession of a certain bay horse about 15½ hands high aged about seven years of the value of one hundred dollars. that said horse is wrongfully detained by the defendant at the County of Jefferson State of Mississ. that the same has not been seized under any process execution or attachment against the property of the plaintiff, that plaintiff will be in danger of losing his said property unless it be taken out of the possession of defendant.

Plaintiff further states that for the taking and detention of said property he is damaged one cent therefore plaintiff prays judgment for the recovery of said property and one cents damage for taking and detention thereof. P. Ppkin

P. Ppkin makes oath and says that to the best of his knowledge and belief the facts stated in foregoing complaint are true
P. Ppkin

Sworn to and subscribed Before by Philip Ripken
this 7th day of March 1876

Robert N Hunt

Justice of the peace

At the Request and Request of the plaintiff I
authenticate

Before R. N. Hunt
J. P.

P. Ripken

vs

J. D. Waters

Complainant

Consent to M. Ripken - 74-

P. Ppkin } Before R. N. Hunt Justice
vs } of the peace of Little
F. D. Waters } Rock Township

We undertake and are bound
to the defendant F. D. Waters in the
sum of two hundred dollars
for the prosecution of the action
in the above entitled cause
for the return to the defendant
F. D. Waters of the writ ordered
to be delivered by the defendant
to the plaintiff P. Ppkin if return
thereof be adjudged and for the
payment to him the said defendant
of such sum as may for any
cause growing out of the order
in the cause be recovered
against the plaintiff and
for the payment of all costs
of suit

P. Ppkin

Approved this day of March A.D. 1876.
J. W. Ppkin Constable ~~J. W. Ppkin~~ ~~J. W. Ppkin~~ Constable
J. Ppkin

~~W. R. A. Hunt~~
J. P.

D. Perkins

vs

J. D. Hutton

~~Ames~~

1000
40
1000

P. Pipkin 2
vs 2 Order of Delivery
J. D. Waters 3

The State of Mississippi to
Mr. Constable of Little Rock Town-
ship in Jefferson County

You are Commanded to take
a bay horse seven years old
15½ hands high of the value
of one hundred dollars from
the possession of the defendant
J. D. Waters and to deliver him
to the plaintiff P. Pipkin upon
his giving the bond required
by law - and you will make
due return of this order before
me on the 25th day of March 1876
and you are further Commanded
to summon the said J. D. Waters
to appear on said day at my
office in said Township to answer
further touching the Complaint
of Philip Pipkin for the unlawful
detention of said horse
Given under my hand Robert R. Hunt
the 7th day of March 1876 Justice of the peace

At the Request and Risk of the Plaintiff
I authorize J. M. Pipkin to Execute and
Return this writ according to Law.
March 7th 1876
Robert W. Hunt
Justice of the peace

Before R. W. Hunt

J. P.

R. Pipkin

"

J. D. Waters

Order of delivery

I Executed this writ in the township of Little Rock
in Jefferson County Mo. this 7th day of March 1876
by taking a hay horse and delivering the same to the
Plaintiff and I further Executed this writ by Reading
thereupon the defendant - by Reading the ~~to~~ ^{to} the
same ^{to} J. D. Waters. ^{The} Defendant

William Pipkin
Authorized Constable

V E N I R E .

THE STATE OF MISSOURI, To the Constable of *Little Rock*
Township, Jefferson County,---GREETING:

We command you to summon six good and lawful men of your township, qualified to serve as jurors in the Circuit Court of said county, and who are, in no wise, of kin to either party, nor interested in the suit, to appear before me, at my office, in the township of *Little Rock* county of Jefferson, on the $\frac{1}{4}$ th day of *April*

1876, at 10 o'clock, A. M., to make a jury for the trial of an action between *Philip W. Winters* Defendant, Plaintiff, and *H. D. Waters* because as well the said Plaintiff as the said Defendant have put themselves on the country for trial. And have you then and there this writ. Given under my hand this $\frac{1}{4}$ day of *April* A. D. 1876

J. P. N. Hunt

Justice of the Peace.

at the Registrar and Clerk of the Court of the County of Jefferson
 to execute and return this writ
 R. H. Hunt
 April 15-1876

V E N I R E.

Philip Ripkin } Plt.

vs.

J. D. Waters } Def't.

Before

R. H. Hunt

Justice of the Peace.

April 15th 1876. In obedience
 to the Writ, I have summoned as Jurors

Henry Treck
 Ralph Hunt
~~Dr. Daniel P. Schure~~
 Edward Rush
 John Graham
 H. G. Sharp

Good and lawful men of the County of
 Jefferson.

Fee, ... \$1.00

William N. Niles
 Constable.

Philip Pickens
vs
H. D. Waters

Before Robert M. Hunt—
Justice of the Peace

Claims and Delivery of personal property.

We, the jury, find that the property taken from
Defendant, was the property of Plaintiff, and the
same was of the value of one hundred dollars, ~~that same~~
~~the same~~ ^{the same} ~~was of the value of one hundred dollars, the same~~
~~was of the value of one hundred dollars, the same~~
intention, or the use of the same, of one cent

J. W. Graham, Foreman

verdict of jury
Philip Pipkin
H. D. ^{vs} Waters

Jefferson County
Kennebec Township

Philip Peplun

Plaintiff

Before

R. N. Hunt.

Justice of the Peace

^{vs}
D. W. Waters.

Defendant

D. W. Waters being duly sworn, on oath says,
that his application for an appeal is not made
for vexation or delay. but because he believes, the ap-
pellant to be injured by the judgment of the justice
Frederick Waters

Sworn^{to} Subscribed to before me

this 24th day of April 1876

Robert N. Hunt
Justice of the Peace

Jefferson County
of
Dunsmuir

Township

Philip. Phipps
Plaintiff

vs

J. D. Waters
Defendant

Affidavit

Filed April 24th 1876
Robert M. Hunt Justice

Bond

We the Undersigned F. D. Waters as principal and
J. G. Brown as surety acknowledge our
selves, indebted to Philip Pepkin in the sum of
Two hundred dollars to be paid upon this condition

Whereas F. D. Waters has appealed from the judg-
ment of R. H. Hunt a Justice of the Peace in an ac-
tion between Philip Pepkin Plaintiff and F. D. Waters
Defendant

Now if on appeal the judgment of the
Justice be affirmed, or if on trial anew in the
Circuit Court judgment be given against said
appellant, and he shall satisfy such judg-
ment, or if his appeal shall be dismissed and
he shall pay the judgment of the Justice together
with costs of appeal, then this recognizance shall
be void, else to remain in full force & virtue

F. D. Waters 
J. G. Brown 
W. H. Donaldson 

Attest
Robert H. Hunt

Justice of the Peace

W. H. Donaldson

W. H. Donaldson

Philip D. W. Allen

Plaintiff

vs

F. D. Watson

Defendant

Appeal Bond

Filed April 24th 1876
and approved

Robert W. Hunt
Justice of the Peace

No 119
Philip Ripkin
vs
H. D. Waters

Justice fees \$5.80
paid to Justice by P^l \$2.50
Duo Justos \$3.30
Constable fees M. Ripkin 2.25
Jury fee paid by Plaintiff 3.00
\$11.05

March 25th 1876.

Writ for the possession of personal property. Writ issued March 7th 1876, and delivered to M. Ripkin Amended Constable. Made Returnable on 25th day of March 1876, at 10 o'clock, A. M. Constable returned the writ. Executed to M. Ripkin. I executed this writ in the township of Little Rock in Jefferson County Mo. this 7th day of March 1876, by taking a Day horse and delivering the same to the

plaintiff. And I further executed this writ by summoning the Defendant by Reading the same to H. D. Waters the Defendant. Now on this 24th day of March 1876, the parties appeared and Defendant asked a Continuance, and Plaintiff agreed to a Continuance, and there upon the Justice continued said Cause to the 8th day of April 1876, for trial. Now on this 8th day of April 1876, comes the parties and Defendant asked for a Continuance, Plaintiff made now objection to a Continuance, and there upon the Justice continued the Cause till the 15th day of April 1876, at Defendants Cost. Cost of Continuance total at 50 Cents, And Now on this 15th day of April 1876, comes the said parties; And the said Defendant demanding a jury of six the Justice issued a summons for said jury Returnable forth with, And thereupon come the jury summoned by the Constable to wit, Edward Rush, Josiah Morse, Henry Reek, M. G. Sharp, Ralph Hunt, and John W. Graham, six good and lawful men of the Body of the County, having heard the Evidence, returned their Verdict as follows: We the jury find that the property taken from Defendant was the property of Plaintiff, that the same was of the value of one hundred Dollars, and that the plaintiff has sustained damages.

for for Detention or the use of the same of one Cent.

J. M. Graham Norman
Whereupon it is adjudged by the Justice that the plaintiff Recover of
the defendant the Day hours the property so Claimed, And also the
damages so by the Jury Assessed of the Sum of One Cent to
gethen with his Costes of Suit taxed at Eight and ⁵⁵/₁₀₀ Dollars.
(\$8.55) And plaintiff have there for Execution, on this 15th day
of April 1876. the Defendant gave Notice that he would appeal
Said Case to the Circuit Court of Jefferson Mo.

Robert R Hunt Justice
And Now on this 14th day of April 1876. Comes the Said Defen-
-dant And files his Affidavits And Bond for Appeal
With Wm R Donelson and J Esus Cowan, as Security which
is granted by the Justice, And Transcript And all papers in
the Said Case are Certified to the Clerk of Circuit Court
of Jefferson County Mo.

Robert R Hunt
Justice of the peace

State of Missouri
County of Jefferson

I, Robert R Hunt, a Justice of the peace
Within And for Jefferson County, do Certify the foregoing
to be a full, true and Complete Transcript of the
Entries And proceedings in the Case of Philip Ripston
vs H. D. Waters, as the Same are of Record on my
Docket, And that the papers thereto Attached are
all the Original papers on file in my office.

Witness my hand this 24th day of April A.D. 1876

Robert R Hunt
Justice of the peace

4275
Oran Crist
Philip Perkins
vs
H. D. Waters

569, 591, 595-

Filed April 28th 1876
L. H. & Marine
Clerk

Philip Ripkin vs Robert W Hunt Justice of the Peace
 H D. Waters Suit on Replevin Suit

Fee Bill.

Fees to R W Hunt Justice To Wit: Affidavits	\$.50
(Writ-35) 2 Continuances 70) 1 Jury Summons 35)	1.30
Swearing Jury to answer questions 25) Swearing Jury to try Cause 25)	.50
4 Oaths 20) Judgment 50) Index 10) Docket 10)	.90
Affidavits for appeal 50) Bond for appeal 50)	1.00
Transcript and postage	1.60
	<u>\$ 5.80</u>

paid by Defendant - - - - - 2.50

Balance Due Justice - - - - - \$ 3.30

Fees Due to Mr Ripkin Constable for Writ & Bond	1.25
" " " Wm News " for Summing Jury	1.00
Jurors fees paid by Plaintiff P Ripkin	3.00
	<u>\$ 11.05</u>

State of Missouri
 County of Jefferson

I Robert W Hunt Justice of the Peace
 in and for the County aforesaid do Certify the above and
 the going fee Bill to be Correct so far as I can
 ascertain.

Given under my hand this 24th day of April 1876,

Robert W Hunt
 Justice of the Peace

Free Will

Philip Rippe

25

J. G. Waters

Justice fees - \$ 3.30

Cost Mr. Rippe 1.25

" " 1.00

Surge fee paid by R. H. 3.00

~~\$ 8.55~~

P. Pipkin

vs

F. D. Waters

Motion to affirm
Judgment of the
Justice

Filed Sept. 11th 186
by J. M. Hornell
J. C. Marden
Deft.