

T Jefferson County Circuit Court
Case Files - Civil
April 1876

Box

35

Folder 27

Evans, E. E.

vs

Walsh, James

Appeal

Plaintiff appealed from JP
C.W. Christopher on #24 note

May 18th 1874

\$24⁰⁰ — One day after date I
promise to pay to Dr E. E. Evans
or order the sum of Twenty
four dollars for value received
with interest at the rate of
ten per cent per annum
from date. James^{his} Walsh
Witness mark

Louisa Lick

Walden's Note

24/8

Filed this

6th day March

1876

C. W. Christie

J. D.

Filed Apr 24 1876,

C. Thos. Horner

Chas.

SUMMONS:

THE STATE OF MISSOURI,

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

GREETING:

We Command you to summon James Walsh

to appear before the undersigned, one of the Justices of the Peace of
Central Township, in Jefferson County, on the *28th*
 day of *March*, 187*6*, at *10* o'clock in the forenoon,
 at his office, in said Township, to answer the complaint of
Geo. C. Coover

Given under my hand, this 6th day of March A. D., 1876

69 Christopher

At the request and risk of the Plaintiff I authorize the Haverhill
to execute and return this writ to C W Christopher J D

I enclose this writ at the
Jaff. Co. M. Co. as the
to the deft. James M. Co. a true copy of each writ

See C Evans Plan
or

James Walsh vs
Before
C W Christopher
J D

Amount due \$ 26 00
Costs already accrued 1 05

To 2

5
150
120

Filed April 24 1876

C W Morine
Clerk

he leave

Ver 2 to Evans Plaintiff

21

James Walsh Defendant

Before C. Christopher

James Walsh The Defendant
appears this 20th day of March before me C. C.
Christopher and makes oath

he says on this oath that he is not ready
for trial for the issue of material damages
that he can get if proper time be given
to give notice

Subscribed and

Sworn to before

me this 20th day

of March 1876

John W. Walsh

Attest
James W. Walsh

Filed This
25 day March
1876

C. W. G. P.

Filed Apr. 24 1876
© H. S. Horine
© W. C.

do leave
Her to the Court's Mercy
or
James Walsh Defendant } Before the Magistrate
Justice of the Peace

James Walsh the defendant appears this 8th day
of June before me the Magistrate and make
oath in due form he says on his oath that
he is not ready for ^{two} the case of very material
evidence which he has need the diligence to
get

Subscribed and sworn
to before me this 8th day
of June 1876
C. W. Christy J. D. } James M. Magr

Ver C C Cawson Pls
or

James Walsh Vex

Affidavit

Filed 9th day
of April 1876
C Walsh

Filed Apr. 24th 1876

C. H. Morine

Clk

SUBPOENA FOR WITNESS---J. P.

[Wagner's Statutes, Page 827, Sections 1 and 2.]

The State of Missouri, *Ja Robert Vaughan*
and *Auston Vaughan*

YOU ARE HEREBY COMMANDED, To be and appear personally
before me, *C. W. Christinger*, a Justice of the Peace within and
for the Township of *Central* in the County of *Jefferson*,
on the *24th* day of *April* A. D. 187*6* at the hour of ten o'clock
in the forenoon of that day at my office in the Township and County aforesaid, to testify on the trial of a cause
wherein *Ver O B Evans* is Plaintiff,
and *James Welch* is Defendant,

on behalf of the *Defendant*. And hereof
fail not at your peril. And the person or officer serving this Writ is commanded to have the same at the time
and place aforesaid, certifying thereon his return.

WITNESS my signature, this *24th* day of *March* 187*6*.

C. W. Christinger
Justice of the Peace.

Subpœna for Witness.

Ver E C Couser

Plaintiff

James Walsh

Defendant

BEFORE

J. P.

WITNESSES:

R. Vaughan
+ Austin Vaughan
6 miles

Filed Apr 24 78/6

O. P. Norine

Clerk

FEES, \$ 50 50

James Walsh & Co. V. Ver
Completed

RETURN.

I Hereby Certify, that I served the within Writ in the County of

the

day of

April

1876,

by

Reaching in the presence

on

of David Tinsley

of St. Louis

Shahaf Mipani &
Compt of Jefferson I do hereby certify that on
the 4th day of May 1874 the County Court
of Jefferson Comt allowed to Dr E E
Evans the sum of twenty six dollars
in part payment of a bill for fifty
one dollars in favor of the said Evans
for Medical attendance and services
to Elizabeth Hill a poor person
Witness my hand and the Seal
of said Comt this 12th day of
April AD 1876
W R Small
Clerk of Comt

4528

BB Cairns
or
James Walsh

Filed Apr 24

1876

W. Chapman

JP

Filed Apr 24 1876

W. H. H. H. H.

W. H. H.

Ver D E Carvers Plaintiff } Obligation for costs
James W Walsh Defendant } Before C W Christopher J D
W D. Deed ourselves to pay all cost that have
accrued or may hereafter accrue in this case

Approved

April 15th 1876

C W Christopher J D

W H Mervin

James G. Fisher

Obligation for
cost

O'Connor
vs
James Walsh

Filed Apr 24 1876
The Hon
Clerk

Victoria April 10-76

Dr Crane P^y

W^d

James Walsh Esq

Before Christopher
J. H.

Now at this day comes the
defendant and in answer to said plaintiff pleads
want of consideration as an offset against
the claims of the plaintiff.

James Walsh

Defendant

Gen E C Caves
vs
James Walsh vs

Filed this is the
day of April
1876
J D

Filed Apr. 24 1876
O H. Marine
clerk

~~James~~

E. E. Evans Plaintiff }
James Walsh Defendant } Before C. W. Christopher
Justice of the Peace

This affiant States that the application for an appeal by E. E. Evans plaintiff in the above entitled cause is not made for vexation or delay but because this affiant believes that the appellant is injured by the Judgment of the Justice

Thomas H. McMullen
Subscribed & sworn to before me
this 19th day of April 1876

C. W. Christopher J.P.

The Plaintiff E. E. Evans prays an appeal from the Judgment of the Justice rendered April 15th 1876. against him in favor of the deft. James Walsh - to the Circuit Court of Jeff Co Mo

Because the plaintiff believes himself aggrieved by the Judgment of the Justice

To C. W. Christopher J.P.

E. E. Evans Plff

By T. H. McMullen
his atty

Mr E E Carver Pl
or
James Walsh kept
Saffordville

Filed Apr. 24 1876
O. H. Moore
Clk

E E Crows Plff
James Walsh Deft

We the undersigned T H McMullen
and acknowledge ourselves
indebted to James Walsh in the sum of
Fifty Dollars, to be void upon the this
condition Whereas E E Crows has appealed
from the Judgment of C W Christopher a Justice
of the Peace in an action between himself as
plaintiff and James Walsh defendant And
if on such appeal the Judgment of the
Justice be affirmed, or if on trial anew in
the appellate court Judgment be given against
the appellant, he shall satisfy such 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

Thomas H McMullen

Approved 17th Day
of April 1876

C W Christopher

Bond for appeal

vs E E Owens
or

James Walker

Filed April 24 1876

Chas Moore

Clerk

See O'Carrens Plaintiff } Before C. W. Christopher
against } Justice of the peace
James Walsh Defendant } of Central Township
The Plaintiff O'Carrens filed his note March the 6th
day 1876 one day after date I promise to pay to O'Carrens
or order the sum of Twenty four Dollars for value
received with interest at the rate of Ten per cent per annum
from date Signed by Mark Witnessed by Louisa Link
And Summons ordered to issue which is done and put in
the hands of W. H. McMullin a Special Sub Constable
and made returnable on the 25th day of March 1876 a
Special law day C. W. Christopher J. P.

This March 25th 1876 the return day Summons
returned by Defendant James Walsh stating that he did not
get the notice in time And filed his affidavit that he could
not go in to trial safely for want of Evidence and this
case is continued to the 8th day of April 1876 regular law
day C. W. Christopher J. P.

This the 8th day of April 1876 the day continued to
the Defendant appears and files affidavit that he
could not go in to trial for the want of material Evidence
that he had used due diligence to obtain said case is
continued to the 15th day of April 1876 at the cost of the
Defendant C. W. Christopher J. P.

This April 15th 1876 the parties being ready for trial and
the case was left to the justice and said justice after
hearing the Evidence in the defence doth adjudge for
want of consideration a nonsuit of the Plaintiff and

Judgment in favor of Defendant for his costs and
against the Plaintiff in said Suit and he have an
Execution therefor

C W Christopher J P

This April 17th 1876 Plaintiff appeared by his attorney
Thomas H McMullen and made affidavit for an appeal
to the Circuit Court which is granted by the Justice C W J P

Justices fees	Summons ³⁵ Clerk ⁶⁰ Deeds ¹⁰ Subpoena ³⁵	90
	Continuance ³⁵ affidavit ⁵⁰	85
	Continuance the next time ³⁵ Judgment ⁵⁰ Swearing ¹⁰	95
	Transcript and affidavit	1.50
		<u>\$4.20</u>

Constable fees

	James Walsh Serving Subpoenas out 2 times	1.00
Witnesses	R Vaughn ⁵⁰ A Vaughn ⁵⁰ mileage for 6 miles each ⁶⁰	1.60
	A Vaughn the second day ⁵⁰ mileage ³⁰	.80
		<u>\$3.40</u>

State of Missouri }
County of Jefferson } SS

I C C Cavens Plaintiff
against

James Walsh Defendant

I C W Christopher a Justice of the Peace
within and for the Township of Central of the County of Jefferson
aforesaid hereby certify that the above and foregoing is
a full true and complete Transcript of all the entries
made in my docket relating to said case of C C Cavens Plain-
tiff against James Walsh Defendant and that such
Transcript is accompanied by all the process and other
papers filed with the Justice relating to such Suit

Given under my hand this 17th day of April 1876

C W Christopher
Justice of the Peace

Filed
Apr 24 1876
C W Christopher
Clerk

STATE OF MISSOURI,
COUNTY OF JEFFERSON.

To

H. C. Mullin

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, 1876, 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

is Plaintiff, and

James Walsh

is Defendant, on the part of

; and herein you are in no wise

to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the

seal thereof hereto affixed, at office, this 1st day

of May A. D., 1876.

C. Tho' Horine, CLERK.

Evans
to
Waesh

Rev
J. T. McMullin

Filed May 17 1876
L. H. Horne clk
By L. Marsden Dkt

Exeuted two writs of the County of Jefferson in the
County of Jefferson. This writ was made at 1876
by reading the same to the defendant.

J. T. McMullin
J. Marsden

E. E. Evans
vs
James Walsh.

Now at this day
comes the defendant ~~and~~ in
the above case and moves
the Court to rule Plaintiff to
give additional security on
his appeal bond, for following
reason, viz:

Because said surety is
not amenable to execution,

Sam Byns

Att. for Deft.

E. E. Evans
James Walsh

Motion for security
on appeal bond

Filed May 17 1876
O. H. D. H. H. H.
Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To

J. M. C. Miller

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 *12th* day of *September*, 187*6*, 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 *C. C. Evans* is Plaintiff, and *James Walsh* is Defendant, on the part of *Eliza* to fail.

; and herein you are in no wise

Witness, C. THO' HORINE, Clerk of our said Court, with the
seal thereof hereto affixed, at office, this *4th* day
of *September* A. D. 187*6*.

C. Tho' Horine, CLERK.

12
Gross
vs
Wahh

P.

Jno T. Mullin

Filed Sept. 13th 1876
By The Clerk
By C. Mansden
Shuffe \$50

Executed this 13th day of September
in the State of New York
by Reading Her name to J. T. Mullin

723 West Street
By J. T. Mullin

E. E. Evans Plaintiff } In circuit
against } Court of Jefferson
James Halsk Defendant } Co Mo

We the undersigned resident householders of said County, hereby bind ourselves to pay all costs that have accrued or may accrue in the above entitled case.

Sept. 17. 1876

Thos A McMullen

Thos A McMillin
Reed, W Covvack

Erasmus
Walsh

obligation for cost

Sept 12 1876
C. H. H. H. H. H.
C. H. H. H. H.

James Walsh }
 Fee Bill.

C. W. Christopher Justice. \$ 4.20
 James Walsh Sero. 4 Spas 1.00
 R. Vaughn, day⁵⁰ an 3 miles³⁰ 80
 A. Vaughn 7¹⁰⁰ 6⁶⁰ 1.60

\$ 7.60

May 15 The Marine Clerk, Cir. Ct.
 Filed. 15⁷⁵ dockets 15⁷⁵ 1 Spas⁵⁰ \$ 1.40
 Sept motion²⁰ rule²⁰ order²⁰ Bond⁵⁰ 1 Cont¹⁰ 1.10
 Sub³⁵ 10 cont. 50 Judgt. 50 dock 10¹⁰ 1.55
 Costs 30³⁰ Sat. 20²⁰ Et 100¹⁰⁰ 1.55 \$ 5.60

J. D. Mass Sheriff
 7 Spas¹⁰⁰ calls²⁵ 1.75 1.75

Hampson M. Mullin 4 days 56 miles \$ 8.48 8.48
 \$ 22.93

CC Evans

v James Walsh

See Bill