

Jefferson County Circuit Court
Case Files - Civil
January 1877

Box 36 Folder 38

Amor, Eugene, assignee of
Fette, George H.

vs.
Douthett, M. A.

Debt, note

Debt \$913.13; real estate attached and
sold on execution; John Ball garnishee

**ALL OVERSIZED
DOCUMENTS FOR THIS
CASE ARE LOCATED IN:**

Oversized Box: 1

Folder: 16

Number of Items: 1

913 $\frac{13}{100}$

St Louis Dec 14 - 1875



One year after date I promise to pay to

the order of George W. Fette

Nine hundred & fifteen

$\frac{13}{100}$ Dollars

at

Value received at the rate of ten per cent per annum

MP

Due

Wm Donthett



J. M. Fette

Filed Oct 14 1876

© Thos. Horine
Clerk

Eugene Amor Plaintiff

against
M. A. Douther Defendant

In the Circuit Court of
Jefferson Co. Mo. Jan'y Term 1877

Plaintiff states that defendant by his promissory note herewith filed dated the 24th December A.D. 1875 - promised for value received one year after date to pay George H. Fette Nine hundred & Thirteen & ¹³/₁₀₀ Dollars. Plaintiff further states that that the said George H. Fette on the (29) Second day of October 1876 assigned said note by endorsement and delivered the same to Plaintiff. Plaintiff further states that the defendant M. A. Douther is a non resident of the State of Missouri and that he is about fraudulently to dispose of his or assign his property and effects to hinder and delay his creditors and for ^{which} reasons Plaintiff asks for an attachment to issue

against said defendant and when
said note becomes due Plaintiff
asks that judgment be rendered
in his favor for the same and
the interest thereon and for
such other & further relief as
he may be entitled

John L. Thomas o'ed
Atty for Plaintiff

E. Amor
vs

M. A. Dauter

Petition on
note

Filed Dec. 14 1876

C. H. H. H. H.

Clerk

Eugene Amos Plaintiff

M A Douthett Defendants.

In the Jefferson Circuit Court

January Term 1887

This affiant August of Setzer makes oath and says that the plaintiff in the above entitled cause has a just demand against the defendants therein, not now due but which will become due on the 24th day of December 1876, and that the amount which this affiant believes Plaintiff ought to recover of the defendant, after allowing all just credits and off-sets, to which defendant is entitled is -
Nine Hundred thirteen & $\frac{3}{100}$ Dollars, with ten per cent interest thereon from the 24th day of December 1875, and that he has good reason to believe and does believe that Defendant is a nonresident of Missouri, and that he is about fraudulently to dispose of, assign convey and transfer his property and effects, so as to hinder and delay his creditors and further this Deponent says not

State of Missouri
County of St. Louis

August of Setzer
Sworn to and subscribed before

We this Eleventh day of October
Eighteen Hundred & Seventy Six.

Louis A. Rainey
Notary Public

Qualified Apr. 19 1875 for a
Term Expires Nov. 22. 1878.

E. Amor
against
M. A. Dauter

Apparatus for
attachment

Filed Oct. 14 1876
C. H. Hastings
Clerk

may accrue to any defendant or
garnisher, by reason of the attachment,
or any process or proceeding in the
suit, or by reason of any judgment
or process thereon, then this obligation
is to be void; otherwise to remain in
full force

Witness our hands & seals this 14th
October 1876

E. Amor
John L. Thomas
W. H. H. Thomas

Taken and approved October 14 1876.
C. Ho. Horine Clerk Cir. Ct.

E. Amor
against
M. A. Dauter
Attachment Bond

Filed Oct. 14 1876.
C. Ho. Horine
Clerk

State of Missouri, } SS.

County of, *Jefferson*,

OFFICE OF CIRCUIT CLERK.

The State of Missouri.

To the Sheriff of *Jefferson*

County—GREETING:

We command you to attach

M. A. Douthett

by all and singular *his* lands and tenements, goods, chattels, moneys, credits, evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of *Nine hundred and thirteen* Dollars and *thirteen* Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said

M. A. Douthett

that *he* be and appear at the next Term of the Circuit Court, before the Judge thereof, on the first day of said Term, to be holden at the *Town* of *Stilesboro* and State of Missouri, within and for the County of *Jefferson* on the *Second* Monday of *January* next. and then and there to answer the complaint of

Eugene Amos

as set forth in the annexed petition.

And also, that you summon all and every person in whose hand or possession soever any personal property, rights, goods, Chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff or *his* attorney, as Garnishees, and particularly

that *they* be and appear before the Judge of our said Court, on the first day of the Term aforesaid, then and there to answer unto what may be objected against them. And have you then and here this Writ.

Witness,

C. H. D. Haine Clerk of our said Circuit Court, and the Seal thereof hereunto affixed, at office in *Stilesboro* this *14th* day of *October*, in the year of our Lord, one thousand, eight hundred and *Seventy-six*

C. H. D. Haine

Circuit Clerk.

By

Deputy.

SHERIFF'S RETURN.

Served the within Writ by Attaching levying upon & seizing the following Real Estate of M. A. Donthett the within named defendant - lying & being situate in Jefferson County Missouri to wit the West half of Lot 5 of North East quarter of the East half of Lot number 5 of North West quarter of Section No 3 in Township 39 Range 5 containing 80 acres - Also the West half of Lot number 5 of North West quarter of Section No 3 Township 39 Range 5 containing 40 acres - Also the West fractional part of Lot No 6 in Township 39 R. 5. East containing 26 acres more or less - Also 4 acres. be- ginning at the South east corner of Lot No 5 of the North East quarter of Section No 4 of Town- ship 39 Range 5 east - thence North 290 links - thence North 66 1/4 8.77 links - thence North 33 1/2 10.21 links - thence South 78 1/2 4.50 links - thence North 68 1/2 173 links - thence South 45 1/2 280 links - thence North 61 2 links to the place of beginning - Also all of the Southern half of Block 27 in the town of Desoto excepting the following - Beginning at the South west corner of said block and running east along the Southern line thereof 50 feet - thence North in a direct line 125 feet - thence West in a direct line 50 feet to the Western boundary line of said Block - thence South along the Western boundary line of said block 125 feet to the beginning - Also all of fractional Block 26 in the town of Desoto - Also a portion of the East half of fractional lot No 2 of the North East quarter of Section number 3 Township 39 R. 4 E. containing 3 acres - bounded as follows on the East by West boundary line of A. J. Dunaway 2008 on the South by Northern boundary line of lots numbered one & two of Edwin Boyne's addition to Desoto - on the West by a line parallel with the Western line continued North of Lot number 2 of said Edwin Boyne's addition until it strikes a line parallel with the Northern boundary line of Block 26 aforesaid extended west and on the North by land heretofore conveyed to Rev. J. C. Downer said Western & Northern line being bounded by land sold to Rev. J. C. Downer - Also North fractional half of Section 9 Township 40 Range 5 East containing 160 acres and on the 23rd day of December 1876 I further executed this writ by summoning John Ball as garnishee, by declaring to him the said John Ball that I attached money & effects due by & to said Defendant and that I summoned him to be and appear at the next term of the Jefferson County Circuit Court to be holden on the 2nd Monday of January 1877 to answer such interroga- tories as may be exhibited by Eugene Smith the plaintiff

John Williams Sheriff Jefferson County.

Van Beek, Barnard & Tinsley, Printers and Stationers, St. Louis.

No. 11

ATTACHMENT WRIT.

Jefferson Circuit Court.

Returnable January Term, 1877

Pf. f.

Eugene Smith

22, 28, 38, 41, 76

Def't.

M. A. Donthett

8/22, 28, 38, 41, 76

W. J. Dunaway 12th 1877
Original

John Williams
Sheriff fee \$1.00

26
8th day of June 1877

Order of Publication.

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

In the Circuit Court of said county, in vacation,
October 14th, 1876.

Eugene Amor, Plaintiff,

vs.

M. A. Douthett, Defendant.

NOW at this day comes the plaintiff herein by his attorney, before the undersigned clerk of said court in vacation, and files his petition and affidavit, stating among other things that the above named defendant, M. A. Douthett, is a non-resident of the State of Missouri, whereupon it is ordered by the clerk that said defendant be notified by publication, that plaintiff has commenced a suit against him in this court, by petition and attachment, founded upon a note for the sum of nine hundred and thirteen hundredths dollars, dated Dec. 4th, 1875, due and payable one year after date, with interest from date at the rate of ten per cent. per annum, and that unless said M. A. Douthett, shall be and appear at this court at the next term thereof, to be begun and holden at the court house in the town of Hillsboro, in said county, on the second Monday of January next, and, on or before the sixth day of said term, answer or plead to the petition in said cause, the same will be taken as confessed, and judgment will be rendered accordingly, and it is further ordered that a copy hereof be published according to law, in the JEFFERSON DEMOCRAT, a newspaper published in Jefferson county, State of Missouri.

I, C. Tho' Horne, clerk of the Circuit Court of Jefferson county aforesaid, hereby certify that the above is a true copy of the original order of publication, in the cause therein named, as the same appears in my office.

{ SEAL } Witness my hand as clerk, and the seal
of said Court. Done at office in Hills-
boro, this 14th day of October, 1876.

STATE OF MISSOURI, COUNTY OF JEFFERSON.

Be it Remembered, That on this 13 day of June, 1877, before the undersigned Clerk of the County Court of Jefferson County, Mo., came R. W. McMULLIN, who, being by me duly sworn, says the annexed advertisement was published in the "JEFF'N DEMOCRAT," a newspaper printed and published in the County of Jefferson, State of Missouri, of which he is printer, for 5 weeks, the first insertion being on the 3 day of Apr, 1876, and the last insertion on the 2 day of Dec, 1876, as follows, to-wit:

In No. 44,	Nov. 3	1876
In No. 45,	" 10	1876
In No. 46,	" 17	1876
In No. 47,	" 24	1876
48	Dec 2	1876

Praxinella

Sworn to and subscribed before me, this

13 day of June, 1877.

Printer's Fee, \$ 12.00 }
Affidavit, \$

W. L. Small
Co. Clerk

Received Payment.

4221

Amor

no

Southwell

Euge Amor Plaintiff } In the
against } Circuit
M. A. Douthet Defr. } Court of
John Ball Garnishu } Jefferson
Co. Mo. Jan'y Term 1877

To John John Ball Garnishu
in the above cause did you
at the time of the service
of the Garnishu on you
in the above cause owe
Mathew A. Douthet anything
and if so or how?

John L. Thomas
Atty for Plaintiff

Eugene Amos
against
W. A. Dowdell
John Bell Garrison
Interrogatories to
Garrison

Filed Jan 5 1877
C. H. Stine
CLD

Eugene Amor Plaintiff

against

~~John Ball~~ A Doubtful Debt,

John Ball Garnishee

Now at this day comes
John Ball the Garnishee
in the above cause and
for answer to the interroga-
tories filed in the above
cause states that he owes
the Defendant M. A. Doubtful
about the sum of Two Thou-
sand ^{dollars} ~~in~~ which is secured
by a deed of Trust on
land which said deed
of Trust is on record in
the recorder's office of
Jefferson Co. Mo. reference
to which is hereby made
John Ball

Eugene Amos
Garrison

M. A. Donahue

John Ball Garrison

Answer of Garrison

Filed Jan 8 1847
O. H. Stone
Clerk

State of Missouri } In the Circuit
 Jefferson County } Court
 January Term 1877.
 Eugene Amor plaintiff.
 vs.
 M. A. Donahett deft.

The above defendant M. A. Donahett, by his attorney, appearing only for the purposes of this plea in abatement, says that the said defendant denies that at the time of the suing out the attachment in this cause, or the bringing of this suit or at any other time before or since, he was or is about fraudulently, or otherwise, to dispose of assign, convey or transfer his property or effects, or any part thereof so as to hinder or delay his creditors, and of this he puts himself upon the country.

M. A. Donahett,
 by W. S. Reece atty

State of Missouri }
 Washington County } W. S. Reece being duly
 sworn before me the undersigned Clerk of the
 County Court within and for said County
 upon his oath says that the matters alleged in the
 above plea are true to the best of his knowledge and
 belief.

W. S. Reece
 sworn to and subscribed before me this 8th day
 of January 1877 of said County said date
 E. B. Smith
 Clk. Co. Ct. Wash. Co. Mo.

Eugene Amor puff

Mr. A. Donithan

Will in future of a pen
is appropriate

Filed Jan'y 9 1877
O. H. H. H. H.

Clerk

NOTICE TO TAKE DEPOSITIONS.

[Wagner's Statutes, page 523, Sec. 9; page 524, Secs. 10-18.]

Eugene Amor

Plaintiff

AGAINST

M. A. Donthett

Defendant

In the Circuit

Court of Jefferson

County of Jefferson

STATE OF MISSOURI.

To the above named Plaintiff Eugene Amor

YOU ARE HEREBY NOTIFIED, That depositions of witnesses to be read in evidence in the above entitled cause, on the part of the Defendant will be taken at the Law Office of George D Reynolds Esq. in the Town of Boulder

in the County of Boulder and State of Colorado on the Third day of January 1877, 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, until completed.

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

December 27th 1876

M. A. Donthett dft.
By W. S. Reece his atty

Served the within notice in Jefferson County
Missouri this 4th day of December AD 1876 by
delivering a true copy of the same to the within named
Plaintiff Eugene Amos.

Subscribed and Sworn to
before me Dec. 4 1876.

W. A. Somell
Clerk

C. H. Sturine

Clerk County Court of
Jefferson County State of Missouri.

Eugene Amos

as

W. A. Somell

Notice to take
depositions

Original

COMMISSION TO TAKE DEPOSITIONS.

[Wag. Stat., pg. 992, Sec. 2-3; pg. 523, Sec. 5.]

STATE OF MISSOURI

County of *Jefferson*

} ss.

To any Judge, Notary Public, Justice of the Peace,

or other Judicial Officer of the State of *Colorado*, or to any *Commissioner*
appointed by the Governor of the State of Mexico for Colorado, GREETING:**Know Ye,** That we, in confidence of your prudence and fidelity, do by these presents,
authorize you to cause to come before you, to be examined as witnesses in a cause pending in our
Circuit Court,in the County of *Jefferson*, in the State of Missouri, wherein
*Eugene Amos*of *Hillsboro Jefferson County, Mexico* is Plaintiff, and
*M. A. Harbrett*of *Colorado* is Defendant.all and every such person, and at such time and place as shall be named to you for that purpose by the
said *M. A. Harbrett* defendant his

Attorney or Agent. And we command you to examine all and every such person upon his oath or solemn affirmation first made or taken before you, to testify the whole truth touching his knowledge of anything relating to the said matter in controversy between the said parties; and that you do take such, his examination and reduce the same into writing. When you shall have so taken his examination, you are to cause the witness to sign the same; and to that and each examination, at the foot thereof, you are to append your Certificate, setting forth the facts that the examination was subscribed and sworn to, or affirmed, by the witness, and the day, as well as between what hours of the day, on which it was done, as also the place of residence of the witness, if known to you. Should any paper or exhibit be produced or proven, or referred to by the witness, you are to describe the same in his examination, or cause it to be so marked by him as to establish its identity, and attach the same to his examination. The examination thus taken, you will certify under your hand and seal of office, or cause to be accompanied by a certificate of your official character, attested by the seal of the State; or, should it be more convenient, such authentication and proof of your official character may be made by the certificate and seal of the Clerk of any Court of Record of any County of the State, District or Territory in which you reside; stating, also, in addition to the facts of his being Clerk, and that the Court is one of Record, that, at the time when the depositions were taken, you were an acting Judge (or other such officer to whom this Commission is addressed), and duly commissioned as such. And you will return the same and all exhibits produced to you, annexed hereto, carefully closed up and under your seal, directed to the Clerk of the *Circuit* Court *Hillsboro* in and for *Jefferson County* and State of Missouri, with the names of the said parties litigant endorsed thereon, with all convenient speed.

WITNESS,

C. H. Horine Clerk of said
Circuit Court, *Court* with the sealthereof hereto affixed. Done at office in *Hillsboro*this *23rd* day of *December* A. D. 187*6*.*C. H. Horine*
Clerk of *Circuit* Court.

"Exhibit A"

St Louis Mo Sept 21/76

Friend Douthett.

I have received both of
Your letters, & contents noted
and have tried to arrange
money matters for You
but failed up to day.
Several of my Customers
who owe me considerable
amounts made promises
but didn't come up yet.
and I am myself short
of Cash, and hesitated
to take up a loan, but
think that I can't do
otherwise as make arrange-
ments for one.
I hope that I will
succeed the one or other

way, and I will
give You a definite
answer in about one
week from the day
under Your mentioned
Conditions.

We are
all well & I hope the
same of You.
Give my best respects
and hearty wishes to
Friend Hoffman, and
tell him that I will
expect a letter from
him in short time
as he promised by his
presence to do so.

Respectfully Your
truly
G. H. Pettey

Have seen your son P.
he is well and O.K.

"Exhibit A"

Charles L. Gutterson J.P.

Depositions of witnesses, produced sworn and examined, on the third day of January A.D. 1876 between the hours of eight o'clock in the forenoon and six o'clock in the afternoon of that day at the Law office of George D. Reynolds Esq. in the Town of Boulder in the County of Boulder, and State of Colorado, before me, Charles L. Gutterron, a Justice of the Peace within and for the County of Boulder & State of Colorado, in a certain cause now depending in the Circuit Court of the County of Jefferson, in the State of Missouri, between Eugene Amor, plaintiff, and M.A. Douthett, defendant, on the part of the defendant.

M.A. Douthett, of lawful age, being produced, sworn and examined on the part of the defendant deposes and says -

Ques. Give your name, age, and place of residence.

Ans. My name is M.A. Douthett, my age is forty two years past, and my place of residence is Boulder, Boulder County, Colorado.

Ques. Where was you residing on the 24th of December 1875?

Ans. On that date I was residing at DeSoto, Jefferson County State of Missouri; on the 24th of December 1875 I was in St. Louis Missouri.

Ques. What ~~effects~~ Property have you in the State of Missouri?

Ans. I own five acres, more or less, in the Town of DeSoto, Jefferson County, Missouri, consisting of a dwelling house, 10 out buildings &c. the whole worth, at least, three thousand dollars. I also own one half of Block No 27 in DeSoto with improvements thereon, worth, at least, One thousand dollars, also One hundred & fifty

six acres of land in Jefferson County Missouri, about three miles from Victoria known as the John Blank farm, worth, at least, Fifteen hundred dollars.

Ques Have you ^{or have you not} at any time been about to, or have you attempted to, convey, dispose of, assign or transfer any of your property or effects with the intent to hinder or delay your creditors?

Ans No sir, I have not.

Ques Have you ^{or have you not} at any time been about, fraudulently to dispose of, assign, convey, or transfer any of your property or effects, so as to hinder or delay any of your creditors?

Ans No sir, I have not.

Ques Were you at any time, prior to the 12th of October 1876 or at any other time, about fraudulently to conceal, remove, or dispose of any of your property or effects so as to hinder or delay your creditors?

Ans. No sir, I was not.

Ques ~~State what effects, if any,~~ Do you know the note or debt upon which this suit is founded?

Ans. I suppose it is a note given the 24th day of December 1875 to G. H. Fette, by one article in St. Louis Missouri, for Nine hundred & thirty three ³/₁₀₀ Dollars, due and payable in one year

from its date.

Ques. --- What efforts, if any, have you made, or have you been making, to meet said note & provide for its payment?

Ans. Supposing that Mr. Fette still owned this note, and knowing of no transfer of the note until I heard of this suit, I wrote to him along in the summer of 1876 or early in the fall, I don't remember the date, that I might not be able to meet the note when due, and that I wished to secure him the payment of the same, asking him at the same time to advance me more money if he possibly could & I would then give him my note secured by Deed of Trust on all my property in Missouri to secure him. I have no copy of the letter I wrote him & I suppose the original is still in his possession. He acknowledged the receipt of the letter. This is his answer to my letter. marked "Exhibit A" (Witness here hands the Justice a paper marked by the Justice "Exhibit A" and hereto attached) This "Exhibit A" is signed by G. H. Fette

Ques What other efforts, if any have you made to meet or secure this note?

Ans. I authorized George D Reynolds Esq. of Boulder, in September last to see Mr. Fette in person, when he reached St. Louis, and make the same proposition as I had made in my letter

Ques, Have you ever, at any time been about, fraudulently, or otherwise, to dispose of, assign, convey or transfer your property or effects so as to hinder or delay said Fette or any holder

of said note?

Ans. I have not, but on the contrary, I have been, and am now using every effort to raise money or to provide for the payment or security of this same note.

Ques. When did you remove from Missouri to Colorado?

Ans. On or about the first of January 1876, I believe I left Missouri on the evening of the first day of January A.D. 1876.

Ques. When did you first learn that Fette had transferred the note?

Ans. The first I heard of it was sometime about the middle of November 1876.

Further the deponent saith not.

M. A. Donthett

Subscribed & sworn to before me on the day, at the place and within the hours first aforesaid

C. L. Gutterson Justice of the Peace, Boulder
County, Colorado

George L. Reynolds, of lawful age being produced, sworn and examined on the part of the defendant deposed and says

I reside at Boulder, Colorado, am acquainted with M. A. Donthett the defendant in this case. In the latter part of September 1876 as I was about to go to Missouri, the defendant M. A. Donthett told me that he owed Herman Fette somewhere about one thousand dollars, and that he had written to Fette proposing that he raise him some more money, as much money as he could on his Missouri property and that he would give him a ~~deed~~ Deed of Trust to secure the present and the additional indebtedness. He also said that from what Fette

had written him, he thought he would do it, and he asked me, as I was going to St. Louis, to see Fette and try to carry out the arrangement, and if I could not fix it with Fette to try to raise money on his property elsewhere to enable him to meet his indebtedness and leave him a surplus.

I was in St. Louis the 5th, 6th & 7th of October 1876, leaving there the evening of the 7th. I do not think that I saw Fette on either of these days. I returned to St. Louis on the 19th of October 1876 and was there about five days. Between the 19th of October and the time I left St. Louis I saw Herman Fette two or three times, and spoke to him about Douthett's matter; although he did not say so in so many words, I supposed from the general tone of his conversation that he yet owned the note. I told him that Douthett was very anxious to fix it up in some way and to raise more money on his property, I asked him what was the prospect of his raising, at least, Five hundred Dollars, anyhow; he said that he had tried to raise money for him but could not do it, that it was almost impossible to get money loaned outside of St. Louis. I told him that ~~he~~ I had found that out myself and asked him if he could not raise that much himself, he said he could not and went on to tell me something about Mrs. Mitchell in DeLoe owing him something, don't just remember the particulars. In all the conversations that I had with him, Mr. Fette never intimated to me that he did not own the Douthett note and said nothing, nor did I then know anything about its having been put in suit. I talked with Mr. Fette very freely about Douthett's circumstances, supposing Fette to be a creditor

I did not succeed in raising any money for Mr. Donthett. Before going to St. Louis the defendant spoke to me very frequently and fully about his business affairs and never in any conversation intimated a desire or intention to make any transfer of his property in fraud of the Fette note, or any other indebtedness, on the contrary he, at all times, spoke of it as a subsisting indebtedness, of his long acquaintance and friendship with Fette & his earnest desire to secure him in his debt. There was a judgment against the defendant, rendered in the Jefferson Co. Circuit Court in favor of one Thomas Ryan and he was very much afraid that his property would be sacrificed at a sale under that judgment, and among his other instructions to me he ~~was anxious~~ instructed me to, if possible, if I failed with Fette to raise enough money to ~~be~~ pay off that judgment and save his property from being sacrificed. The efforts that I made outside of Fette to raise money for the defendant were for that purpose.

Further the deponent saith not

Geo. D. Reynolds.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid

Charles L. Gutterman (seal)

Justice of the Peace of Boulder County, Colorado.

State of Colorado 3rd ss.
County of Boulder 3

I Charles L. Gutterman, a Justice of the Peace, of the State of Colorado, within and for the County of

Boulder, do certify, that in pursuance of the annexed commission and notice, came before me, at the Law office of George D Reynolds Esq, in the Town of Boulder, in the County of Boulder and State of Colorado, M. A. Douthett and George D Reynolds 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 examination 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, together with the paper referred to by the witness Douthett & marked by me "Exhibit A. Charles L Gutterson & P." are now herewith returned. And I hereby certify that M. A. Douthett and George D. Reynolds are residents of said County of Boulder in said State of Colorado.

Given under my hand at Boulder, in the County of Boulder and State of Colorado this Third day of January A. D. 1877

Charles L Gutterson
Justice of the Peace within and for Boulder County, Colorado.

State of Colorado
Boulder County ss.

It is hereby certified that Charles L. Gutterson, whose name is attached to the foregoing depositions, on the Third day of January in the year of our Lord One thousand eight hundred and seventy seven was and now is a Justice of the Peace of the State of Colorado within and for the County of Boulder, duly commissioned and

acting as such; and I do also certify that I am the Clerk of
the District Court of the State of Colorado for the County
of Boulder, and that said Court is a Court of Record.

Witness, A. J. Macky. Clerk of said District Court
of the County of Boulder with the seal of said Court
hereto affixed, at office, in Boulder, in the County
last aforesaid This Third day of January A.D. 1877.

BOULDER
DISTRICT
COURT

Andrew J. Macky

Clerk of District Court of Boulder
County, Colorado

Eugene Amor }
vs }
M A Donnell }

Depositions for defendant.

Dec 24 80 Paid by Defendant
Ed Gutterson J. P.

Filed Jan 9 1877

Chas Horine
Clerk

Eugene Amor Plaintiff
against
M. A. Douthett Defendant

In the Superior Circuit Court

This case is compromised upon
the following terms-

1. The attachment in this case shall be dismissed at the cost of defendant.
2. The defendant enters his appearance and consents that a general judgment shall be rendered ^{with interest} at once.
3. The defendant releases any and all damages he may have sustained by reason of the attachment.
4. An execution shall issue at once returnable to the ¹⁸⁷⁷ September Term of this Court, but no sale of any property shall be made at the May Term of this Court for 1877 or at any time prior to the September Term 1877 of said Court, under or by virtue of any execution issued on said judgment.

W. S. Relfe depts atty
John L. Thomas of Bro
attys for Plaintiff

Amor

vs

Douthett

Stipulations of
Compromise

Filed June 16 1877

Thos. W. Hines

Clerk

COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

Whereas,

August Amos Frank

on the

thirtieth day of January

in the year of our Lord eighteen hundred and seventy seven

M. A. Blumhett

the sum of One thousand and no cents

his debt and damages, with interest from date of judgment at the rate of ten per cent per annum and also his costs herein paid out and expended,

These are, therefore, to command you, that of the Goods and Chattle, and Real Estate of the said M. A. Blumhett you cause to be made the said Debt, Damages and Costs, and that you have the same before the Judge of said Court on the second Monday of January next, to satisfy the Debt, Damages and Costs aforesaid, and that you certify how you execute this writ, and have you then there this writ.

Chas. Norine

Witness,

W. S. BOYCE, Clerk of our said Circuit Court at Hillsboro, this

twelfth day of October

A. D. eighteen hundred and seventy seven

C. M. Norine

Clerk.

No. 23

TO THE CIRCUIT COURT OF

JEFFERSON COUNTY.

January TERM, 1878

Eugene Amor

vs

M. A. Blanchell

Judgt. Jan'y 16th 1877.

\$100.00

Amount \$ 1009 38

Cash, 32.55

\$ 1041.93

John Williams

Sheriff per \$1.00

This Execution came to hand October 12th 1877
and I returned the same unsatisfied there
being no property found in my County where
to Levy and make said Debt on cost on any
part thereof

John Williams Sheriff

