

Jefferson County Circuit Court
Case Files - Civil
February 1877

Box

37 Folder 5

Blakey, John

vs

Morton, Martin
Morton, Hattie

Appeal

Plaintiff appealed from JP
Samuel Eaken on charge of
venue from JP William Fitter
on \$35 account for a horse

SUMMONS. J. P.

(Wag. Stat., Pg. 815, Sec. 16.)

THE STATE OF MISSOURI, To the Constable of

Little Rock

Township, in the County of

Jefferson GREETING:

WE COMMAND YOU to summon

Martin Martin

Flattie Martin

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

Little Rock

Township, in

Jefferson

County aforesaid, on the

15

day of

December

1876, at

10

o'clock in the forenoon, at his office, in the said

Township, to answer the complaint of

John Blaikie

*on count for one horse price thirty
five dollar*

Given under my hand this

29

day of

November

A. D., 1876.

William Gritter

Justice of the Peace.

CONSTABLE'S RETURN.

I HEREBY CERTIFY that I have executed the within writ by *reading the same*
~~person~~ *to the within named person*

the *7* day of *Dec*
 Township, *Jefferson* County, Missouri.
 187*6*, in *Shacklin*
 on

Fee, *\$90.00*

Constable, *James M. Martin*

SUMMONS.

John Blairkie
 Plaintiff,
 VS.
Martin and Hattie Martin
 Defendant,
 BEFORE
Wm Tretter
 Justice of the Peace.

Amount of Plaintiff's Demand, \$ *33.00*
 Costs already accrued, - \$ *1.05*
 Constable's Fee, - - - \$ *.20*
 Total, - - - - - \$ *34.25*

[Sec Wg. Stat., Pg. 815, Sec. 15.]

*At the Court of the peace
 held at the county of Jefferson
 on the 1st day of Dec 1876
 in and to the said
 Martin and Hattie Martin
 Defendants
 do hereby certify that I have
 read the within summons
 to the said defendants
 and they have acknowledged
 the same*

J. M. Martin

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To *J. J. Suekey*

YOU ARE HEREBY COMMANDED to be and appear personally before me,
on *The 16 day of December, 1876*, one of the Justices of the Peace with-
in and for the Township of *Little Rock*, in the County of
Jefferson State aforesaid, on the *16* day of *December*

A. D. 1876, 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

Jahn Walker Plaintiff,
and *Morton Martin Hattie's Martin* Defendant,
on behalf of the ~~the~~ *Plaintiff*. 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 *29* day of *November*, 1876.

William Foster

Justice of the Peace.

I hereby certify that I served the within Writ in the County of

Missouri, on

the _____ day of _____ 187 , by

Served this with in Supremacy by
Reading the same of all Martin

FEB. 8/80

SUBPENA FOR WITNESS.

John Blackie

Plff...

VS.

Martin
Hattie Martin Deft...

BEFORE

Wm. Fritter J. P.

WITNESSES:

Served the "kite" by Reading
the same to the within name of
enante one the 9 day of Decem^r 1876

James M. Warren
Authorized
Constable

John Blakey, Plaintiff

vs
Martin and Hattie Morton

Defendants
Before William Fitter, J.P.
of Little Rock Township
in Jefferson Co. Mo.

The parties in the above entitled
suit agree that a change of
venue may be taken of
said suit from the said
William Fitter J.P. aforesaid
to before Allen J.P. in
Graham Township in Jefferson
County Mo. and that the
above entitled cause
may be sent to said
Justice of the Peace
in said Township forthwith
and that he may send
to said Allen
Justice of the Peace aforesaid
all papers in this case and
the transcript of said
case

J. H. Vail Attorney
for Defendants
G. H. Cadwallader
Attorney for the plaintiff Attorney for Plaintiff

John Blaney, Plaintiff

vs.

Martin and Hattie Morton
Defendants -

Before William Fetter
Justice of the Peace
in Rock Township
Jefferson County, Mo.,

on application and by
mutual agreement of the
attorneys of the parties in the
above entitled suit
which agreement is herewith
filed it is ordered that a
change of venue be granted
in this cause, and that the
same be tried before

Allen, a Justice of
the Peace of Jackson
Township, Jefferson
County, Mo.

John Blakey, Plaintiff

vs.

Martin & Hattie Morton, Defendants.
Dkt. \$35.00 Before Mr William Litter J.P.,
of Rock Township, Jefferson Co.,

Summons issued in the above entitled
cause on the 16 day of December 1876,
Summons served on 29 day of
~~December~~ ^{January} 1877, and made returnable
on the 16th day of Dec, 1876.

Plaintiff files a statement claiming
that he sold defendants a horse for
\$35.00 dollars.

On the 16th of Dec, 1876, the parties
appeared by their attorneys, and
Defendants attorney moved the
Court to rule the Plaintiff
to give security for costs, which
motion, was by the Court
sustained. And the Plaintiff
was given till on or before
the case was set for trial before

Then a Justice of the
Peace in, Jackson Township
Jefferson County, Mo.

The attorneys for the parties hereto
filed a written agreement -
for a change of venue in

the above entitled Cause and
to change this cause and
all papers to before

Skins a J. P. in Joachim
Township County aforesaid
And the Court on the said 16th day
of Dec. 1876, granted the change of
venue in this cause and ordered
that all papers pertaining thereto
be sent to Skin a
J. P. aforesaid

I, Fitter, a Justice of the
Peace, in and for Rock Town-
ship, Jefferson County, State of
Wisconsin do hereby certify that the
forgoing entries is a true and full
Complete Transcript of all
the docket entries in my office
in the said cause as fully
& completely as they therein
appear.

Witness my hand
this day of Dec. 1876

William Fitter
Justice of the Peace
Rock Township Jeff. Co.
Wis.

John Blakey

vs.

Chas. H. Morton

of
Manuscript

Chambers of War

solid for

but Jan 3 1877

S. E. Aker

J. D.

FEE BILL.

(Wag. Stat., Pg. 618, Sec. 1.)

STATE OF MISSOURI, }
COUNTY OF Jefferson } SS.

Justice's Court,

Case No. 931

William Britton 1876

Tombs 25

Justice, \$ 350

Constable, \$ 170

Other Costs, *within duty* - \$ 150

Total, - - - \$ 670

John Moody

vs.

Martin Morton
Hattie Morton

I, *William Britton*, a Justice of the Peace, in and for
Lotel Reade Township in *Jefferson* County, do certify that the

foregoing Fee Bill is a true copy, in the aggregate, from the Docket in my Office,
and that the said *curator of said* is liable for the payment of the same.

WITNESS my hand, this *22* day of *December*, A. D. 1876.

Received payment of the above from _____
this _____ day of _____

William Britton

Justice of the Peace.

SUMMONS.--J. P.

Wag. Stat., pg. 815, Sec. 1b.

The STATE of MISSOURI, To the Constable of *Joachim*
 Township, in the County of *Leffersan*, State of

Missouri, GREETING:

We Command You to summon *Martin Montem and*
Henri Montem

to appear before

the undersigned, one of the Justices of the Peace of *Joachim*
 Township, in *Leffersan* County aforesaid, on the *20*

day of *January* 1877, at *10* o'clock in the forenoon, at his office, in the
 said Township, to answer the complaint of *John Blakey*

Given under my hand this *3* day of *January* A. D. 1877.
Samuel Gakem

Justice of the Peace.

SUMMONS.

John Blaky
Plaintiff.

vs.

Martin & Matti Norton
Defendant.

BEFORE

S. Eaker
Justice of the Peace.

Amount of Plaintiff's Demand, \$ *35*

Costs already accrued, - \$ *45*

Constable's Fee, - - - \$ *—*

Total, - - - \$ *—*

See Wag. Stat., pg. 815, Sec. 15.

CONSTABLE'S RETURN.

(Wag. Stat., Sec. 10.)

I HEREBY CERTIFY, that I have executed the within Writ by *Reading and*
Leaving it at the residence of the mother
of either party and
the *10* day of *January* 1877, in *Jackson*
Township, *Jackson* County, Missouri.

FEE, \$ *90*

John Davis
CONSTABLE.

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To E. H. Dannel and R. M.
Whitehead and Anna Kagan

YOU ARE HEREBY COMMANDED to be and appear personally before me,
Samuel Eaker, one of the Justices of the Peace with-
in and for the Township of Joachim, in the County of
Jefferson State aforesaid, on the 20 day of January
A. D. 1877, 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
John Blakey is Plaintiff,
and Martin and Hattie Morten is Defendant,
on behalf of the Defendants. 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 3 day of January, 1877.

Samuel Eaker

Justice of the Peace.

Missouri, OD

I hereby certify that I served the within Writ in the County of Jefferson

the 14 and 10 day of January 1877, by Reading the same in
the presence and hearing of the within witnesses
E. H. Donnell and R. M. Whitehead & H. Hagen

FEE, \$

John Davis
Constable

1.50
25
80

SUBPOENA FOR WITNESS.

~~E. H. Donnell & R. M. Whitehead~~

Plff...

John Blakely

VS.

M. & H. Montan

Def't...

BEFORE

S. Eaker

J. P.

WITNESSES:

E. H. Donnell
R. M. Whitehead

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To John Hancock

YOU ARE HEREBY COMMANDED to be and appear personally before me,

Samuel Echeverre, one of the Justices of the Peace with-

in and for the Township of Laachance, in the County of

Lafayette State aforesaid, on the 20 day of January

A. D. 1877, 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

John Blahay vs Plaintiff,

and Martin Martin vs Defendant,

on behalf of the Duty. 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 20 day of January, 1877.

Samuel Echeverre

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State Missouri, on the 20 day of January 1879, by flecking the within in the presents and having

John Lewis
Constable

FEE, \$ 25

SUBPENA FOR WITNESS.

Plf....

VS.

Def't...

BEFORE

J. P.

WITNESSES

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The State of Missouri To the con-
-stitute of Jackson Township
in Jefferson County

Greeting

We command you to Summon
by good and lawful men
of your Township qualified
to serve as Jurors in the Circuit
Court of said County and who
are no wife of either party
nor interested in the suit to appear
before me forthwith at my
Office in the Court at said Jack-
-son Township to hear a Jury
for the trial of an action between
John Blakey Plaintiff and
Martin Albert and Mother
Martin Albert Defendants and that
you shall in no wise
omit and have you there
and there the names of the
Jury and this writ
Given under my hand this
20th day of January 1877
Samuel Eakin

Justice

John Blaikie P^{off} }
us } Obligation
Martin Martin & L^{ts} } for costs
Hattie Martin

We kindly ourselves to pay
all costs that have accrued
or may hereafter accrue
in this cause

John Blaikie

Approved & Co. Cadwal Carter
June 20th 1877

Samuel Barker
Justice

Band of
John Blake
Chas Cadwallader
filed and approved
S Eakin J p

John Blackie P^lff^s vs Ketty & Marthe Morton Def^s Sept 8th 1874 } Before S. Eaken
Justice of the Peace

Now comes the Plaintiff in the above entitled cause, makes oath and says that this appeal is not taken for vexation or delay but that the Plaintiff thinks and does believe that he is injured by the judgment of said Justice. On my sworn and subscribed to John Blackie before me this 29th day of Aug 1874
for Samuel Eaken

A. P.

John Blackie Plaintiff vs Ketty & Marthe Morton Def^s } Before Samuel Eaken Justice of the Peace

We, the undersigned John Blackie and Charles Carmaladar acknowledge ourselves indebted to Ketty and Marthe Morton in the sum of Seventy dollars to be void upon this condition: Whereas John Blackie has appealed from the judgment of S. Eaken a Justice of the Peace, in a action between John Blackie Plaintiff and Ketty and Marthe Morton defendants; now 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, 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

Approved this 30 day of Jan.
1877

John Blair
Samuel Eaker
Justice of the Peace
Ex Adm. Clk.

John Blake
vs
Martin & Hattie
Martin

Bond of John
Blake & Char
Ladwallater
filed Jan 30 1877
V approved
S Eaker
J. P.

John Blakie plaintiff

vs

Marten & Hattie Morten Defendant

before S Eaker

Justice of the

peace

plaintiff filed ^{for suit this Jan 3 1877} an account on a charge of
venue from the Justice, J. p. of the peace
of Little Rock Township Jefferson County
Missouri for 35 dollars and directed a
summons to issue which is done and
delivered to John Davis Constable and
made returnable on the 20 day of January
1877 my regular law day S Eaker J. p.

Jan 20 1877 the writ issued in the above cause
being executed and returned as the law directs
and the parties both being present and
the plaintiff filed his bond with ~~the~~
Charles Cadwallader as security for
which was approved by the Justice
plaintiff then claimed a jury and it
being summoned consisting as follows
L. C. Medley Charles E. McNery
John Verran Michel Oaha J. D.
Waggoner and A Coon and after
hearing the evidence returned the
verdict we the jury find a verdict
for the Defendant in this cause
A Coon foreman and therefore
it is ordered by the Justice that Defende-
nt have judgment against plaintiff
and his security for all cost in the
suit and that Execution issue therefor
plaintiff by his attorney gave notice that

Wald aply for an appeal which was granted

Cost as follows from Wm J. niters	
docket as certified to	\$ 6.95
S Eaken J p fur	3 65
J Davis Constable fur	3 20
witnesses A. J. Lucky 1 day 50 8 miles 80	1 30
J. Howard 1 .. 50 6 .. 60	1 10
R M Whitehead 1 .. 50 2 .. 20	70
E H Dammell 1 .. 50 1 .. 10	60
H Hagen 1 .. 50 7 .. 70	1 20

Jumps fur L. C. Medley	50
C. E. McNery	50
John Vennan	50
Michel Oaha	50
Pette .. Waggenen	50
A. .. Coon	50

	21.70
Justices fur for transcript	1 00
Total	22.70
Samuel Eaken J. p.	

State of Missouri }
County of Jefferson }

John Blakie plaintiff
against

Martin & Hattie Norton Defendants

I Samuel Eaker a justice of the peace within and for the Township of Joachim in 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 John Blakie plaintiff against Martin and Hattie Norton Defendants 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
1st day of February 1877

Samuel Eaker
Justice of the peace

4413-

John Blakie

vs

Hattie and Martin

Monter
depts

John Blakie
vs
Martin & Hattie
Monter
transcript and
bond

Filed February 7th 1877

C. H. Horne

Clerk

Slackie

Martin

Phone Clerk

Files ¹⁵ / Dock ¹⁵ / Dis ³⁵ / Judgt ⁵⁰ 1.65

Rock 2 judgt ²⁰ / 2 B ¹⁰ / Cash ⁴⁰ 70

7.35

Fees in Pritters Cant. 1.95

S Eaken Justice 3.65

Paid John Davis 3.20

Paid A J Luckey 1.30

J Howard 1.10

R M Whithead .70

E D Lomell .60

H Hagen 1.20

18.70

Jury Fee

L C Medley 50

E Eill Green 50

Jno Vernon 50

M Chas 50

Jene Waggoner 50

A Com 50

3.10

24.15

Eaken Grant

1.00

25.05