

Jefferson County Circuit Court
Case File - CIVIL
APRIL 1877

Box

37

FOLDER

10

Hanson, E (ZY

VS

Church, Seth W.

Appeal

Defendant appealed from JP
John Dungan on \$35.50 account
for plowing, splitting rails, chopping
cord wood

October 1876

Deuth W Church Dr to Elzy Benson

To 4 days plowing at 75 cents per day \$3-00

To Splitting three hundred rails at fifty cents

per hundred \$1-50

To working at Corn 2 1/2 days at 75 cents per day \$1-62 1/2

To cutting & splitting 8 hundred rails at one

dollar per hundred \$7-00

To chopping Cord wood

\$18-00

To hauling rails one half day at 75 cents per day 0-37 1/2

Total due to Elzy Benson

\$35-50

7 51

2 1/2

for loading Rails
to Cash 50 putting out fire

On an account

Elyz Honsar
vs

Leath W Church
an account

Filed for Suit
January the 9th 1877
John Dunsigan
J P

Filed April 7th 1877
Otho Norine
Clerk

SUMMONS--J. P.

— [Wag. Stat., Pg. 817, Sec. 16] —

The State of Missouri, To the Constable of Meramec Township,

In the County of Jefferson, GREETING:

We Command You to Summon Leath W. Church

to appear before the undersigned, one of the Justices of the Peace of *Meramec*
Township, in *Jefferson* County aforesaid, on the *3rd* day of

February 187*7*, at *ten* o'clock in the forenoon, at his office, in the said Township,

to answer the complaint of *Edgar Benson*

GIVEN under my hand, this *9th* day of *January* A. D. 187*7*.

John Dunningan

Justice of the Peace.

SUMMONS.

CONSTABLE'S RETURN.

(Wag. Stat., Pg. 815, Sec. 10.)

I Hereby Certify, That I have executed the within Writ by

Leath W Church

the

11

day of

January

187

in

Charmonac

Township,

County,

Missouri.

Constable,

Miller D J

Fee, \$

Amount of Plaintiff's Demand, \$

36.50

Costs already accrued, *J.P.* \$

1.65

Constable's Fee, - - - - \$

Total, - - - - \$

(See Wag Stat, Pg. 815, 16)

At the request and risk

of the Plaintiff I authorize

Mr B Stephens

to execute and return this writ

John Dunningan

Justice of the Peace

Filed Apr. 7th 1877

Chas. Horine
Clerk

SUBPOENA FOR WITNESS---J. P.

(Wagner's Statutes, Page 827, Sections 1 and 2.)

The State of Missouri,

To wit: Daniel

Marney Wines

Mary St. Vincent

YOU ARE HEREBY COMMANDED, To be and appear personally

before me, *John Dunningan*

, a Justice of the Peace within and

for the Township of *Murman* in the County of *Jefferson*,

on the *3rd*

day of *February*

A. D. 187*7*, 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 *Eliza Wesson* is

Plaintiff,

and *Leath W Church* is

Defendant,

on behalf of 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 *9th* day of *January* 187*7*.

John Dunningan

Justice of the Peace.

Subpoena for Witness.

Elzy Benson
Plaintiff

Leath W Church
Defendant
BEFORE

J. D. Dunningan J. P.

WITNESSES:

Most Mr Daniel
Henry Wines
Mary A Church

Filed Apr. 7th 1877
Chas. Morris
Clerk

FEE, \$

RETURN.

I Hereby Certify, That I served the within Writ in the County of
the 8 day of December 1877, by *Reuben A. The*
written check for witnesses
at the office of the
and others in
at the office of the

M. A. Williams
deft. Comptroller

SUBPOENA FOR WITNESS---J. P.

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

The State of **Missouri**, Do certify that *John Dunning*
William H. Dunning

YOU ARE HEREBY COMMANDED, To be and appear personally
before me, *John Dunning*, a Justice of the Peace within and
for the Township of *Meramec* in the County of *Jackson*,
on the *3rd* day of *January* A. D. 187*7*, 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 *Edgy Hinson* Plaintiff,
and *Death W. Church* 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 *2nd* day of *January* 187*7*.

John Dunning
Justice of the Peace.

Subpœna for Witness.

Elyz Thomson
Plaintiff

Scott W Church
Defendant

BEFORE

J Durigan J. P.

WITNESSES:

Mathias Mc Daniel
William Mc Daniel

Filed Apr. 7-1897

Chas. Norine

clerk

FEE, \$

RETURN.

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

the 3 day of February

1897, by reaching the name to

on

the within named William Mc Daniel

W B. McDaniel
Scott Constable

Hansen Dettos to Church

Cash Dr	1.00
~~3.20~~ 3.00 =	1.14
Coffee .50	.50
Tea .25	.25
Coffee .50	.50
Order to Wilson	2.40
5 Lbs .10 =	.50
Cash	1.25
15 Lbs .03	.45
48 Lbs .03	1.44
40 Lbs .05	2.00
Coffee .50	.50
Coffee .50	.50
16 Lbs .08	1.28
Order Wilson	2.00
2 Bu Potatoes	.37
Cash	2.00
To Wilson	2.50
2 Bu meal	1.40
	<u>24.55</u>

Eliza Benson
 vs
 South W Church
offset

Filed
 the 3rd 1877
 J. Dennis
 J. P.

36 50
 24 53

Filed April 7th 1877
 Otho Norine
 Clerk
 97
 50
 0. 87

State of Missouri

To the Constable of Meramec
Township Jefferson County Greeting
We command you to summon is
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 interest in the
suit to appear before me at my
office in the Township of Meramec
County of Jefferson on the forth with
to make a jury for the trial of
a action between Elzy Henry Plaintiff
and Leath W Church Defendant
because as well the said Plaintiff
and the said Defendant have
put themselves on the country for
trial and have you then and
there this writ

Given under my hand this
3 day of February 1847

John Furman
Justice of the Peace

In obedience to this writ I have summoned
as Jurors Edward Stephens Steven Perry Wash
Stephens Thomas Ramey Wallammon Thoutter
good and lawful men of my Township.

M B Stephens Clerk Pontabec

Ed Stephens Wash Stephens
Stephen Perry
Thomas Ramey
George Perry
George Perry
Wallammon Thoutter
Eli Offet

Ely Horne

Death of Church

name

Filed April 7th 1877

Chas. Horne

Clerk

State of Missouri }
County of Jefferson }

The State of Missouri to the constable
of Meramec ~~forwards~~ in the County
of Jefferson Greeting.

You are hereby commanded to attach
Harry Wines if he be found in the county
and him safely keep so that you have
his body before me John Jernigan
a Justice of the peace within and
for the township aforesaid at his office
on the 3rd day of February to answer for
a contempt committed by him in not
appearing before me at my office on the
3rd day of February to testify his knowledge
in a certain controversy then and there
depending and then and there to have
been tried between Elzy Henson Plaintiff
and Leath Church defendant after
being duly subpoenaed for that purpose
Witness my hand this 3rd day of February

1871

John Jernigan
Justice of the Peace

Ely Henson
vs

Leath Church

attachment for
witness

Harry Winer

Filed April, 7 1877

Chas. Haines

Clerk

Executed this writ in Mecame Township
this 3rd day of February 1877 by taking the
within named Harry Winer before the
within named Justice of the Peace
M. B. Mepherson dep't Constable

Elys Heinson

no

Acctth Church

Ex^{tr} Wm Dunsen

and is of the lease

we the Jury find for the Plaintiff
in the sum of one dollar

Waldemar Schlegelmann

Ely Henson
D^{no}

Le. M. W. Church

perdict

Filed April 7 1877
O. Thos. Herine
Clerk

State of Missouri }
County of Jefferson }

Elyz Hanson

vs

Seth Church

Suit before John Demig
Justice of the Peace

Seth Church being sworn
upon his oath says that his application
for an appeal is not made for vexation or
delay but because he believes the appellant
to be injured by the judgment of the Justice
S W Church

Sworn to and Subscribed

before me this 7th day of February 1874

John Demig
Justice of the Peace

Elizabeth Hanson

South Leeward

affidavit for an
appeal

Filed April 7 1877

Chas. Horne
Clerk

We the undersigned Leath W Church
and James Fitzmorris acknowledge
ourselves indebted to Elyz Thomson in the
sum of seventy five dollars to be void
upon this condition

Whereas Leath Church has appealed
from the judgment of John Dunigan
a justice of the peace in an action be-
tween Elyz Thomson plaintiff and
Leath Church defendant

Now if on such 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 judgment 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
shall be void

S W Church

J M Fitzmorris

Attest John Dunigan

Justice of the Peace

Ely Henson
no

Seath W Church

Recognition

of
Seath W Church

Filed April 7 1877

Chas. H. Hare

Clerk

Thereupon defendant tendered his affidavits and appeal bond for seventy five dollars of himself and James Fitzmorris as security and prayed an appeal to the circuit court from our said judgment which being deemed sufficient it is ordered that an appeal as prayed be allowed defendant

John Durnigan J P

Judgment

\$5.00

Justice fees J Durnigan

Constable fees M B Stephens

Summons

35

swearing summons

35

to & subpoenas

7.25

to & subpoenas

1.00

discharging & endorsing

20

swearing attachment

attachment for witness

75

on witness H. Wines

5.0

Jury summons

35

summoning jury

1.00

swearing jury

25

mileage

2.5

swearing witness

25

\$3.10

Judgment

5.0

Jury fees

affidavits for an appeal

95

Colmont Stephens

5.0c

bond for an appeal

35

Staven Perry

5.0

transcript from docket

5.0

Wash Stephens

5.0

certifying to the same

35

Thomas Ramey

5.0

\$5.60

Waltmore Shoulte

5.0

\$2.50

Witness fees August Shoulte

5.0 cents

I do certify the above Bill of Costs is correct

John Durnigan
Justice of the Peace

State of Missouri }
County of Jefferson }

Elzy Henson Plaintiff
against

Leath W Church Defendant

I John Dungan a Justice of the peace within
and for the Township of Meramec 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 Elzy Henson
Plaintiff against Leath W Church 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 10th day of
February 1877

John Dungan
Justice of the Peace

Elyse Hanson
no

Leath & Church

Transcript from Jacket

Filed Apl. 4 1877

@ Geo. H. H. H.

Clear

45246

Elzy Hanson

^{no}
Seth M Church

Filed April 7 1877

Thos. Horne

Clerk
