

Jefferson County Circuit Court
Case Files - Civil
December 1877

Box

37 Folder 58

Cadwalader, Charles

vs

Judge Joshua

Appeal

Defendant appealed from JP E.
Hollmas on change of venue from
JP Samuel Ekin on replevin
of one hog

Charles Cadwallader plaintiff } before said
vs } Eakins, p.

Joshua yeiada Defendant

We undertake and are bound
to the defendant Joshua yeiada
in the sum of sixty dollars
for the prosecution of the action
in the above entitled cause for
the return to the defendant
Joshua yeiada of the hog ordered
to be delivered by the defendant
to the plaintiff Charles Cadwallader
if return thereof be adjudged
and for the payment to him
the said Defendant of such sum
as may for any cause grow out
of the order in the cause be
recovered against the plaintiff and
for the payment of all cost of
suit

Chs Cadwallader Seal

approved

H M Cadwallader Seal

John Davis Constable

Oct 11/77

Thomas + Burgess Seal

Bond

Bond To
Constable

2

Filed Dec 10 1877,
Chas. H. Hine
Clerk

The State of Missouri County of
Lippincott
Charles ~~Charles~~ Cadwallader
vs

Joshua Yeida Defendant
before Samuel Eaker Justice
of the peace of Joachim township
plaintiff states that he is lawfully
entitled to the possession of a
black hog with his tail cut off
with sum white on his left
ear are one year old supposed
to weigh some one hundred and
thirty or forty pounds of the value
of fifteen dollars that the same
was on the 10 day of October 1877
unlawfully taken ^{by the defendant Joshua Yeida} is now wrong-
fully detained ^{by him} at the county aforesaid
and that plaintiff is in great danger
of losing said property unless it
be taken out of defendant's possession
plaintiff further states that for the
taken and detention of said property
and for all injuries thereto he is
damaged the sum of fifteen dollars
wherefore plaintiff prays judgment
for the recovery of said property
and fifteen dollars damages for
the taken and detention thereof
and all injuries thereto

Charles Cadwallader plaintiff
makes oath and says that to the
best of his knowledge and belief
the facts and allegations contained

in the above Statement are
true and true C. G. Coddall

Sworn to and Subscribed before
me this 11 day of October 1877
Samuel Eakin
Justice of the peace

affidavit
C. G. Coddall
vs
Joshua Zeiada
for writ of
habeas

filed Oct 11 1877
Sam Eakin
J p

Filed Dec. 10 - 1877
O. H. Marine
Clerk.

the State of Missouri to
Charles Cadwallader William Cadwallader
James L. Harten John W. Hart

you are hereby commanded
to be and appear personally before
me Saml Eaker one of the justices
of the peace within and for the Township
of Joachim in the County of Jefferson
State aforesaid on the 22 day of October
1877 at the hour of 10 o'clock in the
forenoon of that at my office in
the Township and County aforesaid
to testify on the trial of a cause
wherein Chas Cadwallader is plaintiff
and Joshua G. Giddada is Defendant on
behalf of plaintiff and heretofore
not at your peril
witness my hand this 11 day
of October 1877

Saml Eaker
J. P.

I certify that I executed the within Subpoena
by reading the same in the presence and
hearing of the within witnesses on
the 15 Day of October 1877 in Jackson
Township Jefferson County Mo

for John Davis
for 25
midday 25 of Jackson Township Jefferson County Mo

for serving 125

total 350

Subpoena
Chas Cadwallader
vs

Johnna Ziada

Chas Cadwallader
William Cadwallader

James J. Carter

John Wilkint

Samuel Dorman

Filed Dec 10 1877

Chas Horne

Clerk

Charles Cadwallader plaintiff

vs
Joshua Yeiada Defendant

(order of delivery)

The State of Michigan to the
constable of Joachim Township
in Jefferson County greeting
you are commanded to take
a black hog with his ^{tail} same
white as the left jaw even and
zeonald will way same are hundred
and thirty or forty pounds of the
value of fifteen dollars from
the possession of the defendant Joshua
yeiada and to deliver him to the
plaintiff Charles Cadwallader
upon his giving the bond required
and by law and you will make
due return of this order before
me on the 22 day of October 1877
and you are further commanded
to summon the said Joshua
yeiada to appear on said day at
my office in Joachim Township
to answer further touching the
complaint of Charles Cadwallader
for the unlawful detention
of the said hog

Samuel Eakin
Justice of the peace

Char Cadwallader
vs

Joshua yeada
order of Delivery

I Executed this writ by taking the goods
and chattels ^{within} described one black hog and from
possession of Defendant Joshua Yeada and Delivering
it to the plaintiff Charles Cadwallader I further
Executed this ^{by} Reading the same in the
presence and hearing of the Defendant
on the 15 day of October 1877 in Jefferson
County Mo John Davis Constable of
Joachim Township Jefferson Co Mo

3

Constable fees for serving writ 35

mileage 10 miles 50

for taking Bond 50

for delivery

Filed Dec 10 1877 100

Thos Merine Clerk

The State of Missouri to ~~Christen Robt~~
John Shafer William Robt James Walker
Samuel Hise

you are hereby Com manded to be and
appear personally before me Samuel
Eaker one of the justices of the peace
within and for the Township of Joachim
in the County of Jefferson State aforesaid
on the 22 day of October 1877 at the of
01 o'clock in the fore noon of that day
at my office ~~in the fore noon~~ in the
Township and County aforesaid to tes
tify on the trial of a cause wherein
Chas Caduallader is plaintiff and Gasua
yccada is Defendant on behalf of
Plaintiff and hereof fail not at your
witness my hand this 11 day of ^{perle}
October 1877

Samuel Eaker
I P

I Certify that I executed the within Subpoena
by Reading the same in the presence and
hearing of the within witnesses

on the 17 October 1877 in Jackson Township
Jefferson County and John R. a Constable
of Jackson Township Jefferson County

Chas. C. Caldwell

vs

Joshua Kreede

Debt for

John Shaffer

Wm. Cook

Jas. Walker

Sam. Hicks

Witness for Plaintiff

Constable for
mildred \$2.
for services

Sub. Dec. 10th 1877.
O. W. Kline
Clerk

Chas Cadwallader
 Joshua Yida
 Deft. } Before Saml. Eaker
 Justice of the Peace.

Joshua Yida the Deft in the above entitled action, makes affidavit and on his oath states that he the said Deft. can not safely proceed to trial before the Justice before whom the above Cause is made returnable, for the reason that he believes he can not get a fair and impartial trial before said Justice.

Wherefore the said Deft. asks that a change of venue be granted to some other Justice in the County. Subscribed and sworn to before me this 22nd Day of Oct-1877, at my office in Tematle.

Samuel Eaker
 Justice of the peace

Joshua Yida

Appendix for
Change of Venue

4

Filed Dec. 10 1877,
Otho Herine Clerk

Charles Cadwallader plaintiff } before Saml
~~Joshua~~ 74 } Eaker Justice
Joshua Zeiada Defendant } of the peace
plaintiff: filed for suit October

The 11 1877 an affidavit and complaint
of the detention of a black hog with
his tail cut off with skin white on
his left jaw worth fifteen dollars
and directed a writ to issue which
is done and placed in the hands of John
Davis constable and made returnable
on the 22 day of October 1877

Saml Eaker J p
Oct 22 1877 the writ in the above cause being
executed and returned as the law directs
and the parties both being present by their
selves and attorneys and the defendant by
his attorney filed an affidavit as the
law directs for a change of venue which
was granted and the cause ordered to be
sent to E Volmers a justice of the peace
within and for Joachim Township Jefferson
County Missouri and it was also
ordered that defendant pay the cost that
has already accrued which is \$18.35, or
as made out by his attorney W. Pipkin

Justices fees	\$ 5 00
Constables fees	8 85
witnesses fees	4 50
Saml Eaker J p	

which is less by several dollars than
~~than the~~ law full is according
to law but is a greed to

The cart as asked is paid by
the defendant Joshua yuada \$18 35
Samuel Eaker
Justice of the peace

State of Missouri }
County of Jefferson }^{ss}

Charles Cadwallader plaintiff
against

Joshua Ziada defendant

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 com-
plete transcript of all the entries made
in my docket relating to said cause
of Charles Cadwallader plaintiff against
Joshua Ziada 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 23
day of October 1877

Samuel Eaker
Justice of the peace

Transcript

filed Oct. 24/97

Wollen

J.R.

5

Filed Dec. 10 1877.

Chas. H. Hine

Clerk

Charles Cadwallader } before S Eckenropp
 Johna^{us} yeiada }

Justices per indexen ¹⁰ docketen ¹⁰	20
apondavid ⁷⁵ writ ³⁵ & subpoenas ³⁵ each	4 25
manuscript ¹⁰⁰	1 00
	5.25
Constable per as made by him self and W. pipkin	8.35.00

9 witnesses at 50 cents each as was made 4 50
 which was each entitled to ~~10.00~~
 5 cents per mile each way was 9 miles
 each way maken 18 miles travel which
 wald 90 cents which wald by 1.40
 each in Aid of 50 ct each which wald
 make a balance of 8.10 in favor of witnesses
 I was not able to doe any thing with
 it my self and left it with
 the lawyers to fix it for me and
 that is the way it stand when
 I came to look over it So I make
 this statement to show that it was not
 done by me only by my being not
 able to doe it my self but having
 to depend on others in consequence
 of my helth Saml Ecken J. p.

25-

8
5
40

~~Constable fees 1.55-~~

2.00

1.40

25-

50

45-

100

35-

1.60

3.15-

35-

1.25-

.75-

9

2.25-

20

.75-

31 5-

315-

18 35

6.30

5.00

35-

45

35-

8 10

885-

315

110

75-

5.00

450

1 10
4 25

75-

10.85-

5.00

5.00

John Doe
Otho Starnes
Dean

75.55

4.50

2535

8.85-

90

10 5.00

9

18 35-

8.10

SUMMONS.

THE STATE OF MISSOURI,

To the Constable of *Joachim* Township, in the County of Jefferson,
GREETING:

We Command you to summon *Joshua Feide*

to appear before the undersigned, one of the Justices of the Peace of
Joachim Township, in Jefferson County, on the *3^d*
day of *November*, 187*7*, at *10* o'clock in the forenoon,
at his office, in said Township, to answer to the complaint of

Charles Cadwallader

Given under my hand, this *24* day of *October*, A. D., 187*7*.

Shollman

Justice of the Peace.

CONSTABLE'S RETURN.

I hereby certify that I served the within Writ, in the County of *Jefferson State of* Missouri, on

the *24* day of *October* 18*77* by *reading*

the same in the presence and hearing of
the within named Joshua Yeade

FEE, \$ *80*

John Davis
Constable *of*

Joshua Yeade & Son v. Geo M

S U M M O N S.

Chas. Cardinalader Plff
VS.

Joshua Yeade Def't
BEFORE
Shallman
Justice of the Peace.

WITNESSES:

<i>Debt</i>	<i>7.40</i>
<i>Justice fee</i>	<i>13.50</i>
<i>mileage</i>	<i>2.50</i>
<i>charging writ</i>	<i>35</i>
<i>Constable fee</i>	
	<i>13.5</i>

Filed Dec 10 1877.
O. Thos. Herine
Clk

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Sophia Herrington, Isaac Baker, August Crater
Col. Morgan John Yeide, Fred Yeide, Emma Proster, Margaret Yeide

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

John H. Yeide
Yeollman, one of the Justices of the Peace with-
in and for the Township of *Boathum*, in the County of

Jefferson State aforesaid, on the *3* day of *November*
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

Plaintiff;

Defendant;

and *Sophia Yeide* is
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 *24* day of *October*, 187*7*.

E. Yeollman

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State of Missouri, on
the 24 day of October 1877, by Reading the same
in the presence and hearing of the within named
of witnesses

John Davis Constable of

Jefferson Township Jefferson County
Missouri

FEE, \$6.30

SUBPENA FOR WITNESS.

Chas. Cadwallader Plff....

VS.

Isaac Geide Def't....

BEFORE

Hollen J. P.

WITNESSES:

Isaac Herington
Isaac Backer
Isaac Geide
Augustus Crater
Edw. Hogan
Emma Foster
Margaret Geide
John Geide
Fritz Geide

Justice fee \$3.15

Constable fee

mildred 4.00

Serving 2.25

Witness 9.45
8.00
Filed Dec 10 1877 Chas. Hermon Clerk

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Chas. Cardwalader, Wm. Cardwalader, Saml. Held
James D. Foster, John husband, Saml. Duran, John Sheper, Wm. Paul James Walter

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

J. Waller

, one of the Justices of the Peace with-

in and for the Township of *Boachum*

, in the County of

Jefferson State aforesaid, on the *3* day of *November*

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

Chas. Cardwalader is Plaintiff,

and *Duran Geide* 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 *24th* day of *October*, 1877.

J. Waller

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State Missouri, on
the 24 day of Oct 1877, by reading the same
in the presence and hearing of the names of
witnesses

FEE, \$ 6.30

John Davis constable
of Jackson Township Jefferson Co
mo

SUBPOENA FOR WITNESS.

Chas. Cadwalader

Plff...

VS.

Joshua Geide

Def't...

BEFORE

Hollman

J. P.

WITNESSES:

Chas. Cadwalader
son Cadwalader
J. D. Foster
John Duran
John Shafer
Wm. Robt

James Walter
Samuel Flicks
John Wiskard

Justice fee \$ 3.75
Constable fee 2.25
for service 4.05
mildage 7.20
Witness 6.65
Feb. 6 Dec 10 1877
Le Tho. Horine
clerk

The State of Missouri to John Davis Constable
of Joachim Township, in the County of Jefferson
Greeding.

You are hereby commanded to Summon
six good and lawful men of your township
qualified to act as jurors in the Circuit court,
and in nowise of kin to ~~either~~ either party, nor
interested in the suit, to appear before me
E. Hollman, one of the justices of the peace, on
the 3^d day of Nov. 1877, at my Office in
Joachim Township in the County of Jefferson
to make a Jury for the trial of a action now
pending before me, said Justice between Charles
Cadwallader, ~~and~~ Plaintiff and Joshua Geide,
defendant, and have you then and there this writ

Witness my hand signature this 24th day of
~~Oct.~~ November 1877

E. Hollman

Justice of the Peace

i her by Certify that i have Summoned
 six good and lawfullmen of my Township
 to make a jury before Evolver pp on
 the 3 day of Nov 1877 in case between
 Charles Cadwallader Plaintiff Joshua Greck Defendant

Jury

Summoners

Chas. Cadwallader

as

Joshua Greck

Justice fee 35-

Frederick Moore 34 30

R. McComack 70

John Bellis 70

August Stearns 70

Robert E. Moore 70

W. R. Henry 70

Justice fee 35-

Cost. 1 50

Sherris & Mileage 6 80

7 15-

1.00

John Davis Constable

Joachim Township

Difference to Me

July 28th 1877, C. H. Stone Secy

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Louis Gede, a Free Burges
Chas. Blod

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

Shallens

, one of the Justices of the Peace with-

in and for the Township of *Drachum*

, in the County of

Jefferson State aforesaid, on the

3 day of *November*

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

Chas. Cadwallader

Plaintiff,

Joshua Gede

Defendant,

Plaintiff

on behalf of the

. 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 *25* day of *Oct*, 187*7*.

Shallens

Justice of the Peace.

Served Linc Oct 31

I hereby certify that I served the within Writ in the County of Jefferson State Missouri, on
the 31 day of Oct 1877, by Reading the same

in the presence and hearing of the within names
of witness

FEE, \$150

John Davis Comstock
of Joachim Township, Jefferson Co
Mo

SUBPOENA FOR WITNESS.

Chas. Cordwallace

Plff...

VS.

Joshua Geide

Def't...

BEFORE

Waller

J. P.

WITNESSES:

Louis Geide

Allen Burges

Austin Lee

70

Constable for

midday

210

Filed Dec. 10 1877

Chas. H. Hume
Clerk

The State of Missouri to John Davis Constable
of Joachim township in the County of Jefferson
Greeting.

You are hereby commanded to Summon
Six good and Lawfull men of your township qualified
to act as jurors in the Circuit court, and in no wise
of kin to either party, nor interested in the suit, to appear
before me E. Bollman, one of the justices of the peace
on the 10th day of Nov. 1877 at my Office in
Joachim township in the County of Jefferson, to
make a jury for the trial of a action now pen-
ding before me Said Justice between Charles
Cadiwallador Plaintiff and Johna Seide defendant
and have you then and there this writ

Witness my hand signature this 5th day of
November 1877

E. Bollman

Justice of the Peace

Invoice for
Jury

Chas. Cadwallader

vs	
Cadwallader	
Justice fee	35
John Pafford	6 ⁶⁰
Frank Stroup	7 70
Wm Stroup	7 70
SE Hull	7 70
John Norman	7 10
DeSantis	6 60

Justice fee 35
Constable fee 1.00
Warmers fee 3.00
Grillage \$4.00
835

Filed Dec 10 1877.

C. H. H. H. H.
Clerk

I hereby certify that I have summoned six good and lawful men of my Township to act as jury before E. J. H. on the 10 day of Nov 1877 in a case now pending before said Justice between Charles Cadwallader Plaintiff and Joshua Decker Defendant John Davis Constable of Joachim Township Jefferson County Missouri
fee 1.00

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Joshua Herrington Isaac Baker John Feide August Carter & A Foster
Call Hogan Margaret Feide, J. H. Feide, Fred Feide, Emma Foster John of Foster, Mrs. Foster

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

Shollman, one of the Justices of the Peace with-

in and for the Township of *Joachim*, in the County of

Jefferson State aforesaid, on the *10* day of *Nov*.

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

Chas. Radwaller Plaintiff,

and *Joshua Feide* 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 *5* day of *November*, 187*7*.

Shollman

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State of Missouri, on
the 5 day of November 1877, by Reading the same
in the hands and hearing of the within named
of witnesses

John Davis Constable of
Jefferson Township Jefferson Co Mo

FEE, \$ 840

SUBPENA FOR WITNESS.

Chas Cadwallader Plff....

VS.

Nashua Leide Def't....

BEFORE

E. Ballou J. P.

WITNESSES:

Nashua Harrington, Isaac Baker
John Leide, J. H. Leide, J. Crater, Coll. Hogan
Emma Foster, Margaret Leide, Fritz Leide
Lidea Foster, Jos. Foster
Anna Foster

Justice Fee \$ 420

Constable fee 3.00

for serving 540

mileage

\$ 1260

Writs & Mileage 910

Filed Dec 10 1877

@ Tho. Hume
Clerk

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Chas Caldwell, Wm Caldwell, J. H. Foster, John Huran,
John Schaper, Wm Robt, James Walker, S. Hicks, John Richard, Louis Seide

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

J. Hollman, one of the Justices of the Peace with-

in and for the Township of *Jackson*, in the County of

Clatsop State aforesaid, on the *10* day of *November*

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

Plaintiff,

Defendant,

and *Joshua Seide* Plaintiff . And hereof fail not at your peril.
on behalf of the

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 *5th* day of *Nov*, 1877.

J. Hollman

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State of Missouri, on the 5 day of November 1877, by Reading the same in the presence and hearing of the within named witnesses
John Davis Constable of
precinct Townsend Jefferson Co Mo

FEE, \$7

FEE, \$7.

SUBPENA FOR WITNESS.

Chas. Cadwallador Plff.

VS

Nashua Verde Def't...

REFERENCE

E. J. Pollinar J. P.

WITNESSES:

Chas. Cadwallader Jr Wm Cadwallader
J. F. Foster, John Duran, John Sheper
Wm. Rob. James Walker, S. H. Keiser
John W. Shaver, Lewis Seiple

Comfortable for	3 50
for carrying	2 50
milch cows	4 50
Witness for Muleys	8 00
	18 50

Filed Dec. 10 1877,

C. Thos. Hume
 Clerk

I hereby certify that I served the within Writ in the County of Jefferson State of Missouri, on

the 10 day of Jan 1877, by Reading the same

in the presence of John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

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John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

John Davis and John Davis their names

SUBPOENA FOR WITNESS.

Chas. Cadwallader Plff...

VS.

Joshua Leide Deft...

BEFORE

E. Holliman J. P.

WITNESSES:

J. H. Hogan, Isack Badler, E. A. Foster

A. Bays, J. Cadwallader

John Boil, Isack Foster

A. Bays

Justice fee 280

Constable fee

for serving

subpoena

200

270

950

Filed Dec 10 1877

Le. Tho. Harine
Clerk

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To Frederick Cyde, & Anna Grech

YOU ARE HEREBY COMMANDED to be and appear personally before me,
E. Sullivan, one of the Justices of the Peace with-
in and for the Township of Jefferson, in the County of
Jefferson State aforesaid, on the 10 day of Nov.

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

Chas Cadwallader Plaintiff,
vs Frederick Grech Defendant,
on behalf of the Defendant.

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 10 day of Nov., 1877.

E. Sullivan

Justice of the Peace.

I hereby certify that I served the within Writ in the County of Jefferson State of Missouri, on
the 14 day of Nov 1877, by Reading the same in
the parents and having it at the within names of
witness John Davis Constable of Jackson Township
Jefferson Co Mo
FEE, \$1.40

SUBPENA FOR WITNESS.

Chas. Cadwallader Plff...

VS.

Joshua Leick Def't...

BEFORE

Wolfe J. P.

WITNESSES:

Virginia Oyle

Anna Leick

Constable fee	
in 1877	90
for Subscribing	50
Justice fee	70
Witness - 1877	160
	<u>370</u>

Filed Dec 10 1877
@ Tho. Horine
Clerk

Chas Cadwallader

vs

Josh Yeda

Re The Jury Disagreement

Reid, Newmark

Forfeiture

Filed Dec 10 1877
@ Tho. Horne
Clerk

Shas. Badger

July

Mr,

Johna. Quinn

Sept.

We the Jury give the Verdict
in question to be the property of
J. P. P. and assess his damages for the
wrongful detention thereof at
collected

Johna. Quinn Foreman

Debit of Jury

Filed Dec 10 1877,
Chas. Haine
Clerk

Charles Cadwallader } Before E. Volmer
vs } Justice of
Joshua Feude } the Peace

Joshua Feude the above named
defendant being duly sworn
states that the application for
an appeal from the judgment of
the justice in the above entitled
cause is not made for retraction
or delay, but because he believes
that he is injured by the judgment
of the justice.

Sworn to & subscribed }
before me Nov. 15th 1877 } Joshua Feude
Qualified Oct. 23^d }
1876 Term expires
Oct 23^d 1882

Witness my signature
and official seal
day and date aforesaid

Philip Perkins
Notary Public

Before Justice
Holmes

Cadwalader

7

Prude,

affidavit for
appeal

filed Nov 19th / 97

Filed Dec 10 1877,

Chas. H. Haring

Secy.

Charles Caswallace vs
 Joshua Jude
 E. Palmer
 Justice of
 the Peace

Be the undersigned Joshua Jude
 and John Yeida of Land of a knowledge
 ourselves indebted to Charles Caswallace
 in the sum of two hundred ^{fifteen} dollars
 to be paid upon this condition,
 whereas Joshua Jude has appealed
 from the judgment of E. Palmer
 a justice of the peace in an action
 between Charles Caswallace plaintiff
 and Joshua Jude defendant; now
 if on such appeal the judgment of
 the Justice be affirmed or if on
 the trial anew in the appellate
 Court judgment be given against
 the appellant and he shall satisfy
 said judgment or if his appeal
 be dismissed and he shall pay
 the judgment of the justice together
 with the costs of the appeal this
 recognition shall be void

Joshua Jude
 Approved Nov. 19 1877
 John Yeida
 Joseph Lamello
 Notary Justice of the Peace

Edm. Justice
Palmer

Cardwallader

7

June -

April 1864

Filed Nov 19th 1899

Filed Dec. 10th 1877

Wm. H. H. H.

cc

Transcript

Charles Cadwallader Plaintiff)
against) Holliman
Joshua Sunde Defendant) Justice of the Peace
Change of venue from Samuel
Eaten J.P. filed October 24th 1877

Summons issued the same day
and placed in the hands of John Davis Constable
made returnable November the 3rd 1877 at 10 o'clock
on that day E. Holliman J.P.

Now this 3rd day of November 1877
Summons returned by said Constable duly served
as the Law directs, both the parties made their
appearance, a jury was summoned to trial the
case which were duly sworn and after hearing
the witnesses and evidence on both sides brought
in the following verdict— We the jury disagree
Reed M^c Cormack foreman, whereupon the Court
discharged said jury and set a new trial for
the 10th day of November 1877 E. Holliman J.P.

Now this 10th day of November
1877 both the parties made their appearance with
their attorneys a jury was called for to trial
this case which, after being made duly sworn
and made acquainted by the respective attorneys
of the merits of this case, that is, that the de-
fendant claimed that the said hog in question
had been marked with a whole in the right
ear and altered when said Hog was two months

And both the parties agreed that without any further evidence said jury shall go and examine said log as Plaintiff claimed said log was never marked with a wheel in the bar and run a long time as a Stork log before altering after said jury had examined the said log in question, brought in the following verdict:

We the jury find the log in question ~~to~~ to be the property of the Plaintiff. Jno. Vernon, foreman

It is therefore adjudged by the justice that the said log remain in possession of the Plaintiff and the defendant pays the costs expended in this suit and ^{that} the Plaintiff have execution thereon.

Shallman J.D.

And on this 19th day of November 1877 comes the said Defendant and files affidavit ^{for Appeal} Bond with John Sunde and Jos. Lundall as security which is granted by the justice, and the execution issued is recalled

Shallman

Justice of the peace

And both the parties agreed that without any further evidence said jury shall go and examine said hog as Plaintiff claimed said hog was never marked with a wheel in the ear. ^{run} a long time as a Stock hog before altering after said jury had examined the said hog in question, brought in the following verdict:

And the jury find the hog in question ~~to~~ to be the property of the Plaintiff. Jno. Vernon, foreman

It is therefore adjudged by the justice that the said hog remain in possession of the Plaintiff and the defendant pays the costs expended in this suit ^{that} and the Plaintiff have execution thereon.

Shallan J.D.

And on this 19th day of November 1877 comes the said Defendant and files affidavit ^{for appeal} Bond with John Dade and Jas. Landolt as security which is granted by the justice, and the execution issued is recalled

Shallan J.D.

Justice of the peace

State of Missouri }
County of Jefferson }

I E. Bollman 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 ~~record~~ on my docket Chas. Cadwallader vs Joshua Seale as the same 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 20th day of November 1877

E. Bollman

Justice of the Peace

—

Due Bill.

Recd. of the Court for the
Justice of the Peace
for the County of [unclear]
[unclear] [unclear] [unclear]

Justice fees

Docketing & indexing	\$.20
Serving ~~two~~ summonses	.35-
" " " " " " " " " "	.35-
" " " " " " " " " "	.35-
" 52 Subpoenas	18.20
Swearing Jury	.25-
" " " " " " " " " "	.25-
" 20 Witnesses	.60
Judgment	.50
applying bond for appeal	.35-
Transcript	1.50
Certificate to transcript	.15-
	\$23.05

Constable fee

Serving summonses	.35-
" two witnesses	2.00
" 52 Subpoenas	13.00
Mileage	26.10
12 Dinners for jury	3.60
	\$44.95

Jurors Fee

Recd. Moore 6 miles	80
Recd. Mc Cormack 14 miles	120

Juror Fee Continued

John Boyles	14 Miles	1,20
August Stroup	14 Miles	1,20
R. B. Rose	14 "	1,20
J. B. Berry	14 "	1,20
John Vafford	12 "	1,10
Frank Stroup	14 "	1,20
Wm Stroup	14 "	1,20
S. E. Kull	14 "	1,20
D. S. Smith	12 "	1,10

\$12,60

Witness fee

Chas. Cadwalador jr	2 days + Mileage	1,40
Wm Cadwalador	2 " "	1,40
Cl. H. Foster	" " "	1,60
John Duran	" " "	1,60
John Schaefer	" " "	1,60
Wm Rabe	" " "	1,60
James Walker	" " "	1,40
John Wishead	" " "	1,40
S. L. Hicks	" " "	1,40
✓ Louis Cleude	" " "	1,60
J. H. Hogan	" " "	1,80
Isaac Backer	" " "	1,60
✓ E. A. Foster	" " "	1,60
A. Burges	1 " "	.80
Harris Backer	1 " "	.80
✓ Frank Foster	1 " "	.80
John Boyles	1 " "	1,20
Joshua Herington	2 " "	1,60
John Cleude jr	2 " "	1,80
" " Sen.	" " "	1,80
Edith	" " "	1,80

August Crater				1,60
Emma Foster	"	"	"	1,60
Maryanna Cende	"	"	"	1,80
Virginia Ogle	1	"	"	,80
Anna Cende	1	"	"	,80
Lidia Foster	2	"	"	1,60
C. A. Foster	2	"	"	1,60

\$40,40

J. E. Vallencor Justice of the Peace Certify
the above Fee Bill just and correct

Vallencor

J. P.

Transcript

Chas Cadwallader

vs
Joshua Seale

Charles Cadwallader

vs

Joshua Seale

b

Filed Dec 10 1877.

le Thibault
cease

FEE BILL.

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

STATE OF MISSOURI, }
COUNTY OF _____ } SS.

Justice's Court,

Case No. _____

Nov 19 1877.

<i>Chas. Cardwell</i>	<i>Shollman</i>	Justice,	\$ 23.05
<i>vs.</i>	<i>John Davis</i>	Constable,	\$ 44.95
<i>Joshua Senede</i>	Other Costs,	- - -	\$ 53.00
	Total,	- - -	\$ 121.00

I, *Shollman*, a Justice of the Peace, in and for *Joachim* 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 _____ is liable for the payment of the same.

WITNESS my hand, this *19* day of *November*, A. D. 1877.

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

Shollman

Justice of the Peace.

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Jas H Foster & S Smith, for Plaintiff
Jno Vernon Wm Strong & E Mullen

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 15th day of January, 1878, 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 Chas Caldwell is Plaintiff, and Jas H Foster is Defendant, on the part of Plff; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereunto affixed, at office, this 7th day of January, A. D., 1878.
C. Tho' Horine CLERK.

I executed the within writ in Jefferson County Mo on January the ninth 1878
by reading the same to James H Foster and D J Smith

John Williams Sheriff
by John Cook Deputy

74 75
2.50
77.25

Chas Cadwallader

20

Joshua Meide

P

Jas H Foster
D J Smith
Jno Richard
Jno Vernon
Wm Stroup
S E Cull

John Williams

Sheriff per \$2.00

Filed Jan'y 14 1878

Wm H. H. H.
Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Alexander Foster & Frank Foster,
Henry Robt. Lucas & Baker, & Grace Barker John D. Lang

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 15th day of January, 1878, 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 Charles Caldwell is Plaintiff, and Joshua Meida is Defendant, on the part of Pff.; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereof affixed, at office, this 9th day of January, A. D., 1878.
C. Tho' Horine
CLERK.

1878
I executed the within writ in Jefferson County Mo on January the 11th
by reading the same to Alexander Foster Frank Foster John
Davis Henry Robb and on Isaac S Baker and Horace Baker
by leaving a true copy of the same at his usual place of abode
with a member of his family over the age of fifteen
years

John Williams Sheriff
by John Cook Deputy

Cadwallader
vs
Yeida

P

Alexander Foster x
Frank Foster x
~~Henry Baker~~
Henry Robb. x
Isaac S Baker x
Horace Baker x
John Davis x

John Williams
Shriff fee \$3.00

Filed Jan'y 14th 1878
Chas. Morris
Clerk

STATE OF MISSOURI,
COUNTY OF JEFFERSON

S. E. Kull and John Vernon

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 15th day of January, 1878, 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

Charles Cadwallader

Aoshua Weida

is Plaintiff, and Joshua Yeeva
is Defendant, on the part of Plaintiff; 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 10th day

of Murray, A. D., 1878.
C. W. H. H. H. H.

Served this subpoena at Jefferson County Missouri
on ~~25th~~ ^{26th} of Dec. Bull and John Remon by reading
the same to each of them in their presence and hearing
on the 18th day of January 1878

John Davis constable of Jackson
Township Jefferson Co Mo

Badwallader
vs
Yeide

Filed Jan'y 14 1878
Wm Thos Horne
Clerk

STATE OF MISSOURI,
COUNTY OF JEFFERSON.

To: *A. M. Cadwallader and
James Bayle*

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 *15th* day of *January*, 1878, 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

Chas Cadwallader

is Plaintiff, and *Joshua Yeida*

is Defendant, on the part of *Reff*; 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 *12* day

of *January*, A. D., 1878.

C. Tho. Horine CLERK.

denied this subpoena and Jefferson County
Museum in 4th Judicial District and John Doyle
by reading the same to each of them in their presence
and reading on the 12th day of January 1878

John Davis constable of Jackson
County Jefferson Co Mo

Cadwalader

vs

Yeida

Filed June 16 1878

Wm H. Hering

Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Joshua Herrington, John Wagan Joseph Foster
John Yuda Sr.

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 15th day of January, 1878, 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 Charles Cozmaleda is Plaintiff, and Joshua Yuda is Defendant, on the part of Defendant; 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 15th day
of January A. D., 1878.
C. Th. Horine CLERK.

Cadwallader

vs

Yeida

Filed Jan 16th 1878

The Honorable
Clerk

The Honorable
Clerk

before me Jan 16 1878

John F. & Elizabeth

Deborah Leide

on the 14 day of Jan 1878

parties named in the foregoing

by reading the same to the

several the within parties

I have duly read

STATE OF MISSOURI,
COUNTY OF JEFFERSON.

To Isaac S. Butler John Guide for Cora Guida
J. F. Guida

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 15th day of January, 1878, 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 Charles Cadwallader is is Plaintiff, and Goshua Meda is Defendant, on the part of Defendant; 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 15th day
of January, A. D., 1878.
C. Tho' Horine CLERK.

Cadwallader

^{vs}
Yerida

Filed Jan 20 1878
C. Thos. Norine
Clerk

I hereby certify that I
served the within Subpoenas
by reading to the parties
named in the said summons
on the 14th day of Jan 1878

Joshua Jende
Sworn to & Subscribed
before me Jan 16 1878
C. Thos. Norine
Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To

John A. Starnes

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 *fourteenth* day of *August*, 187*7*, 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 *Chas Cadwallader* is Plaintiff, and *John Lewis* is Defendant, on the part of *Plaintiff*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereunto affixed, at office, this *15th* day

of *January*, A. D., 187*7*.

CLERK.

Wm. H. Starnes
Per J. H. Green

Ladwallader
or
yida

Shriff Bee 50

I hereby certify that I executed the
within writ by arresting the same
in presence of Henry of the Northern
Marshall of the Sheriff on the 16th
day of May 1878 John Davis
constable

Charles Cadwallader }
 my }
 Joshua Yuda } Replier on appeal
 } from Justice of
 } the peace

Now comes the defendant
 and moves the Court to adjust
 the value of the hog taken by the
 plaintiff from the defendant
 in the above entitled cause and
 for damages for the use of the
 same from the time of issuing
 the writ in this case until
 return of said property
 shall be made

J. P. Phipps
 for Defendant

C. Cadwallader

17

Joshua Quidar

Motion for the
assessment of damages
and loss of property

Filed January 16th 1878

C. H. Morris

By J. A. Grounds

Charles Codrington

Joshua Quid

Now comes the
defendant and moves the court
to dismiss this suit for the
following reasons.

1. Because the claim filed
in the cause is insufficient
in law to give the court
jurisdiction, in this that
the complaint fails to state
that the property in controversy
has not been seized under any
process or execution, or attachment
against the property of the
plaintiff.

2. Because said complaint
does not in other respects
conform to the statute.

Respectfully
Obedt

had written

Mirza

nothing to do with

Print

Filed Jan'y 16"/78

C. H. H. H. H. H.

By J. A. Green