

Jefferson County Circuit Court
Case Files - Civil
January 1878, No. 25

Box

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Folder

63

Hoeken, Mary T.

vs

Amor, Eugene

Libel and Slander

Defendant accused plaintiff, his
step daughter, of cohabiting
with Dr. Pipkin and of murdering
his infant son, \$10,000 damages;
change of venue to Washington
County

Mary T. Horken, Plaintiff, } Slander
against }
Eugene Amor, Defendant } Libel

In the Circuit Court of } January
Jefferson County, Missouri } Term, 1878.

The Plaintiff states that, on or about the - day of March, 1876, and on divers days within one year next before said date, at the County of Jefferson, in the State of Missouri, the Defendant maliciously spoke the following false and slanderous words concerning the Plaintiff, to-wit:- "Doctor Pipkin has been guilty of criminal intimacy with my daughter, and I almost caught them in the act," - "Doctor Pipkin has had illicit intercourse with, and has cohabited with and was too intimate with Mary Hocken," - "Mary Hocken and Doctor Pipkin cohabited with each other," - "Doctor Pipkin paid more attention to Mary than he did to my sick child, they were too intimate," - "If Mary don't leave her with me I will expose the criminal intercourse between her and Doctor Pipkin,"

Doctor Pipkin, - meaning and intending
meaning and intending ~~mean~~
then and there, and thereby to charge, and
being understood by a great many persons
to whom he was speaking to charge, that
the Plaintiff was and had been guilty of
illicit carnal intercourse with one Doctor
Charles Pipkin; that Plaintiff was a
single and unmarried young woman
and had cohabited with and had sexual
intercourse with Doctor Charles Pipkin,
a married man and a Physician, who
visited the Defendant's house frequently
professionally to attend a sick child of
Defendant, and, that, owing to the
criminal intimacy between Plaintiff and
said Pipkin, he had neglected his duties
toward such sick child; and that he,
the Defendant, had almost caught the
Plaintiff and said Pipkin in the act
of cohabitation, -

Whereby Plaintiff states that she has
been injured and has sustained
damages to the amount of Ten Thousand
Dollars, for which, with her proper costs,
she asks judgment against said
Defendant, -

And the Plaintiff further states

(Doctor Pipkin war pflichtig schwabensinnig mit seiner Lust zu leben und ist sehr reich in dem er ist überreicht)

Doctor Pipkin hatte eine botanische Sammlung mit, und hatte diese botanische Sammlung gegeben, und war sehr vertraut mit Maria Horkau." Maria Horkau und Doctor Pipkin hatten eine botanische Sammlung mit einander gegeben.

Doctor Pipkin warnte seine aufmerksamen Leute von Maria Horkau als von einem krankhaften Kind: "Sie waren zu vertraut." Von Maria nicht mit mir von ihr fort geht so werden ich Frau botanische Sammlung mit Doctor Pipkin der Auffälligkeit übergeben.) A part of which false and slanderous words so spoken of and concerning the plaintiff, were spoken in a foreign language to wit; the German language; which said words so spoken in the German language, are set out above and herein in brackets or parentheses.

which said words spoken in the German language, the plaintiff avers, were well understood by those to whom they were addressed and spoken, and being well understood by all those who heard them spoken by the defendant,

as meaning in the English language, and
as meaning when rendered and translated
into the English language, as plaintiff avers, viz:
"Doctor Pipkin has been guilty of criminal intimacy
with my daughter and I almost caught them in
the act." "Doctor Pipkin has had illicit intercourse
with, and has cohabited with, and was too intimate
with Mary Hockew." "Mary Hockew and Doctor
Pipkin cohabited with each other." "Doctor Pipkin
paid more attention to Mary than he did to
my sick child: they were too intimate."

"If Mary don't leave here with me
I will expose the criminal intercourse between
her and Doctor Pipkin"

"The South East Missouri.

Adviser.

For the Month of September, 1876.

Vol. 1.

No. 9

Advice to Parents

In South East Missouri.

To Mothers.

"Should you have an infant son, and
"that infant should get sick, don't send
"for a young married doctor who has a
"young wife, besides nice children, because
"you might also have a good looking
"daughter about 19 or 20 years old, as
"that doctor might ask your daughter
"to come out of the sick room into a
"passage, which might be too willingly
"granted. First, their conversation might
"only apparently be carried on in reference
"to your sick child, but might end
"also in low whispers, and might end
"in relation of long lost love, might
"end in embracing and kissing, no
"doubt with the consent of both. The
"husbands might happen to be in
"an adjoining room, might see and
"hear it all, the doctor and your

that the Defendant, on or about the 26th day of September, 1877, at the County of Jefferson, in the State of Missouri, maliciously spoke the following false and slanderous words concerning the Plaintiff, viz: "Mary is a murderer"; then and there and thereby intending and meaning to charge, and being understood by those who heard him to charge, that the Plaintiff was guilty of the crime of murdering his infant son, by which she has sustained damage in the sum of Ten Thousand Dollars, for which, with her costs, she prays judgment against said Defendant.

And the said Plaintiff further states that, in the month of August, 1876, the Defendant, Eugene Amor, falsely and maliciously wrote and, having written, caused and procured to be printed, in the form of a circular, in large numbers and quantities, and, having so written and so caused to be printed, the Defendant did maliciously publish, by circulating such printed matter extensively, of and concerning the Plaintiff, the following libel, viz:—

daughter believing them to be asleep.
To Fathers

If the above mentioned doctor should have been employed in your family, contrary to your wishes, don't you go too suddenly into the sick room on Sunday's afternoon when no body but the doctor and your daughter are in the sickroom, as you might catch the doctor and your daughter embracing and kissing.

To Mothers

Don't be blind, don't have too much confidence in young married doctors and your daughters, as those young quacks will make prostitutes of young girls, if they should have a chance to do so. Those young quacks will take advantage of the weak and defenceless women, and hence their ruin and their shame. Have not young quacks always exercised such control? Is it not a fact that women, and particularly young girls have always been subject to young quacks? Their nature is to be subservient to the wishes of young quacks. It is the old story which has been repeated from the time of Eve down to the present generation.

To Doctors Wives

Don't believe too much in the fidelity of your young husbands (some excepted) as they do not care any more for you, than for a dead body which they have dissected when medical students.

To Fathers

When a young doctor stays all night in your house, and pretends to tend to your sick child, go to sleep especially when no body but the doctor and your daughter are awake, as you might on the contrary see things to break your heart and rob you of your senses.

To Mothers

Believe your husbands more than you do, especially in cases like those mentioned. Don't take everybody like yourselves. Not your own daughters nor young doctors, although they may be members of Sunday Schools, members of the Good Templars, members of churches, members of secret societies, as every human being has his failings, especially young girls and young married doctors.

This little paper is sent free of charges, and will appear monthly.

with new and better advice,

"The South East Missouri Advising Co." -
intending and meaning then and then,
by such writing, printing and publishing
to charge, and being understood by a
great number of persons, to whom he
sent such publication, as charging that
this Plaintiff had been guilty of carnal
intercourse with Doctor Charles Pipkin,
at his, the Defendant's, house, in Hillsboro,
Missouri, while this Plaintiff and Doctor
Pipkin were together watching through
the night by the bed-side of the Defendant's
sick infant child; and that this Plaintiff
had been seduced by Doctor Charles
Pipkin and had been guilty of fornication
with him.-

By reason of which false and malicious
libel thus written, printed, published and
circulated by the Defendant, she, this
Plaintiff, has sustained damages in
the sum of Ten Thousand Dollars.-
Wherefore she prays judgment against
said Defendant for the sum of Ten
Thousand Dollars and her proper costs
and charges.-

The Plaintiff further states that, at the
time the first and third causes of

action against said Defendant, as
herin stated, accrued, she was within
the age of twenty-one years, and that
now she is but a few months past
the age of twenty-one years, her legal
majority. - J. L. Wallace

with Byrnes & McMillin
Attys for the Plaintiff,

Filed Dec. 19th 1877.
C. McNamee
Clerk

Mary T. Horker
vs.
Eugene Amos

Slaves & Libel

Wallace
with
Byrnes & McMillin
Attys for Def.

The State of Missouri,

TO THE SHERIFF OF, ^{the} COUNTY OF JEFFERSON---GREETING:

He command that you summon Eugene Amos

if he be found in your County, that he be and appear before the Honorable Judge of
our Circuit Court, on the first day of the next term thereof, to be begun and held at
the town of Hillsboro, within and for the County of Jefferson on the Second
Monday of January next, then and there to answer unto
Mary J. Locken

upon her original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then and there this writ.

Witness, C. THO' HORINE, Clerk of our said
Circuit Court, with the seal thereof hereunto affixed, at
office in Hillsboro, this 19th day of December
A. D., 1877.

C. Tho. Noyes, CLERK CIRCUIT COURT.

456 nd 96-

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

January Term, 1878.

Mary Woodson

vs

Eugene Amos

Chattel \$1.00

original

Accts Dec 19

Executed the within writ, at the County of Jefferson State of Missouri, on the 19th day of December 1877, by delivering to the within named defendant Eugene Amos a copy of the writ and petition

J. M. Williams
Sherriff Jeff Co Mo

Mary Hooker Plaintiff } In the Circuit
against } Court of Jefferson
Eugene Amor Defendant } Co. Mo. Jan'y Term
1878

Now at this day comes the Defendant and moves the Court to dismiss the above cause, because the Plaintiff is a Non Resident of the state of Missouri and she failed to file bond ~~with~~ for costs with said suit as required by law

J. J. Hellis
P. Pipkin
with John L. Thomas who
att'y for def.

Mary Harker
against
Eugene Amos

Motion to dismiss
for failing to file
Bond for costs

Filed Jan'y 15 1878
C. M. Hume
Clerk

Mary T. Hocken Plaintiff
v
Eugene Anwar Defendant

In the Jefferson Circuit
Court.

Now at this day comes said
Defendant & answers
to the petition of the Plaintiff
Notes that he denies each
and every allegation therein
contained.

John L. Hanson & Bro
With Peckin & Williams
Atty for Defendant.

Mary J. Koester
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Eugene Humer

Humer

Piles Mar. 11 1878
Le Moine
cross

Mary J. Hoeken vs
 Eugene Amer Sept } action for Libel & slander
 in the circuit court of
 Jeff. County Missouri

We the undersigned resident householders
 of Jefferson County Missouri, bind our-
 selves to pay all the costs that have accrued
 or that may accrue in the above entitled
 cause

May 15 1878

A. Naessel
~~Wm. McNeill~~
 Geo. J. Johnston
 By Kurtz & Co
 J. Ed. Walker
 H. Mc. Phipps
 Thos. J. Jones
 L. Marsden
 D. L. Jarvis
 C. Tho. Norine
 Sam. Byers
 Thos. McNeill
 Henry C. Loring
 W. R. Smith
 Y. Price
 L. A. Hornum
 Chas. Phipps M. & P

Mary T. Deeken
vs

Engue & Sons
—"

Bond for Cash
—"

Filed January 16th 1878
Chas. H. Haine
Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Mrs M Williams, Mrs M A Jarvis, Mrs Kate Maessel
Adam Maessel, Mrs, Chas. Craft, & J A Green

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our Circuit Court, for the County aforesaid, on the 18th
day of May, 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 Mary A. Maessel

is Plaintiff, and

Eugene Amos

is Defendant, on the part of Plaintiff; and herein you are in no wise
to fail.

Witness, C. THO' HORINE, Clerk of our said

Circuit Court, with the seal thereof hereunto affix-
ed, at office in Hillsboro, this 30th day of

April, A. D., 1878.

C. Tho' Horine

Clerk Circuit Court.

No. Ken

no

Amor

P

Slander

Mr. m m Williams

m a Jarvis

Kate Naessel

" Charles Craft

Adam Naessel

J. F. Green

FILED

MAY
14
1878

L. H. H. H. H.
CLERK

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *Charles Gall, Anton Yarger*
Jesse Chapman, John Williams & John S. Thomas

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *18th* day of *May*, 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 *Mary G. Noe* is Plaintiff, and *Eugene Amory* is Defendant, on the part of *Plaintiff*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said
Circuit Court, with the seal thereof hereunto affix-
ed, at office in Hillsboro, this *30th* day of

April, A. D., 1878.

C. Tho' Horine,
Clerk Circuit Court.

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Charles P. Kim, Sarah C. Thomas,
Fannie Kettler, Annie Kaufman & Wendelin Kaufman

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 18th day of May, 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 Mary J. Wooten is Plaintiff, and Eugene Smoot is Defendant, on the part of Plaintiff; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this 30th day of

April, A. D., 1878.

C. Tho' Horine
Clerk Circuit Court.

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Chas Ppkin

Sarah E Thomas

Fannie Nettliand

Annie Kaufman

Wendelin Kaufman

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Stella Jarvis, Elora Jarvis, Rebecca Thomas,
Mary Lizzie Stebbins, M. A. Worine,

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 18th day of May, 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 Mary A. Stebbins is Plaintiff, and Eugene Amor is Defendant, on the part of Plaintiff; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this 30 day of

April, A. D., 1878.

C. Thos Horine, Clerk Circuit Court.

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Izella Jarvis

Dora Jarvis —

Rebecca Thomas

Mary Perkins —

Lizzie Stelbrink

M. A. Horine

Wat Sexton

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Richard Wozken, Joseph Wozken, Verminia Raines
Justina Wozken and J. Wozken,

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 18th day of May, 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 Mary A. Wozken is Plaintiff, and Eugene Smorg is Defendant, on the part of Plaintiff; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this 30th day of

April, A. D., 1878.

C. Th. Horine, Clerk Circuit Court.

Noeken

no

Amoy

Slauden

R

Rich^d Noeken -

Joseph Noeken ✓

Justina Hug,

A Hug

Hermenia Reineke

Shuffler

50

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *Leon Mullin, Mary Mullin, Lela A. Mullin,
Surrenda Horine, Kate Clements, Susan Walker*

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *18th* day of *May*, 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 *Mary J. Woecken* is Plaintiff, and *Eugene Smorg* is Defendant, on the part of *Plaintiff*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *30th* day of

April, A. D., 1878.

C. Thos. Horine, Clerk Circuit Court.

Noe Ken

^{to}
Amor

Slander

P

RW McMullin ✓

Mary McMullin ✓

Ida A McMullin ✓

Surrenda Norine

Kate Clemens ✓

Susan Walker

Shriff fee \$1.50

300	200	200	200
40	10	10	10
0	0	0	0
0	0	0	0
0	0	0	0

754	304
456	187
	4

Mary T. Horkew Plaintiff
against
Eugene Amor Defendant }

In the Jefferson Circuit
Court

To the Hon Louis F. Downing
Judge of the 26th Judicial Circuit
of Missouri:

Your petitioner Eugene
Amor, states that he is defendant
in the above entitled cause
and that he has good reason
to believe and does believe that
the inhabitants of Jefferson County
Missouri are so prejudiced against
him that he cannot have a fair
and impartial trial of the said
cause in said County.

He further states that the
knowledge of such "prejudice
on the part of the inhabitants of
said County first came to Defend-
-ants since the adjournment of
the ~~Court~~ last regular term of this
court,

Therefore your Petitioner prays
your Honor to make an order
granting him a change of venue

in the above entitled cause to
some other County in this Circuit
where such prejudice does not
exist

Eugene Amor
By Pipkin, Williams,
& Thomas Am
attys

State of Missouri }
County of Jefferson } ss:

On this 2^d day
of May 1878 personally came
before me a Notary Public in
& for said County Eugene Amor
who being duly sworn on his
oath states that the above
petition and the matters as
therein stated are true to his
best knowledge and belief
and he further states on oath
that he has good reason to
believe and does believe that
the inhabitants of Jefferson County
are so prejudiced against him
that he cannot have a fair and
impartial trial of said cause
mentioned in said petition
in said County of Jefferson and

and that a knowledge of such
prejudice first came to his
~~knowledge~~ him since the
adjournment of the last
regular term of this court

Subscribed and sworn }
to before me this 2^d day } E. Amory
of ~~April~~ May 1878 }
I was qualified Jan'y
8th 1875 & term of office
expires Jan'y 4th 1879

M. H. A. Thomas
Notary Public

Mary J. Hooker

Eugene Aaron

Petition for Change
of Venue

FILED

MAY

6

1878

L. H. Morris
CLERK.

May S. Heortem Plaintiff
vs
Eugene Amos Defendant

Now on the 32d day of
May 1878 the Plaintiff and Defendant
in the above entitled cause
by their respective attorneys
appear before me the Judge of
the 2d Judicial Circuit of
Minnesota at the Court room
in Hinton Iron County Minnesota
and Defendant presents his
petition verified by affidavit
as the law requires praying
in order to change the venue
in the said cause upon the grounds
that the inhabitants of Jefferson
County in which said cause
is now pending are so prejudiced
against him that he cannot
have a fair and impartial
trial of said cause in said
County of Jefferson - which petition
being read and fully understood
by me, It is ordered that the
prayer thereof be granted and
that the venue of said cause be

changed to the County of Washington
in the State of Missouri where
said prejudice does not exist
and it is further ordered that
the Clerk of the Circuit Court
of Jefferson County make out
and send certified to the Clerk
of the Circuit Court of said
County of Washington a true
complete and full transcript
of the record and proceedings
in said cause accompanied
by the original papers on file
therein not forming a part of the record

Done at the Court room in
Fronton Iron County Missouri
on the 3rd day of May 1878 in presence
of Court. Witness my hand
this 3rd day of May 1878.

Sam'l F. Dunning
Judge 26th Judicial
Circuit Mo,

504

21

7

~~cash~~

13.00
7.00
10.00
20.00
7.00

36.00

10.00

46.00

Mary Stork

E. H. H. H.

Order for

Change

Verme

Filed May 6th 1878

Le. H. H. H.

Clark

Libel & Slander

Mary J. Hocken } In the Circuit Court
Eugene Amor } Jefferson County Missouri

Bill of Costs
Cr. No. Nine Clerk

12 files 6" Cop. per 1.25 cert. & seal 50, \$ 2,35

Sum. & copy 1" motion to dismiss 20, 1.30

Ent. Appl. to sue as poor person .20

Rule on " " " " " " 20

Bond 5" rule on motion to dismiss 20, .70

Leave to and 2" cont. 25, See Bill, 1" 58

Making Drafts, 30 45 words & fig, @ 15¢ per 100 4, 56

Cert. & seal to Draft 50

Making fee bills 200 words & fig @ 70¢, 1.40

Postage 18¢ 10, 94

John Williams Sheriff Am. 1.50, 5 Spas, 2.50, 3.50

Total Costs \$ 14, 44

RECEIVED

JUN

8

1971

Robert M. Morris
CLERK