

Jefferson County Circuit Court
Case Files - Civil
September 1878, No. 527

Box 38 Folder 4

Hoelke, Mary T.

vs.

Amor, Eugene

Slander

Defendant defamed plaintiff's
character regarding two suits
against him; change of venue
to Washington County; \$10,000 damage

In the Circuit Court,
of Jefferson County, Missouri,
September Term, A.D., 1878.

Mary T. Horken, Plff.,

vs.

Eugene Amor, Deft.

Plaintiff states that,
on the 11th day of June, A.D., 1878, Defendant
spoke the following false and slanderous
words of and concerning the Plaintiff, in
the presence of, to and in the hearing of a
number of persons, viz: "A damn black
nigger woman has sued me." - Meaning,
and intending to be understood to mean
the Plaintiff, and was understood, by those
who heard him utter said false and slanderous
words, to mean the Plaintiff. - The words
"damn black nigger woman" were used mean-
ing to charge the Plaintiff with lack of chastity,
dishonor and moral depravity, and were so
understood by those who heard him use
said false and slanderous words. -

Defendant used the words "has sued me"
as charged above in this petition, in the
connection in which they then stand,
to designate and individualize the Plaintiff
as the person about whom he was speaking
and to whom he referred when he uttered
the false and slanderous words charged. -

He was fully understood, by all who heard him use said false and slanderous words, to mean the Plaintiff. - Plaintiff says it was a well known fact, to those who heard him, that this Plaintiff was a party plaintiff against the defendant herein to suits then pending in the Circuit Court of Washington County, Missouri, on change of venue from the Circuit Court of Jefferson County, Missouri, and that Defendant well knew that the parties, to whom and in whose presence he spoke the above false and slanderous words, knew of said suits then pending; and defendant well knew that, by the use of said words, he would be readily understood to mean this Plaintiff, and was so understood. -

Wherefore, by reason of the speaking of said false and slanderous words, Plaintiff has been damaged in the sum of Ten Thousand Dollars, and for which she asks judgment together with her costs in this cause expended. - J. D. Wallace

Ans Byron & Mc Mullen
Attorneys for Plaintiff

To the Clerk of the Circuit Court of Jefferson County, Mo. "Issue a Summons in Slander

for the appearance of the defendant Eugene
Amor, directed to the Sheriff of Jefferson
County, returnable according to Law. - in the
above stated cause" Amount claimed by
plaintiff as damages Ten thousand
dollars.

June 25th, 1878.

J. D. Wallace, and
Byrns & Mc. Mullin.
Atty. for Plaintiff

To,
Circuit Court Jeff. Co., Mo.

Mary J. Hocken

vs.
Eugene Quor

Plaintiff
Action for slander
return

FILED
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1878
C. H. Norine
CLERK.

G. D. Wallace
Attys & Counsel
attys for plff.

The State of Missouri, } SS.
COUNTY OF JEFFERSON.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you that you summon *Eugene Amor*

if found in your County, to 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 *September* next, then and there to answer unto

Mary J Noeken

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 *27th* day of

June, A. D., 1878.

C. Tho' Horine, Clerk Circuit Court.

Executed the within writ in Jefferson county Mo on the first day of July 1878 on Eugene Amore by delivering to him a true copy of this writ and Petition as furnished me by the Clerk

John Williams Sheriff

No 527

4562

RETURNABLE

-TO-

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1878

Mary A. NoeKen

vs

Eugene Amore

—

original

Sheriff fees \$1.00

July first

Mary J. Noecken Plaintiff

Eugene Burr Defendant

In the Jefferson Circuit Court.

Now at this day comes said
defendant and moves the
court to dismiss this cause
for the reason that Plaintiff
was a non-resident of the State
at the time this action was
instituted and is yet a non-
resident of the State and no
bond was filed by her before
the writ was brought.

John Howard & Bro
Attorneys & Pipers
for Defendant

M. J. Hoek

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E. A. A. A.

Nothing to
Admission Cause
for want of
Proof for
Court.

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1878

L. H. A. A. A. A.
CLERK.

044 080 094 097

Mary T. Hoekew Plaintiff } For Slander,
as } In the Circuit Court of
Eugene Amor Defendant } Jefferson County Missouri

We bind ourselves to pay all costs
that have accrued or that may accrue
in the above entitled cause

R. S. Hoekew

Subscribed and sworn to
at St. Louis, Mo.
this 1st day of May 1888

Mary T. Hoekew
so

Eugene Amor

And for cash

FILED

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L. M. Moore
CLERK.

Mary F. Hooken Plaintiff }
vs
Engine Auor Defendant }

In the Jefferson County
Circuit Court.

Now at this day comes said
Defendant and Moves to the
Court that he has good cause
to believe and does believe that
~~he cannot have~~ of the inhabitants
of said County of Jefferson are
so prejudiced against him
that he cannot on account
thereof have a fair trial of this
Cause in said County.

Wherefore he prays the Court
to grant him a change of venue
of this Cause to some other County
in this Judicial Circuit
where such prejudice does
not exist.

Wm. D. Pro
With Pykin William
Atty for Defendant

Eugene Amos the above named
defendant makes oath and states
that to the best of his knowledge
and belief the above petition and
the matters on therein stated are
true.

E. Amos

Sworn to and subscribed before
me Sept. 19th, 1878,

C. H. Horine Clerk,

Mary J. Hooker

To

Eugene Smith

Pat and affd.
for change venue

PAID

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1881

R. H. H. H.
CLERK

Notice to take Depositions.

Wagner's Statutes, page 523, Sec. 9—page 525, Sec. 10-13.

Mary J. Hooken

Plaintiff

AGAINST

Empene Hur

Defendant

IN THE *Seventh*

COURT OF *Washington*

COUNTY OF

STATE OF MISSOURI.

To the above named *Plaintiff*

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 *Court Room in Hillsboro*

in the County of *Jefferson* and State of *Missouri*, on the *18th* day of *October* A. D. 187*8*, 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.

Oct 24
Byms & McMullen
attys for deft

187*8*

Manor & Bos.
Melians & Piskin
attys pro plaintiff