

Jefferson County Circuit Court
Case Files - Civil
May 1889

Mette, Louis
Kanne, George

vs

Aubuchon, Theodore

Appeal

Plaintiffs appealed from JP
Charles S. Booth on \$8260
account for liquor, bottles

Box 410 Folder 50

St. Louis, December 2 nd 1888.
 Mr. Theo. Subuchon



METTE & KANNE,

IMPORTERS AND

WHOLESALE LIQUOR DEALERS,

MANUFACTURERS OF THE CELEBRATED ST. GOTTHARD HERB BITTERS,

TERMS

No. 403 N. MAIN STREET.

Dec.	1884.	8	10 Gall. Keg 90¢ Ginger wine @ \$1.00	10 90.		
		9	1 Box St. Gotthard Bitters @ 6.50	6 50.		17.40.
		23	2 Cases St. Gotthard Bitters @ \$6.50	13.00.		
			1 Bbl 90% Monongahela @ 60.00	60.00.		
			Drayage	50.		73.50.
Feb'y	1885	11.	1 Box Bitters @ 6.50	6 50.		6.50.
March		10.	3 Cases St. Gotthard Bitters @ \$6.50	19 50.		
			10 Gall. Keg 90¢ Blackberry Cord @ 1.00	10 90.		
			Drayage	25.		30 65.
July		2.	1 Bbl. Tea Kettle 39 galls. @ \$1.75	68 25.		
			Drayage	50.		68.75.
July		11.	1 Bbl. Red Bank 46 galls @ \$1.32 1/2	60.95.		
			1 Gall. Jug & Box 30¢ Syrup @ 1.50	1 50.		
			1 Case Taylor @ 8.00	8 00.		
			1 " Monarch @ 7.00	7 00.		
		1/2	" Cognac @ 7.00	3 50.		
		1/2	" Gibson's Rye @ 12.00	6 00.		
		1	" St. Gotthard Bitters @ 6.50	6 50.		
			Drayage	50.		94.00.

Mittie + Maime

Is

Cuthbertson.

Filed Jan'y 26 '89

Chas. A. South

Filed, Mich 14/89

Ad. Mearns

Nov.	6.	1/2 Bbl \$1.00. White Corn 21 gall. @ \$1.25	27 25	
		1 " Tea Kettle 37 gall @ \$1.75	64 75	
		1 Box St. Louis Hard Bitters @ 6.50	6 50	
		Drayage	50	99 00
Dec	3.	1/2 Bbl \$1.00. White Corn 21 1/2 galls @ \$1.25	27 88	
		Drayage	25	28 13
1886				
January	28.	5 Galls Keg 70 of Ripey @ \$27.50	144 45	
		2 Cases Taylor @ 8.00	16 00	
		2 " St. Louis Hard Bitters @ 6.50	13 00	43 45
Feb'y.	3.	5 Gall. Keg 70 of McBrayer @ \$3.00	15 70	15 70
April	17.	1 Bbl. Monarch 40 1/2 Galls @ \$2.00	80 58	
		2 Cases McBrayer @ 10.00	20 00	
		Drayage	50	101 08
June	3.	1 Case St. Louis Hard Bitters @ \$6.50	6 50	6 50
July	14.	1 Case Lone Star @ \$9.00	9 00	9 00
October	19.	1 Bbl Cliff Falls 35 1/2 Galls @ \$2.15	76 33	
		Drayage	50	76 83
1887.				
Jan'y.	20.	2 Bbls Cliff Falls 69 galls @ \$2.15	148 55	
		1 Case Taylor @ 9.00	9 00	
		Drayage	50	157 85
July	6.	1 Case McBrayer @ \$9.00	9 00	9 00
	11.	1 Bbl. W. S. Stone 34 galls @ \$2.15	73 10	
		Drayage	50	73 60
Septbr.	3.	3 Cases St. Louis Hard Bitters @ \$6.50	19 50	19 50
				930 44

Credit.

May	7	1885	By Cash	30. 00.	
Aug	17.		"	83. 24.	
Nov.	2		"	77 56.	
Jan'y.	28.	1886.	"	50 00.	
Feb'y	3.		Mdse	14 45.	
April	15		Cash	75. 00.	
"	21.		Mdse	20 00.	
July	16		Cash	33 16.	
Oct.	15		"	50. 00.	
Jan'y	15	1887	"	76 83.	
April	2		"	50. 00.	
June	10		"	50 10.	
July	11		Mdse	3 00.	
Septbr	2		Cash	55 60.	
Nov.	26		"	96. 30.	
"	"		Mdse (one barrel of whiskey returned.)	73. 60.	
Dec	8		"	9 00.	
To Balance					847. 84.
					82 60.

354 P

St. Louis, July 14

Mr. Theo. Aubuchon

1888

Festus Mo.



METTE & KANNE,

IMPORTERS AND

WHOLESALE LIQUOR DEALERS,

MANUFACTURERS OF THE CELEBRATED ST. GOTTHARD HERB BITTERS,

TERMS 60 Days

No. 403 N. MAIN STREET.

June 25	5 Gls Keg 90c Raspberry	@	125	6 95
Sept 23	10 ~~Monarch~~	.	185	19 40
Oct 23	10 . . . 90c	.	185	19 40
Nov 17	1 Box St. Gotthard	.		6 50
Dec 8	10 Gls Keg 90c Ginger wine	@	100	10 90
.	1 Box St. Gotthard	.		6 50
23	2 . . .	.	650	13
.	1 Bbl. Monongahela 48	@	125	60
1885	Drayage			50
Feb 11	1 Box St. Gotthard	.		6 50
Mar 10	3 Boxes St. Gotthard	.	650	19 50
	10 Gls Keg 90c Blackberry Cord.	.	100	10 90
	Drayage			25
July 2	1 Bbl. Tea Kettle 39	@	175	68 25
	Drayage			50
Aug 11	1 Bbl. Red Bank 46	@	132 1/2	60 95
	1 Gll. Ing 1 Box 30c Syrup	@	125	1 55
	1 Case Taylor	.		8
	1 . . . Monarch	.		7
	1/2 . . . Cognac	.	700	3 50
	1/2 . . . Gibson	.	12	6
	1 . . . St. Gotthard	.		6 50
	Drayage			50
Nov. 6	1/2 bbl. 100 White Corn 21	@	125	27 25
	1 . . . Tea Kettle 37.00	@	175	64 75
	1 Box St. Gotthard	.		6 50
	Drayage			50
Dec. 3	1/2 bbl. 100 White Corn 21 1/2	@	125	27 28
	Drayage			25
1886				
Jan 28	5 Gls. Keg 70 & Chip	@	275	14 45
	2 Cases Taylor	.	800	16
	2 . . . St. Gotthard	.	650	13
	Over.			513 63

1886		Amt Brot over		513 63
Feb 3	5	Gill. Key 70 & 80 Mt. Brayer	3 ⁰⁰	15 70
Apr 17	1	Bbl. J. J. Monarch 40.29 @	2 ⁰⁰	80 58
		W Doz. W. H. Mc. Brayer	10 ⁰⁰	20 50
June 3	1	Box St. Gotthard Drayage		6 50
July 14	1	Case Lone Star		9
Oct 19	1	Bbl. Cliff Falls 35 1/2 @	2 ¹⁵	76 33
		Drayage		

1887				
Jan 20	2	Bbls Cliff Falls 69 @	2 ¹⁵	148 35
	1	Case Taylor Cadillac		9
		Drayage		50 x
July 6	1	Case W. H. Mc. Brayer		9
* 11	1	Bbl. W. S. Stone 34 @	2 ¹⁵	7 3 10
		Drayage		50
Sept 3	3	Boxes St. Gotthard	6 ⁵⁰	19 50
		Total		982 69

1885		Dr.		
Mar 19		By	Cash	52 25
May 25		"	"	30
Aug 17		"	"	83 24
Nov 2		"	"	77 56
Jan 28/86		"	"	50
Feb 3		"	mdse	14 45
Apr 15		"	Cash	75
	21	"	mdse	20
July 16		"	Cash	33 16
Oct 15		"	"	50
Jan 15/87		"	"	76 83
Apr 21		"	"	50
June 10		"	"	50
July 11		"	mdse	3
Sept 21		"	Cash	55 60
Nov 26		"	"	96 30
" 21		"	mdse	73 60
Dec 8		"	"	9

To Balance

899 99
82 50

Filed Mch 14/1889
D. D. Veazey
clerk

Dec 14/84

Wells & Hannie
St Louis Mo,

Gentlemen
in reply to favor will
say that I hold a Receipt
of your Mr Shoemann
in full and any difficulty
arising in my account
you will have to look
to Mr Shoemann for
yours Truly

Theo Ambush

A B would have answered
sooner but I was away

Respectfully
Yours
Theo Ambush

Filed March 14/1889

D. D. Webb

att

SUMMONS.-J. P.

—0—

The State of Missouri to the Constable of *Leachman* Township,
in the County of Jefferson, State of Missouri, Greeting:

We command you to summon

Theodore Schubertson

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

of *Central* Township, in Jefferson County aforesaid, on the *14th* day of *February*

1889 at 10 o'clock in the forenoon, in the same Township, to answer the complaint of

*Louis Melle and Geo. Wanne, doing business under
the firm name and style of Melle & Wanne*

founded upon *an account*

and wherein *they* demand *Eighty two* + *60* DOLLARS.

Given under my hand this *26th* day of *January*, 1889

Chas. A. Booth

Justice of the Peace.

CONSTABLE'S RETURN.

— 0 —

I HEREBY CERTIFY That I have executed the within writ by

leaving a copy with the within mentioned Theodore Aubuchon

on the *26* day of *January*, 18*89* in *Jefferson* County, Missouri. Township, Jefferson

Fee, \$ *30*; Mileage, \$

W. B. Greely, Constable.

No.

SUMMONS.

Mette + Kanne

Plaintiff,

vs.

Theodore Aubuchon

Defendant.

BEFORE

Justice of the Peace.

Plaintiff's Demand,	-	\$	<i>82.60</i>
Costs Already Accrued,	\$	<i>1.75</i>	
Constable's Commission,	\$	<i>1.25</i>	
Constable's Fee,	- -	\$	<i>.30</i>
Constable's Mileage,	-	\$	
Total,	- - - -	\$	

Filed Mch 14/1889
A. B. Veary
clerk

NOTICE TO TAKE DEPOSITIONS.

(Wagner's Stat., page 523, Sec. 9; page 524, secs. 10-13.)

Louis Mette and Geo. Kanne
doing business under
the firm name and style
of Mette & Kanne
Plaintiffs,

AGAINST

Theodore Subuchon
Defendant

Defendant

TO THE ABOVE NAMED

Defendant

Before Chas S. Booth
Justice of Peace of
Central Township
County of Jefferson County,
STATE OF MISSOURI.

YOU ARE HEREBY NOTIFIED, That depositions of witnesses to be read in evidence in the
above entitled cause, on the part of the Plaintiff will be taken at
the Office of Joseph Lathrop & Co # 421
North 3rd Street, 2nd floor in the City
St Louis, Mo

in the County of _____ and State of Missouri
on the fifth day of February 1889, 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 depositions, and all exceptions as to time, waived.

Jan 26th

1889

Louis Mette & Geo. Kanne
Plaintiffs by Charles
H. W. Schmidt, their
Attys.

By agreement the taking of the above depositions
is continued until Wednesday, Feb'y 13th 1889 at 10 A.M.
J. F. Green Sept

be by, certify that I served
the within notice at the County
of Jefferson in the State of
Missouri by leaving a
copy of the same with the
Brein named defendant
the Cordell Club as above this
the 26 day of January 1889

Fees \$30

F. L. Grekey Constable
Traction Township

Filed March 14/1889

J. J. McLaughlin
Clerk

made 3/15/89
in full

Subpoena for Witness.

The State of Missouri, to

John M. Reppay

You are hereby commanded, to be and appear, personally, before

me, *Chas. S. Booth*, Justice of the Peace within and for the Township of *Montreal*

County of Jefferson, on the *14th* day of *February*, 188*9*, at the hour of 10 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

and *Geo. Mann* doing business under the firm name and style of *Mette & Mann* are

and *Theodore Ambush* is Defendant

on behalf of the *plaintiffs*, and herein 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, at Office in the Township aforesaid.

this

9th

day of

February

, 188*9*

Chas. S. Booth

Justice of the Peace.

RETURN.

I HEREBY CERTIFY that I served the within Writ in the County of Jefferson, State of Missouri, on the 13th day of February, 1889, by leaving a copy of the within writ with a member of the family of the within Christ Doelt. now the age of fifteen years.

Fee, \$ 25-cts
Mileage 40

Edwin Ford - Constable

SUBPENA FOR WITNESS.

Mette & Kanne

Plaintiff's

VS.

Theodore Ambuchan

Defendant.

BEFORE

Chas. S. Booth

J. P.

WITNESSES.

Chas. Stock

Filed Mch 14/1889

A. B. Vayer
clerk

DEPOSITIONS.

CAPTION.

Louis Mette & Les. Kanne doing business
under the firm name & style of
Mette & Kanne

Plaintiffs

vs.

Heodore Subuchon

Defendant

COURT

Before Chas. S. Booth Justice

COUNTY OF

Peace of Central Township
Jefferson County
STATE OF MISSOURI, No

Depositions

of witnesses produced, sworn and examined
on the 13th day of February, in the year of our
Lord one thousand eight hundred and eighty nine, between the hours
of 8 o'clock in the forenoon and 5 o'clock in

the afternoon of that day at the office of JOSEPH LATHROP & Co., No. 421

(2^d floor,

North Third Street, in the City of St. Louis, State of Missouri, before me

Emigene Parmer

Notary Public within and for the City of St. Louis, State

of Missouri, in a certain cause now pending in the Court

Peace of Central Township
in the County of Jefferson in the State of Missouri,

between —

Louis Mette & Les. Kanne doing business under
firm name & style of Mette & Kanne. Plaintiffs

and Heodore Subuchon Defendant

on the part of the plaintiffs

Present O. B. Gineus, Esq., on behalf of
the plaintiff, and J. F. Green, Esq., on behalf
of the defendant

Joseph P. Mette of lawful age, being produced,
sworn and examined on the part of the plaintiffs deposeth
and saith:

My name is people P. Mette, my age is 30 years. I reside in city of St Louis Missouri, and I am black in the employ of the plaintiffs. I have been in the service of plaintiffs, as mentioned since 1877.

I know the plaintiffs. I don't know the defendant personally.

The plaintiff firm is composed of Louis Mette and ~~George~~ ^{George} Kanne. I know the defendant in a business way. The defendant has had business dealings with plaintiff since 1884. I was shipping black for plaintiffs till November 1887. when I took charge of the collections of the said house, and am so engaged now.

I know all about the indebtedness of the defendant to the plaintiffs for goods he bought of plaintiffs. I know that plaintiff salesman gave a receipt to defendant, in full for his indebtedness.

I know too, that the salesman

made a mistake in giving that receipt.

(Here defendant's attorney objects to the introduction of evidence touching any mistake under this form of action.)

This mistake occurred in this way. The salesman reported to us that he had settled with defendant in full and that defendant's account was squared up. Then I investigated the books of Plaintiff and found that there was still unpaid \$82.60.

Then the salesman went to see defendant and came back with defendant's statement with the debits and credits on the same. Then I proceeded to check up on our books and at once ascertained where the error was made. I at once saw that a statement of the account had been rendered defendant, it may have been

Feb. or march and on this statement a balance was struck which was due plaintiff up to that date. The balance spoken of is shown in the receipt given defendant by our traveling salesman.

The defendant was not entitled to any credit for a barrel of whiskey or any other goods, returned ~~to~~ by him to plaintiff on that statement.

The defendant actually ~~and~~ did owe plaintiff the amount on the face of that statement rendered in March or February of that year.

Defendant had been credited on our books to all that he was entitled to up to that date. The defendant is still indebted to plaintiff in the sum of \$82.60 as per statement rendered to defendant.

I demanded payment for this

balance on several occasions.
I wrote to him twice requesting
a remittance for this balance, he
replied to the same and I think
I ~~can produce the letter~~ ^{to justify the bill} ~~how~~
Then I wrote him again stating that
there was a mistake made by our
salesman. I sent a statement
of account also, and showed him
where the mistake was made
by defendant and our salesman
in their settlement.

The mistake was made in this way:
defendant had made payments
to our salesman on the statement rendered him
in March or February, - which
our salesman credited on said
~~said~~ statement. After he had
made payments on said
statement, defendant ~~received~~
goods again, which were
charged on our books, ^{but not on that statement,} and then
defendant returned some goods
again. ~~And those~~ which
our salesman credited on that

statement which he should not have done. That gave rise to the mistake referred to.

After all credits for money paid and goods returned - the defendant still owes plaintiff the sum of \$82.60.

I file herewith itemized account taken from the books of plaintiff here the same marked Exhibit "B" and make it a part of this my deposition. This shows that \$82.60 remains unpaid from Deft. Joseph A. Mette

Sworn to and subscribed before me on this the 13th day of February 1889 - at the place and between the parties as specified in the notice hereto attached.

Erinque Panner
Notary Public
City of St. Louis, Mo.



Emil L. Schoenemann of lawful
age being produced sworn and
examined on the facts of the
plaintiff's deposition and said:

My name is Emil L. Schoenemann.
I am 64 years of age. I reside in
St. Louis Mo. and I am a travelling
salesman now in the employ
of the plaintiff. I have been in
the employ of the plaintiff as
travelling salesman for the last
eleven years.

I know the defendant personally -
have known him 6 or 7 years.

I have been selling defendant goods
for the plaintiff for 5 or 6 years past.

I saw the defendant in the
month of March 1887, and I presented
a statement to him. He had an
old statement of plaintiff, which
I had given him some time
before, and on which there were
some payments or credits given.
I handed him the new statement, where
he showed me the said old statement
and wanted me to give him
credit on the old statement for
a payment he ^{was going to make} ~~made~~ at that
time.

Then he paid me some cash, and
~~insisted~~^{insisted} upon me crediting him with
one barrel of Bourbon whiskey, which
he refused to keep and wanted to
return, for some reason or other
He then had the said barrel of whiskey
on hand at that time.

And the defendant being obstinate
and insisting upon it I credited the
barrel of whiskey on the old statement
which I should not have done.

Defendant afterwards sent said
barrel of whiskey to Desoto at my
request, I having sold the same to a
party there - and I paid the freight
on it. The defendant got another
barrel of whiskey from the plaintiffs
in place of this one.

The receipt which I gave the defendant
in March 1887. was not ~~a~~ in
settlement of the account in full.
but simply a receipt to apply on
account.

The new statement that I presented
to defendant at that time showed

that defendant still owed
plaintiffs after giving defendant
credit for that barrel of whisky.
The fact is I signed a receipt in full
on the old statement - giving credit
to defendant for the barrel of
whisky in question - when in fact
that barrel of whisky was taken
back and another barrel shipped
defendant in its place.

The defendant is still indebted to the
plaintiffs on account in the sum
of \$82.60 - or about that. I have
repeatedly demanded payment for
this sum of defendant, when he
said, that he would examine the
account and if he owed it he would
pay it. but he admitted fairly that
the account was correct. He gave
me to understand that he thought it
might be correct.

The demand for pay for the barrel of
whisky in dispute was the last of May
or 1st of June 1887,

Sworn Examination by Mr. Green
Mr. Suburban said the account
might be correct but he would
examine it first.

I told him to ship the barrel of whiskey
to Desoto. He wanted to return it and I
told him afterwards to ship it to Desoto.
At that time I sold him another barrel
of whiskey in exchange for this one.
I can't remember how much money
defendant paid me in March 1887.
He paid me in full then according to the
old statement, except the barrel of
whiskey ^{for which he simply admitted} but not according to the
new statement.

E. L. Thompson

Sworn to and subscribed before me
on this the 13th day of February 1889
at the place and between the
hours as designated in the notice
hereto attached.

Emigene Parmer
Notary Public
City of St. Louis, Mo.

Filed March 14/1889

Geo. W. Wagon
Clerk

CERTIFICATE.

STATE OF MISSOURI, } ss
CITY OF ST. LOUIS

I, Emigene Parme Notary Public within and for the City and State
aforesaid, do hereby certify that in pursuance of the annexed Commission and
Notice, came before me at the office of JOSEPH LATHROP & Co., No. 421 North
Third Street, ^{2^d floor} in the City and State aforesaid Joseph P. Mette and
Emil L. Schoenemann
who were by me duly sworn to testify the whole truth of their knowledge
touching the matter in controversy aforesaid; that they were examined
and their examination was reduced to writing ^{by me} and subscribed by them
^{respectively} in my presence, on the day between the hours and at the place in that behalf
first aforesaid, and their said depositions are now herewith returned, and
I hereby certify that the said Joseph P. Mette and Emil L.
Schoenemann are resident
of St Louis State of Missouri.

In Testimony Whereof I have hereunto set my hand and affixed
my seal of office at the City of St. Louis, State of Missouri, this 13th
day of February 1889.

Emigene Parme
Notary Public
City of St. Louis Mo.
for a term ending June 28th 1889.

Fee \$ 6.30
Paid by Plaintiffs

Wetzel & Kamm

as

N. Suburban

deposition in
Katholofy Plaintiffs

Filed Nov 14/1888

A. B. W. C. C. C.
C. C. C. C. C.

St. Louis, Feby 13 1889

Mr. Theo. Suberchon

Crystal City Mo.



METTE & KANNE,

IMPORTERS AND

WHOLESALE LIQUOR DEALERS,

MANUFACTURERS OF THE CELEBRATED ST. GOTTHARD HERB BITTERS,

TERMS

No. 403 N. MAIN STREET.

		<u>Total debits</u>		933 44	
		<u>Credits</u>			
1884					
May	25 By	Cash	30		
Aug	17 .	"	83 24		
Nov	2 .	"	77 56		
Jan'y	28/86 .	"	50		
Feby	3 .	Wdse	14 45		
apl.	15 .	Cash	75		
	21 .	"	20		
July	16 .	"	33 16		
Oct	15 .	"	50		
Jan'y	15/87 .	"	76 83		
apl	2 .	"	50		
June	10 .	"	50 10		
July	11 .	Wdse	3 00		
Sept	2 .	Cash	55 60		
Nov	26 .	"	96 30		
	21 .	Wdse	76 60		
Dec	8 .	"	9 00		
		<u>Total Credits</u>		850 84	
		<u>Balance debit</u>		82 60	

To debit "B"

Filed Mch 14/1889
D. D. McCoy
cec

St. Louis, Mo. May 13 1889

Mr. Theo. S. Buchanan

Crystal City, Mo.



METTE & KANNE,

IMPORTERS AND

WHOLESALE LIQUOR DEALERS,

MANUFACTURERS OF THE CELEBRATED ST. GOTTHARD HERB BITTERS,

No. 403 N. MAIN STREET.

TERMS

1884

Dec. 8	10	4ell. Keg 90¢ Ginger	100	10 90	
	1	Box St. Gotthard		6 50	17 40

43	2	Boxes St. Gotthard	6 50	13 00	
	1	Bbl. Monongahela 48	1 25	60	
		Drayage		50	73 50

1885

May 11	1	Box St. Gotthard			6 50
--------	---	------------------	--	--	------

Mich 10	3	Boxes St. Gotthard	6 50	19 50	
	10	gall. Keg 90¢ Blackby Cord	100	10 90	
		Drayage		25	
					30 65

July 2	1	Bbl. Sea Kettle 39 @	1 75	68 25	
		Drayage		50	
					68 75

Aug 11	1	Bbl. Red Bank 46 @	1 32 1/2	60 95	
	1	gall. Jug & Box 30¢ Pyrup	1 25	1 55	
	1	Case Taylor		8	
	1	Monarch		7	
	1/2	Cognac	7 00	3 50	
	1/2	Gibson	12 00	6 00	
	1	St. Gotthard		6 50	
		Drayage		50	
					94 00

Nov. 6	1/2	bbl. ¹⁰⁰ White corn 21 @	1 25	27 25	
	1	Sea Kettle 37	1 75	64 65	
	1	Box St. Gotthard		6 50	
		Drayage		50	

Dec. 3	1/2	bbl. ¹⁰⁰ White corn 21 1/2 @	1 25	27 88	99
		Drayage		25	

Over

18 13
417 93

1886	To Amt Brought forward.			417 93
Jan 28	5 Yell. Keg 70 & Ripper	2 75	14 45	
	2 Cases Taylor	8 00	16	
	2 " St. Gotthard	6 50	13	
1886				43 45
Feb 3	5 Yell. Keg 70 & Mt. Brayer	3 00		13 70
Apr 17	1 Dbl. monarch 40. 29	2 00	80 58	
	2 Cases Mt. Brayer	10 00	30	
	Drayage		50	
				101 08
June 3	1 Box St. Gotthard			6 50
July 14	1 Case Stone Star			9
Oct 19	1 Dbl. Cliff Falls 35 1/2	2 15	76 33	
	Drayage		50	
				76 83
1887				
Jan 20	2 Dbls. Cliff Falls 69 p	2 15	148 35	
	1 Case Taylor Carlisle		9	
	Drayage		50	
				157 85
July 6	1 Case W. H. Mt. Brayer			9
" 11	1 Dbl. W. F. Stone 34	2 15	76 10	
	Drayage		50	
				76 60
Sept 3	3 Cases St. Gotthard	6 50		19 50
	Total Debits			933 44

Filed Mch 14/1889

R. B. Veary
clerk

Filed Mch 14/1889
W. D. Brown
clerk

VENIRE.

The State of Missouri, To the Constable of *Central*

Township, Jefferson County, Mo.,---GREETING:

We command you to summon ^{*twelve*} ~~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 interested in the suit, to appear before me, at my office, in the township of *Central* County of Jefferson, on the *fifth* day of *March* 188*9*, at 10 o'clock A. M., to make a jury for the trial of an action between *Mette & Xanne*,

Plaintiff, and *Theo. Subuchon*

Defendant, because as well the said Plaintiff as the said Defendant have put themselves on the country for trial. And have you then and there this writ. Given under my hand this *5th* day of *March*, A. D.,

188*9*

Chas. S. Booth

Justice of the Peace.

VENIRE.

Mette & Kanne } Pl'tf

VS.

Theo. Aubuchon } Def't.

Chas. S. Booth ^{Before}

Justice of the Peace.

.....18.... In Obedience to
the Writ, I have summoned as Jurors.....

Thos. S. Brunster M.H.

Walter Dahl

Jacob Leutlinger

August Spilker

Thos. Lanham

Willy Huskey

Good and Lawful Men of the County of Jef-
ferson.

Fee.....\$1.00

Per E. B. Haupin

Constable.

Filed Mch 14/1889

A. B. Veary
ccu

Filed Mch 14/1889

Do360000

can

Louis Mette and Geo. Kanne
doing business under the firm
name and style of Mette & Kanne,
Vs. Plaintiffs.
Theodore Aubuchon, Defendant. } Verdict.

We, the jury, find the issues for the
defendant.

Thos. J. Brewster, No. 1. Foreman.

Mrs. + Anne

vs

Geo. Dubuque,

Verdict

Filed Nov 14/1889

at 3 o'clock
P.M.

Louis Mett & George Hamme
partners, doing business
under the firm name
and style of Mett & Hamme
Plaintiffs

vs
Theodore Aubuchon
Defendant

Before
Chas. S.
Booth
Justice
of the Peace
within and of
for Central
Township, Jeff.
County, Mo.

Charles H. Menischmied, acting
for and in behalf of the plaintiffs
in the above entitled cause as
their agent and attorney, make
oath and says that the application
for an appeal in the above
entitled cause is not ^{made} taken
for vexation or delay, but
because this affiant believes
that the appellant is injured
of the justice

Charles H. Menischmied
~~Subscribed and sworn to before~~
~~me, this~~

Subscribed and sworn to before
me this 13th day of March 1889

Chas S. Booth, Justice.

Muller & Co. & Co.

Dr. J. H. H. H. H.

Hydrochloric

Free Mch 14/1889

Dr. J. H. H. H. H.
cc

We the undersigned, Louis Mette
and George Hamme ^{partners,} composing
the firm of Mette & Hamme, as
principals and Elizabeth Vollmar
and J H Fuller

as securities acknowledge ourselves indebted
to Theodore Aubuchon in the sum
of Fifty dollars, to be void upon the
condition: Whereas Louis Mette
and George Hamme, ^{composing the firm} partners, have of
Mette & Hamme have appealed from the judgment of Charles
J. Booth, a justice of the peace
within and for Central Township
Jefferson County, Missouri, in an action
between Louis Mette and George
Hamme, partners, composing the
firm of Mette & Hamme plaintiffs
and Theodore Aubuchon, 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 appellants and they shall satisfy
such judgment, or if their appeal shall
be dismissed, and they shall pay the judgment
of the justice, together with the costs of the
appeal, this recognizance shall be void.
Louis Mette ^{seal} Mette & Hamme ^{seal}
George Hamme ^{seal} J H Fuller ^{seal}
Elizabeth Vollmar ^{seal}

Approved this 13th day of March 1889
Chas. S. Booth, Justice.

Mette & Xanne.
Vs.

Geo. Aubuchon.

Bond.

Filed Mch 14/1889

D. B. Vearr
cc

State of Missouri } ss. Before Chas. S. Booth
County of Jefferson } Justice of the Peace for
Central Township.

Louis Mette and Geo. Kanne, } On balance
doing business under the firm } of account.
Kleinschmidt name and style of Mette & Kanne, } Amount, \$82.60
vs. Plaintiffs
Theodore Aubuchon, Defendant.

Filing \$ 1.00	Now, on this 26 th day of January 1889, come the
Indexing .10	Plaintiffs, by their Attorney, Chas. S. Kleinschmidt,
Summons .35	and file their account, whereupon summons
Judgment. .50	is issued against the defendant, and given
2 Subpoenas .50	to Frank Luckey, constable of Joachim Township,
2 Continuances .70	returnable February 14 th 1889.
3 Batches .15	And on this 28 th day of January 1889, comes the
Venire .35	constable and makes return of said summons
Swearing jury .25	as the law directs.
Appeal bond .35	Now on February 14 th 1889, come the parties, by
Affidavit .15	their attorneys, and by consent this case is con-
Transcript. .40	tinued to February 23 rd 1889.
Certificate .15	Feb. 23 rd 1889, by consent this cause is continued
Summons served	to Tuesday the 5 th of March 1889.
by F. Luckey .30	
Fees of Appeal	Now, to wit: March 5 th 1889, come the parties
served by F. Luckey .30	and announce that they are ready for trial.
2 Sub. .50	A venire is issued for a jury, returnable im-
Mileage .40	mediately, and given to the Constable who
Venire 1.00	returns said venire by summoning Thos. S.
John H. Reppay	
Hil. 2 days, \$1.00	
Total - \$ 8.65	

{Jury \$3.00
{paid by Def.}

Brewster, M. D., Walter Dahl, Jacob Leutinger, August Spilker, Thos. Lanham, Dilly Huskey, six good and lawful men, who were sworn to try the cause. After hearing the evidence, and argument of counsel, the jury, after mature deliberation, return into court the following verdict: We, the jury, find the issues for the defendant. Thos. S. Brewster, M. D. Foreman.

It is therefor ordered and adjudged by me that the plaintiff take nothing by his suit, that the defendant go hence without day, and that he recover of the plaintiff his costs and charges herein expended.

Given under my hand this 5th day of March
1889. Chas. S. Booth, J.P.

March 13th, 1889. Come the plaintiffs and file affidavit and appeal bond, and pray an appeal to the circuit court of Jefferson County Missouri, which is allowed by me.

Chas. S. Booth, Justice.

State of Missouri, County of Jefferson, ss.

I, Chas. S. Booth, justice of the peace, certify that the foregoing is a complete transcript of all the proceedings had before me in the above entitled cause, as taken and copied from my docket. Given under my hand, this 13th day of March, 1889. Chas. S. Booth, Justice.

No 32
mule + crane
25

Dr. Suburban

Manuscript.

Filed March 14/89

223 pages
etc

Louis Mette and George Hamme
Partners, doing business
under the firm name & style
of Mette & Hamme, Plaintiffs
versus
Theodore Aubuchon
Defendant.

Before Charles I
Booth, Justice
of the Peace
within and for
Central Township,
Jefferson County,
Missouri.

To Theodore Aubuchon, Appellee.

You are hereby notified that we, the
undersigned have taken an appeal
from the judgment of the justice
in the above entitled cause, to
the Circuit Court of Jefferson County,
Missouri.

Louis Mette and George
Hamme, partners, composing the
firm of Mette & Hamme, by
Charles H. McIndermid, their Attorney.

Executed this ~~21st~~ 21st day of March in the
County of Jefferson in the State
of Missouri by delivering a copy
of the same to Theodore Aubuchon
the therein named appellee.

On this 21st day of March 1889
F. B. Luckey Constable
Joaquin Simon Jeff.
County Mo.

Feb. 80

3240
3285
3745-

Filed March 14/1889
J. B. Young
Clerk

SUBPOENA--CIRCUIT COURT.

STATE OF MISSOURI, COUNTY OF JEFFERSON, } ss.

No. 63

THE STATE OF MISSOURI, To

8
J. A. Michener

You are Herby Commanded, That setting aside all manner of excuse and delay, you be and appear in proper person, before the Judge of our Circuit Court, at the Court House in the Town of Hillsboro, within and for said County, on 14th May 1889 the day of May A. D. 1889, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein Mattie Dennis and Plaintiffs, and Geo. Buchanan is Defendant, on the part of said Defendant, and this you shall in no wise omit. 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 hand and the seal of our said Court. Done at
office in Hillsboro, in said County, this 3rd
day of May A. D. 1889

BY DEPUTY CLERK.

Robert C.
CLERK

SUBPENA.

No. 3

CIRCUIT COURT

Of Jefferson County, Missouri,

May

Term, 1889

Mette & Ranne

vs.
Thos. AubuchonPLAINTIFFS' }
DEFENDANTS' } WITNESSES.

Day of Trial

May 14

Th. W. Aubuchon

RETURN.

I hereby certify that I served the within Writ in the County of Jefferson, and State of Missouri, on the ninth day of May, 1889, by Reading within the township of the within named precinct in Fulton Jackson Township

FEB, \$

J. E. Shunk

Filed May 13th 1889
J. B. Beagles

	1	~~Paul Reinhardt~~		3	
1	2	Henry Marshall			1
	3	~~Peter Dunningan~~	1		
2	4	Gus Richter			2
	5	~~J. M. Bailey~~	1		
	6	~~R. E. Perry~~	2		
3	7	J. E. Wilson			3
4	8	E. F. Wilson			4
	9	~~J. H. Harris~~	2		
5	10	Peter Lee	5	Floods	5
6	11	Paul Lee	5		6
7	12	Starrat McKean	5		7
8	13	H. Alexander	5		8
9	14	John Eaves	5		9
10	15	Taylor Lankau	5		10
11	16	R. H. Maupin	5		11
12	17	George Russell	5		12
	18	~~James Boyd~~	3		

Witt & Anne

— 00 —

Phedon Uebach

Paul

Wed May 14/1889
A. B. D. Hager
Ceb

By the direction of the Court we the Jurors
find the issues for the plaintiffs in
the case of Mett & Kaune against
Theodore Aubuchon & assess their
damages at the sum of eighty two⁰⁰
dollars.

Henry Marx
foreman

Mitt & Mann

as

The Auctioneer

—

Dorrick

Filed May 15th 1889

A. B. Veayer
Clerk

Mette W. Kanne
vs.
Theodore A. Beckow

No. _____

STATEMENT OF COSTS.

DATE.	ITEMS.	Plaintiff's Costs.	Defendant's Costs.	TOTAL.
	Trial by Jury. Verdict & Judgment for Plff \$52.60 - 15	530		
	C. S. Booth Justice			
	Doc. Ind. & fil ¹⁰ /summons ³⁵ /Judgt ⁵⁰ /28 pas ⁵⁰ /		2 45	
	2 cont ⁷⁰ /3 oaths ¹⁰ /venim ³⁰ /swearing jury ²⁵ /Appr. & Jud ³⁵ /		1 80	
	Trans ⁴⁰ /Cerk ¹⁰ /Affd ¹⁵		70	4 95
	F. L. Lueky Constable			
	summons ³⁵ /2 notices ⁶⁰			95
	E. Forrest Constable			
	28 pas ⁵⁰ /8 miles ⁴⁰ /venim ¹⁰⁰			1 90
	D. B. Veazey Clerk			
	18 files ⁹⁰ /2 Doc ¹⁰ /Appr. ²⁰ /Jury ²⁵ /Verd ³⁰ /		2 25	
	Judgt ⁵⁰ /Doc. It ¹⁰ /F. L. Lueky ¹⁰⁰ /Cerk ²⁵ /		85	
	App ²⁵ /1 spa ²⁵		50	3 60
	Enrique Farmer Notary			6 30
	Jury Justice Court			
	Thos. S. Brewster ⁵⁰ /Kellin Dahl ⁵⁰		1 00	
	J. Leutzinger ⁵⁰ /A. Spelker ⁵⁰		1 00	
	Thos. Lauham ⁵⁰ /Nelly Hussey		1 00	
	Turrs. Regular Cir. Ct. 4 men			4 00
	Talesman Peter Lee ²⁰⁰ /Paul Lee ²⁰⁰ /S. M. Keane ²⁰⁰		6 00	
	Mr. Alexander ²⁰⁰ /John Carrs ²⁰⁰ /Taylor Leutzinger ²⁰⁰		6 00	
	R. H. Maupin ²⁰⁰ /George Russell ²⁰⁰		4 00	16 00
	Attest			
	D. B. Veazey Clerk			3 77 0
				82 60
				120 30

Paid to Plff
AttyPaid to
Def't.Amt. of Jury
paid to Plff Atty
June 20/84

Mette W. Ramm

as

Therese Aufrick

Reifert

Filed June 10th 1889

D. O. Stangor

6321

No.

Box

Circuit

Court,

Leflore

County.

W. H. Green

Theodore W. Green

Cause of Action

Account

Filed

March 14th

1889

D. O. Vealey

CLERK.

W. H. Green

PLAINTIFF'S ATTORNEY.

J. F. Green

DEFENDANT'S ATTORNEY.

(541)

STANDARD PRINTING CO., HANNUAL, MO.

LIST OF PAPERS IN THIS SUIT.