

Jefferson County Circuit Court
Case Files - Civil
April 1839

Box No.

4

Folder No. 51

Haverstick, Jacob

vs

Hicks, Robert D.

Appeal

Defendant Robert Hicks appealing
decision by JP Samuel McMullin on
a note of \$85.00 transferred from the
estate of William Tillard to Jacob
Haverstick.

State of Missouri }
County of Jefferson } I know all men
by these presents that I Robert
Hicks, having authorized D. Gooch Esq
to levy upon & execute all proper-
ty - ~~for~~ to be found belong-
ing to Wm. L. Tillard's estate for
the purpose of satisfying an
execution - in favour of me -
I hereby Warrant and defend
said D. Gooch from all danger
& I will remain responsible for
all sales made by said Gooch
Witness my hand & seal this 16th
June 1838. - R. D. Hicks Seal

R. D. Lips

Bond

filed 2 June 8/17/89

W. A. Hays to W.

State of Missouri

To the Constable of the Harrison Township in the
County of Jefferson, greeting { The Command you to
Judson W. Williams, Willern to appear before me one of the Justices
of the Peace in and for the County a fore said at my house in
said Township on the seventh day of April of the year of
ten of the Clock in the fore noon of said day to answer
on to Robert D. Weeks in an action on a note -
given under my hand this 3. day of March - 1838

James M. McNeill
Justice of the Peace

Robert D Huke
vs
William F Gilman

at the request of
the plaintiff Joseph
Joseph F M Mullin
and return
to execute the within
Saml McMathie
Justice of the peace

Served the within
by leaving copy
Joseph F M Mullin
D B Constable

Filed April 8th
1839
McMathie
clerk

the state of mind were

Jefferson County March the 3 day - 1838.

Robert D. Hicks = 935 - William & Silas - in an action on a note for
Eighty five dollars - The money for the use of Jacob Haerstick
summons issued the date above - maid returned the check the
April - and put in the hands of Joseph McMillin who
was authorized to execute and return the same - which he
returned the summons served - by leaving a copy of the summons
with said Silas's wife - the defendant not appearing - I gave Judg
Lemant a gainst him by default - for the sum of Eighty five -
dollars - debt - and two dollars sixty ^{two} _{as} cents interest with
cost of suits - Execution issued the 28 of May - 1838 -
directed to Shury Good - who was authorized to execute the
the said Execution - and return the same - which he has returned -
in a way I now not how but he has maid return on a note to
said Silas's and with the other papers for 9 over - in fee to
money he on the

old 70

No 33

Transcript

Jacob Haverstick

VS

Robert A. Wick.

Filed April 8th 1839.

W. A. Weather

clerk

State of Missouri

To the Constable of the Patton Township in the County of
Jefferson & residing = Charles = Hobart & this on the seventh
day of posit. 1838. obtaining judgment before the undersigned
Justice of the Peace of the Patton Township in the County of
Jefferson a gainst William & William for Eighty five -
dollars for his debt and two dollars and thirty two &
1/2 cents interest = and Eighty one & 1/2 cents for his Post
100. cents interest = and Eighty one & 1/2 cents for his Post
You are therefore Commanded to leavey the same of the goods
and Chattels of the said William & William & to bring to two
you are also Commanded to return this writ to the undersigned
Justice of the Peace within thirty days from this date: Given -
under my hand this - 28 - day of May - 1838

~~The Constable~~
~~Charles Hobart~~
~~Justice of the Peace~~

Joseph M. Smith
Justice of the Peace

Robert D Hix
vs
William L Tillard
in an Execution

Debt \$45.00
in trust 2.60
Quarter fee 0.25
Constable fee 0.25
this Execution 0.25
Cons^l fees 1.50

the estate & culture
Hoggs more on legs & other
parts of open stone
some to run

this Execution
28 May 1838

the
to
Execution
it
W. Mullin
delivered
in consequence
of \$12.00

Debt of the Constable being
for forty one dollars & fifty cents

Debt of the proceeds of sale the
money in the hands of the Constable
for the cost of the same by the
this 16 day of June 1838. Robert D Hix

Constable of T. T.

THE STATE OF MISSOURI,

TO THE CONSTABLE OF

Valle TOWNSHIP, IN

Jefferson COUNTY, GREETING.

WE command you to summon

Robert D. Fink

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

township, in

Jefferson

County, on the *29th* day of

February - 1839.

at ten of the clock in the forenoon, at his office in the same township, to answer the complaint of *Facad Havers*

in an action on a note headed to the said Havers to the

said Havers ¹⁸³⁴ on William A. Sellers for \$85.00

Given under my hand this

29th

day of

January - 1839.

JUSTICE

Saml M. Smith of the Peace

Jacob Haversick
vs
Robert D. Hulse

sworn on oath
by Learning
copy 30 day
1839

William Barry
Dpt Const

Filed April 8th 1839
Matthew
clerk

State of Missouri
County of Jefferson ~~greeting~~
to to the Constable of Valle Township in the County of Jefferson
~~greeting~~ - you or her by Commanded to Summons Drury Goach
and George M. Haverstick that all Excuses and day days set
a side the be and appear before the Judge of the Circuit
Court ^{of the County of Jefferson} to be heard in the Town of Horculanum on the
Eighth day of April next ~~then~~ at the hour of Ten of the Clock
in the fore noon of said day to testify the truth of their
knowledge touching a Certain matter of Controversy before
the Judge of said Court depending whereas Jacob Haverstick
is plaintiff and Robert Darricks defendant on the part of
the plaintiff herof said mat at your perrel - have you
then and there this writ Witness my hand this
16th day of March - 1839

James McMullin
Justice of the peace

Subpenay for
Dwight Gooch & George
Haverstick on George Haverstick
Served the Within by Kenda
on the 16 day of march 1839
William Bovey Dep Constable

at the request & request
of the plaintiff

I Authorize William
Bovey to Execute
& return the within in
Samuel McMullin
Justice of the peace

Filed April 8th 1839
Matthew
6/11

State of Me's over

To the Constable of the Townshel in the County of Jefferson greeting -
You are hereby Commaned to summons Joseph Mc Cormack and his wife & James Mc Cormack that all Excess and delays be avoided the said appar before the Judge of the Circuit Court of the County of Jefferson to be held in the Town of Hotchkiss on the Eighth day of April next at the order of ten of the Clock in the forenoon of said day - to testify the truth of their knowledge touching a certain matter of Controversy before the Judge of said Court touching certain areas of land Thawers title is Planty and Mc Cormack stands de fendant on the part of the defendant having paid out at your fence - having you then and there the word -

Witness my hand this 16th day of March - 1839

James Mc Cormack
Justice of the peace

$$\begin{array}{r} 37.90 \\ 4.90 \\ \hline 42.80 \end{array}$$

I authorize William
Bewaz to Examine &
return the with in

James McMullen
just to a few paces

This writ executed
according to Law
this 2^d day of March
1839. William Perry
Sgt. Court.

Filed April 8th 1839
Mathewy 611

$$\begin{array}{r} 111 \\ \hline 45 \end{array}$$

9/6

2.2

13/158
95

$$\begin{array}{r} 1104 \\ 336 \\ \hline 1440 \end{array}$$

444

State of Michigan

So the Constable of the Township in the County of
Jefferson greeting the Command yead to summon John & Long
& George Matthews on sitting a side all Excuse and day they
that the we and appear before the Judges of the Perceut Court
of the County of Jefferson in the Town of Howell and in
on the eighth day of April next then and there to testify
the truth of their knowledge with a Latin motto of Contrary
before the said Judges pending before as Jacob Thawentick is
Adant and Robert & others dependent on the part of the
Adant her in the are not to fail hand if within and
then with = Melms my hand this 30th day of March
1839

Saml. McPherson
Justice of the Peace

of the request and
wish of the plaintiff
authorise William Boney
to Examine & return the
with in writ

Saml. McMillen
Clerk of the peace



Subpena for
John Strong &
George Harrison
to be

Wm. McMillen

Dec 8th 1839

done by
riding through
in
William Boney
Clerk
Court

State of Missouri
County of Jefferson

p. 90 March 1839

The undersigned Robt.
D. Hicks and Ben. B. Byrd, acknowledge ourselves
indebted to Jacob Hoverstick in the sum
of one hundred and ten Dollars, to be
void upon this condition; Whereas Robt.
D. Hicks has appealed from the judgment
of Saml. M. Mullin, a Justice of the
Peace within and for the township of
Ballwin Jefferson County, in an action,
between Jacob Hoverstick plaintiff, and
Robt. D. Hicks, defendant; Now if on such
appeal, the appeal, the judgment of the
Justice be affirmed, or if on the trial a-
new in the Circuit Court, judgment of
be given against the appellant, and he shall
satisfy such judgment, or if his appeal
shall be dismissed and he shall pay the
judgment of the Justice together with
the costs of the appeal, the recogni-
zance shall be void.

at test

Saml. M. Mullin
Justice of the peace

R. D. Hicks

B. B. Byrd

Wm. O'Connell

Bona

Received of

Chicago June 8 1889

Wm. O'Connell

Wm

COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, Missouri;

YOU are hereby commanded to summon

Charles J. Johnston

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the 11th day of April at the town of Moberly, Mo. wherein ~~Charles J. Johnston~~ is plaintiff, and ~~Robert O. Morris~~ is defendant, on the part of the respondent; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,

at the town of Moberly this 21st day of April in the year of our Lord one thousand eight hundred and 39

John S. Mathews Clerk.

I executed this writ on G. J. Johnston
By Reading the same in his hearing on
the 9th day of April 1839

John Hammond Sheriff

Jacob Haverstick

vs

R. D. Lewis

vs

G. J. Johnston

Filed April 8th 1839

Matthews & Mc

COUNTY OF JEFFERSON, SO1.

THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, ^{residing}:

YOU are hereby commanded to summon

Johnson McAffee

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the 11th day of April at the town of Moberly, Mo. wherein Jacob Haverstick is plaintiff, and Robert B. Hickey is defendant, on the part of the plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court, at the town of Moberly this tenth day of April in the year of our Lord one thousand eight hundred and 39

John S. Mathews Clerk.

I Executed this writ on Johnson &
alford by reading the same in
his presence and having on the 10th day
of April 1839 John Hammond Sheriff
By me as Deputy ~~the~~
Sheriff

John Johnson bailiff
April Term 1839

Deputy Sheriff

John Johnson
April 10 1839

John Johnson
April 10 1839

John Johnson
April 10 1839

General Armstrong

ⁱⁿ
Robert R. R. R.

} affirmed from practice
September 21st 1839

The pleas of the Court to the affirm in
the above case ~~has~~
for Reason there was no prejudgment of the practice
to affirm from
Reason for per

Stamets

as Motion
del's,

Wheat Spring 4/1839

Wheat
del's

Local Mercantile } & W. D. Mercantile Cleaning, Lau-
 All } } attendances in the above Care
 Robert & Mabel } for three days attendances \$1.50

24
120 Mileage for hauling spring and
 Country 24 Miles 1.20

Sum to before me of June 11th 1839
 Matthew B. B. 2.70

Doat Hancock } George W. Harrison

W. H. } } (Paying his attendance
 Robert & Mabel } in said case for

four days attendance — \$2.00
 Mileage for hauling spring and

Coining — \$0 m. 5 cts per mile — 2.00

Sum to before me of Matthew B. B.

10
5
2.00 2.00

Waverley

~~Mr~~ Lewis

Paris -

Waverley

Matthews & Co

Worcester. 14th April. 1839.

My dear Friend for attending for
days as a witness in the case of —
Hicks vs Woodcock and mileage = 40 ms.
that is 20 ms there and back from home —
Y^r S^{vy} Long —

My Friend please obtain a warrant
on the Co. for me from the County Court, at
the next session — as it was allowed & not
ordered — & as I may not be there —
the ~~sum~~ of which was allowed by —
the Court was for \$9.00 for delivering
a Report from St. Nicholas in Aug. — 38.
Yours most respectfully —
John F. Long

Stewart's

March

fee

Stewart's Office 11/15/1839

270
170
100
440

COUNTY OF JEFFERSON, SOJ.
THE STATE OF MISSOURI,

To the ~~Sheriff~~ of

~~County~~ Meeting;

YOU are hereby commanded to ~~summon~~

Patrice B. Shuster

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the *eleventh* day of *August* at the town of *Wentzendorf* then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *Jack Wentzendorf* plaintiff, and *Robert D. Weick* defendant, on the part of the *defendant*; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court, at the town of *Wentzendorf* this *twenty ninth* day of *July* in the year of our Lord one thousand eight hundred and *thirty ninth*.

John S. Mathews Clerk.

I executed this writ by on T J Domston
by reading it in ~~the~~ his presence and
during on the 6 day of August 1839

John Hammond Sheriff
By M Mop. S. Sheriff

At West Hill Court
August 6th 1839

Isaac Barnstable

vs
Robert D. Smith,

Plt for Debt -
Defendant.

Emas. W. Cornwell

filed Aug 6th 1839

Attest
M. Mop. S.

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the ~~Secy~~ of ~~the~~ County Meeting:

YOU are hereby commanded to ~~com~~

William H. Chas. &
James M. Chas. &
George Washington
George Washington

that, setting aside all manner of excuse and delay, ~~he~~^{she} be and appear in proper person before the Judge of our Circuit Court, on the eleventh day of August at the town of Beauregard then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein Jacob Beveniste plaintiff, and Robert D. Reich defendant, on the part of the plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,
at the town of *Horseshoe Landing* this *twenty second*
day of *July* in the year of our Lord one thousand eight
hundred and *fifty nine*.

Mr. Charles Clark.

I Executed this note on J H Afford
George W Hanson on the 5th day of
August 1839 By Reading the
Same in his Hearing Jno Hammond & Sherff
Sewer on G W D Haverstock on the 6th
day of August 1839
one one and 12^{cts} John Hammond & Sherff

J H Lewis Secy
August 6th 1839

Wm D Haverstock

Robert O Wick

Wm J. J. J. J.

Johnson, W. J. J.

Hammond, J. H. J.

George, W. J. J.

George, W. J. J.

J. H. J.

Sherff & J. H. J.

Jacob Howestock

August Term 1839.

Robert @ Heirs

The defendant in the above case makes
oath that Garriol J. Johnston is a
material witness for this plaintiff on the
aid without whose testimony he could not support his claim
trial of the above cause that he expects
to prove by said ^{witness} a want of due care on
the part of plaintiff in the collection of
money for which this suit is brought ^{from the original debt} he
also expects to prove by said witness
that the instrument on which the
claim is not the instrument transferred
and signed by this plaintiff to said
Howestock, He also expects to prove
by said witness that the instrument
was signed by this plaintiff to said
Howestock, and that the same is not
the foundation of the above action,
~~wherein~~ this plaintiff expects to prove
by said witness is maintained. This
plaintiff would further state that said
witness is not able to get to court at this
time ~~for the court~~ on the account of this
plaintiff has heard of his leg being broken that
a subpoena has been served upon said witness
to procure his attendance at this term,
but ^{was} done at more for and in compliance
with the law, than in expectation of being

able to obtain said writs, as he has
been for some time unable to travel
on account of the injury of said. This
affiant would further shew to the
court that he knows of no one to whom
he can ~~show~~ the facts he expects to be
able to prove by said absent witnesses,
and that he is not about through
the procurement of the court or
counsel of this affiant and
that he expects to be able to prove
the attendance of said witnesses at the
next term of this court, that this
application for a continuance is not
made for the mere purpose of delay
by furthering the cause, and that
justice may be done in the above case.

Sworn to before me
Aug 6th 1839 -
J. Mathews Clk

R. D. Hicks

Filed Aug 6th 1839
J. Mathews Clk

Recd. D. Hicks
R. D. Hicks
all Dept
3885

Sacall Harwood's } August Term 1839

Wm
Robert D. Miller

To 1 day attendance
do travelling 24 miles

at 5 cts per mile 11-26
G. W. D. Harwood's 1.70



COUNTY OF JEFFERSON, SOY.
THE STATE OF MISSOURI,

To the Sheriff of

County: Sheriff:

YOU are hereby commanded to summon

Johnson Hafford
Samuel M. Mueser
George W. M. Mueser
George Mueser

You are hereby summoned

that, setting aside all manner of excuse and delay, ~~he~~ be and appear in proper person before the Judge of our Circuit Court, on the tenth day of December at the town of Wescott wherein Robert Mueser is plaintiff and Robert Mueser is defendant on the part of the plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,
at the town of Wescott this 10th day of December in the year of our Lord one thousand eight hundred and thirty nine

John S. Mathews
Clerk.

I Execute this unto on all the
within named witnesses By reading
the same in their presence and
Hearing on the 15th day of October
1839

John Hammond Sheriff

Jefferson Bibbunt
December Term 1839

Jacob Waverstick

Robert Wicks

Wit for J. W. W.

J. W. W.

James M. Shuttin

George W. Waverstick

George Waverstick

December 1 - 1839

W. J. Waverstick
W. J.

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, *Stetting*;

YOU are hereby commanded to summon

Mathie Johnston
Benjamin Byrd

that, setting aside all manner of excuse and delay, they be and appear in proper person before the Judge of our Circuit Court, on the *tenth* day of *December* at the town of *Beccelmann* then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *Jacob Weaver* is plaintiff, and *Robert D. Weicks* is defendant, on the part of the *respondent*; and have you then there this writ.

WITNESS, JOHN S. MATTHEWS, Clerk of our said Circuit Court,
at the town of *Beccelmann* this *eleventh* day of *April* in the year of our Lord one thousand eight hundred and *thirty nine*.

John S. Matthews
Clerk.

I Execute this write on J. I. Johnston
on tenth day of September 1839 By Reading
the same in his presence and Hearing and
on Benjamin Bura By Reading the
same in his Hearing on the 28th
day of October 1839

John Hammon & Sheriff
Sheriff / \$100.00

Jeff Lewis, Clerk,
Decr 1st 1839,

Jacob Weaver to the

Wm. S. S. S. S.
L. D. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

10 Decr

filed 20 2 1839

Wm. S. S. S. S.
W. H. H. H. H.

County of Jefferson St
The State of Missouri to

Brook McBurnack. You are hereby commanded
-ed that you be and appear before the Judge
of our Circuit Court, ~~in~~ on the 10th
day of December next then and there to
testify and the truth to say in a certain
matter of controversy then and there pending
wherein Jacob Haversack is plaintiff
and Robert D. Wick is defendant; in

the part of the defendant

Attest John A. Caldwell Clerk
Private }
of the }
Court }
at St. }
Louis }

Given under the
Seal of the Circuit Court the 25th
day of November AD 1839

Wm. A. Howard Clerk

I Executed the within Note on
Enoch Mc Cormack By Reading the
same in his Hearing on the 25th
day of November 1839 John Hamman
Sherriff

John Lewis Court
December Term 1839

Jacob Warrick

vs }
Defendant }
vs }
Defendant }

for

Defendant
Enoch Mc Cormack

filed Dec 10 1839

Matthew W. W.

Waverly

as

Left for Santa Fe Dec 1839
arrived at Santa Fe

Dec 1839

at Santa Fe

back 2 days Aug 1839 18 miles

\$ 1.90

Dec 1839 18 "

\$ 1.40
\$ 3.30

down to Santa Fe

Dec 1839

at Santa Fe

from Santa Fe

filed Dec 10th 1839

J. Matthews Clk

Offer on the Court Dec 1839
 Heavericks
 Benjamin
 Benjamin

~~Henry Thro~~

Bourne Bazaar

297612

} claiming his attendance on February

1 camp attended 24 miles traced

1903

Wren to 8 proserides

Dec

1839

Procter & Knott

12. B. B. B.

11 Jacoba ~~Wassenaar~~ } In Jefferson Bureau
Robert D. Smith } Decent Apr 17. 1839
Galice J. Foster a Miner in the above
Case claim 2 days attendants at 50¢ per ~~day~~ \$100
At Miles travel in going & returning
from home to the place of trial at 50¢
per mile _____ \$200

Waverick

vs
R. D. Wick

Filed Dec 11th 1839

J. Mathew

clerk

Open in the case
of
Hart Wentworth

Robert D. Wick

The within paper was
remitted to the Court
and afterwards came
under consideration in the
presence of Wentworth

pleasantly

His Speculation derived by the orders of the
with out seeing the property and also
upon his special as he intended
me by a bond for sale

a lot of Hops
also one Clock or
(\$1.00) . " " "

one small yard of open not present

England being the highest beer at \$-18 " 50
the above will not fail in consequence of the property not
also 30 bushels corn & 10 bushels of the above not
of all these making the corn sold with out seeing it is at

Michael & June 8th 1899

Allen Tracy
to Mr

Drury Gooch is a motored
motorist with out said
all the ninth day of March
and a subpoena for
William Berry authorized
Constable returned the
as Juror, and also
appeared and went
both sides - the jury
awarded the sum of
with Cost of Sute
the defendant prays
was granted

\$3.37 1/2

- 2-75-0

1-00,

1

- 0-50-