

Jefferson County Circuit Court
Case Files - Circuit
May 1851

Box #

7

Folder # 23

Hendrickson, George

vs

Foster, James

Slender

Defendant called Plaintiff a
"hog thief" over a disagreement
concerning a cow; \$1000 damages

George Hendrickson Plaintiff }
against }
James Foster Defendants }
In the Circuit Court
Jefferson County
Mo

The plaintiff states that on or about the — day of September 1850 at the county of Jefferson and State of Missouri the defendant spoke the following false and slanderous words concerning the plaintiff that is to say, "He (meaning plaintiff) was a damn hog thief and had lived on his (meaning defendant's) hogs while he (meaning defendant) was gone to New Orleans"

Further spoke on another occasion the following false and slanderous words concerning the plaintiff that is to say "He (meaning plaintiff) was a swine a lie in St. Louis and a mob raised & run him (defendant meaning) out of the city of St. Louis" Plaintiff further charges

(St. Louis" Plaintiff further charges that defendant used the same slanderous & false words of and concerning plaintiff at other places and times, and particularly in Monroe county Illinois about the month of September 1850 and about the month of December 1850

and plaintiff says that he is damaged
thereby to the amount of one thousand
dollars for which he asks judgment

George Hendrickson
George Hendrickson, plaintiff makes oath and
says he believes the above petition and the matters
as therein stated are true,
Sworn to & subscribed before

me the 3rd day of April 1857.

Thos C Fletcher CLK

George Hendrickson

No.
to Circuit Court
May Term 1857

1077
George Hendrickson

vs
James Foster

Action of slander

Filed April 3rd 1857.

Thos C Fletcher
CLK

Re Roughton fee \$17

Chas. D.

County of Jefferson St
The State of Missouri.

To the Sheriff of the County of Jefferson, greeting:
You are hereby commanded that you summon
James F. Foster, if he be found in your county,
that he be and appear before the 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 said county on the fourth Monday of
May next, then and there to answer unto
(George) Hendrickson upon his petition hereto annexed
and have you then there this writ,

Witness the C. Fletcher Clerk of our said
circuit court at Hillsboro this 3^d
day of April A.D. 1857.

Thos C Fletcher Clerk

I executed the foregoing writ in the County of
Jefferson on the 5th day of April 1857. by
reading the same and the petition hereto annexed
in the presence and hearing of the said James
F. Foster,

James M^cCalloch Sheriff

By B. J. Boughton

George Sandrickson
Against
James Foster

In the Circuit Court
Jefferson County Mo.

Defendant states, that about the month of September 1850 a difficulty arose between Plaintiff and defendant about a certain cow belonging to defendant though claimed by Plaintiff.

That during the pendency of said difficulty defendant heard that plaintiff had a ~~good time~~ of taking or stealing his plaintiffs cow, in return defendant charged plaintiff of stealing about 16 of his pork hogs, as he believed.

Defendant denies charging Plaintiff ~~with~~ ^{with} "swearing a lie in St Louis, and that a mob raised and run him out of the City of St. Louis". All that defendant said about that, was, that he had heard one Joseph Genong of St Louis, at the house of John Miner in Jefferson County, Missouri, say that said George Sandrickson had sworn a lie in St Louis, and he defendant made the statement upon the authority and information of said Joseph Genong.

All charges & allegations in plaintiffs petition not herein admitted are expressly denied & required to be proven.

Defendant would further state that said plaintiff George Sandrickson is son in Law to "Old Jim Peppers", a notorious thief. Who, with most of his family served a term of years in the penitentiary of Missouri. & both before and after the conviction of said Peppers he was permitted to live with, & was harbored by said Sandrickson & so well satisfied were the

people, that. Thieving was carried on by "old
Jim" & participated in by Sturdieman or
connived at by him, that, the house of said
Sturdieman has been torn down by several
accusings as defendant has been informed and
believes

James Foster

By Pipkin Atty.

James J Foster being duly sworn states that the
matters and facts set forth in the foregoing petition
are true to the best of his knowledge and belief

Sworn to & Subscribed

before me this 13th Sept 1857

J. J. Foster

E. H. Honey, J.P.

George Johnston
James J. J. J. J.
"Harden"
Defendant shown

Wheat Depot 24th 1851.
The E. McPherson
CMT

George Sandri et Son

In the Circuit Court
Suff. Co.

James F. Foster

May Term 185-2

Now at this corner The defendant by his
Attorney read moves the Court to make
plaintiff to security for costs

1. Because he is insolvent and not able to pay costs
2. Because he has no property subject to execution for costs.
3. Because the cost in the case is likely to be heavy and the officers are in danger of losing their gas -

P. Pipkin
for dept,

George Washington

us

James F. Austin

motion to rule both
to security for cost,

Filed May 23rd 1852
Jno. C. McTear
Clerk

George Hendrickson
as
James T. Parker

In the Circuit
Court of Jefferson
County Mo
suit for slander

I hereby bind myself to
pay all costs that have accrued in
or hereafter may accrue in
the above entitled cause, that
may be assigned against
said Plaintiff. Given under
my hand and seal this 29th
day of May A.D. 1852

James T. Parker
Seal

Hendrickson
v
Foster

Secy for Costs

Filed May 29th 1852,
Thos L Fletcher
Clerk

COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, *Steering;*

WE command you to attach

Leaborn Williams

keep, so that you have his body forthwith before our Honorable Circuit Court, now in session, at

by his body, and him safely

Wichita
said Court as a *prisoner*

John ~~juror~~, after having been duly summoned to do so: herein fail not, and have you then there this writ.

WITNESS,

John S. Matthews
~~JOHN S. MATTHEWS~~, Clerk of our said Circuit Court,

with the Seal thereof hereunto affixed, this

29th

day of

May
fifty two

in the year of our Lord eighteen

John S. Matthews
Clerk.

I have executed the within writ
on Seaborn Williams by bringing
him before the court this May the
31 day 1852

A. R. Willson

State

vs

Seaborn Williams

Attachment

Sherriff fees \$4.50
\$1

COUNTY OF JEFFERSON, ~~SS.~~

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, ~~Sitting~~;

WE command you to attach

David Ayler

keep, so that you have his body forthwith before our Honorable Circuit Court, now in session, at

by his body, and him safely

Neelabor then and there to answer a contempt by him committed, in not attending said Court as a *Minors* Juror, after having been duly summoned to do so: herein fail not, and have you then there this writ.

WITNESS,

John S. Matthews

Clerk of our said Circuit Court,

with the Seal thereof hereunto affixed, this

29th

day of

May

in the year of our Lord eighteen

hundred and

fifty two

John S. Matthews

Clerk.

81410

Blake
-as-
Daniel Doyle

attachment



COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, *Esq.*

WE command you to attach

Isaiah Triple

by his body, and him safely

keep, so that you have his body forthwith before our Honorable Circuit Court, now in session, at

Wilderboro'

then and there to answer a contempt by him committed, in not attending

said Court as a *Widow* ~~and~~, after having been duly summoned to do so: herein fail not, and have you then there this writ.

WITNESS,

John E. McTear
~~JOHN S. MATTHEWS~~

Clerk of our said Circuit Court,

with the Seal thereof hereunto affixed, this

29th

day of *May* — in the year of our Lord eighteen
hundred and *fifty two*

John E. McTear
Clerk.

I executed the within writ on
Joseph Kyle by bringing him
before the court this day the 31 day
A.D. 1852
A. J. Willson

State
vs
Joseph Kyle

Attachment

~~Writ~~ \$1
alias fees \$1.50

COUNTY OF JEFFERSON, Mo.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, *Respecting*;

WE command you to attach

James Anderson

by his body, and him safely

keep, so that you have his body forthwith before our Honorable Circuit Court, now in session, at

Willsboro

then and there to answer a contempt by him committed, in not attending

said Court as a *Witness*
there this writ.

~~And~~, after having been duly summoned to do so: herein fail not, and have you then

WITNESS, ~~JOHN S. MATTHEWS~~, Clerk of our said Circuit Court,

with the Seal thereof hereunto affixed, this

3/18

day of

May

in the year of our Lord eighteen

hundred and

fifty two,

Wm. D. de Tores

Clerk.

I executed this ~~Subpoena~~ ^{Attachment} on
the within named James Anderson
by arresting his person, which
is now before the court

May 1st 1862 A.P. Willson
See #1.

Slack
vs
James Anderson

Attachment

Shelly #1

1st day

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To James Anderson, Amosha Hemmings and

Bert & Douglas Manuel Wells GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our Circuit Court, on the 29th day of

May — at the town of Willbore, then and there to testify and the truth to say, in a certain matter of controversy, now pending in our said Court, wherein Geo Stearns & Son is — Plaintiff and James T. Fowler is — defendant on the part of the Plaintiff

Witness,

Wm. L. McTear

JOHNSON H. ALFORD, Clerk of our

said Circuit Court, at the town of Willbore, this 1st day of April A. D., eighteen hundred and fifty two

Wm. L. McTear

CLERK.

I executed this writ on James Anderson
by reading it in his presence and hearing
on the 2nd day of April 1852 I executed this
writ on Jonathan Hemmington by reading it in his
presence and hearing on the 4th of May 1852 also on
Benj. L. Baughton by reading it in his presence and
hearing on the 5th of May 1852

James M. Colloch Sheriff

To His Court
May 27 1852.

Geo. Hemmington
Jury 2nd

also 2nd for

for 2nd

James Anderson 2nd

Jonathan Hemmington 4

Benj. L. Baughton

Manuel Mells

To His Court

Sheriff fees \$1.50

Sheriff fees 50 cts

\$2.00

executed the within
writ on James Mells
by reading in his presence
and hearing this May the
24 day 1852

James M. Colloch Sheriff
By Christopher M. May 24th

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To John Trues James Agle, David Anderson
and Richard Mansurin

GREETING:

You are hereby commanded, that setting aside all manner of excuse
or delay, you be and appear in proper person before the Judge of our
Circuit Court, on the 29th day of

May at the town of Webbboro, then and there to testify
and the truth to say, in a certain matter of controversy, now pending in
our said Court, wherein Lee Standre Dean is
plaintiff and James F. Fowler is defendant
on the part of the Plaintiffs

John B. Helcher
Witness, **JOHNSON H. ALFORD**, Clerk of our

said Circuit Court, at the town of
Webbboro, this 16th day of April
A. D., eighteen hundred and eighty two

John B. Helcher CLERK.

I executed this writ on Richard Mumpere
by reading it in his presence and hearing
on the 29th day of April 1852

James McEllock Sheriff

I executed this writ on John Miner by his
reading it and refusing to hear it read
by me on the 29th day of April 1852

James McEllock Sheriff

To Circuit Court
May Term 1852

Goodwin's Return

vs } 500

vs } 300

for debt

John Miner 25

James Ogle 15

Levi Anderson

Richard Mumpere

6th Aug

Sherriff fees \$1 50

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To Harrison Mackey and Isaac Burgean —

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our

Circuit Court, on the 29th day of

May at the town of Wellston, then and there to testify and the truth to say, in a certain matter of controversy, now pending in our said Court, wherein George Henderson is Plaintiff and Elmer S. Groves is defendant on the part of the Plaintiff

Wm. C. McTeer
Witness, ~~JOHNSON H. AFFORD~~, Clerk of our

said Circuit Court, at the town of Wellston, this 16th day of April A. D., eighteen hundred and fifty five

Wm. C. McTeer CLERK.

I executed this writ on Isaac Bungan by reading
it in his presence and hearing on the 29th of April
1882
James McFalloch Sheriff

I executed this Spa on Harrison
Bensly by copy - May the 5th 1882
sworn to & subscribed
before me May 24th 1882
Thos C Fletcher CCR } B. J. Boughton

Jo Lin County
May 2 1882.

Geo Stearns Clerk
do } do
James W. Fowler

for self

Harrison Bensly W5
Isaac Bungan 29

May

Boughton 50
Boughton 50

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To Gabriel Johnson, James Simpson & A. A. Miller

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our circuit Court, on the 29 — day of May at the town of Wellbore, then and there to testify and the truth to say, in a certain matter of controversy, now pending in our said Court, wherein Geo. Standish is Plaintiff and James J. Fowler is defendant on the part of the Plaintiff.

Wm. C. McTear
Witness, JOHNSON H. ALFORD, Clerk of our

said Circuit Court, at the town of Wellbore, this 1st day of April A. D., eighteen hundred and fifty two

Wm. C. McTear
CLERK.

I presented this writ on James Simpson & R.
Wilson by reading it in their presence
& hearing on the 28th day of April 1852

I presented this writ on G. J. Johnston
by him Acknowledging the same
this May the 24 day 1852

James McElloch Sheriff

to his Court
May 2 1852

Geo Henderson
do do

James J. Brooks

for self

Ed Johnston

James Simpson & R.

Wilson 28

24 May

Sheriff fees \$1.50

COUNTY OF JEFFERSON, Sct.

~~OFFICE~~ ~~SECRET~~ ~~OF~~ MISSOURI,

TO

Chambers Mleon, Elsie Vernon
~~and~~ John Blump and Thompson Morgan

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our Circuit Court on the 29th day of May at the town of Hillsboro', then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein

George Wendrich is plaintiff and
James D. Doelen is defendant on
the part of the ~~defendant~~.

WITNESS,

~~John S. Matthews~~, Clerk our said Circuit Court, at the town of Hillsboro', this 8th

day of May in the year of our
Lord one thousand eight hundred and ~~forty~~ fifty two

Thos. C. Mulcher CLERK.

I served this Spa on Chambers & Wilm
on the 13th day of May & on Elsie &
Vernon the 21st of May & on ex John
Thompson the 12th day of May by reading
the same in their presence ^{B. J. Boughton}
and hearing - also on Thompson ^{by Capt} ~~Boughton~~

Served to 9 Siles cried before
me May 24th 1852

No led sketch
etc

1st day

1st day
Boughton 9th

at Fairchild Court
May 28th 1852
George Thompson
James & Jackson
for self
Chambers Wilm
Elsie Vernon
Thompson
Thompson 14

COUNTY OF JEFFERSON, Sct.

OFFICE SHERIFF OF MISSOURI,

TO

*James M. Williams, Director of
Elias J. Heeney and Joseph Wyle*

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our Circuit Court on the 29th day of *the day* at the town of Hillsboro', then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein

George Williams is plaintiff and
James J. Heeney is defendant on
the part of the *depts*

WITNESS, *John S. Williams*, Clerk of our said Circuit

Court, at the town of Hillsboro', this 10th

day of *May* in the year of our
Lord one thousand eight hundred and ~~forty~~ *forty-five*

John S. Williams CLERK.

I executed this Spa on James Mc-
 Mullin by reading the same in his
 presence and hearing the 12th day of May
 1852 - and on Linson Burgess the 12th
 and on Elias F. Henry the 10th and on
 Joseph Kyle the 14th day of May 1852

sworn to & subscribed before
 me May 14th 1852

To Sir Court
 May Term 1852,

George Hendrickson

James F. Foster

for deft

James McMillen

Linson Burgess

Elias F. Henry¹⁰

Joseph Kyle¹⁴

Today

Broughton \$2

COUNTY OF JEFFERSON, Sct.

OFFICE SHERIFF OF MISSOURI,

TO James McEachlock (deft) Willie Rogers
Thomas Medley and Daniel Rygle
John Smith and Henry Rogers

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our Circuit Court on the 29th day of May at the town of Hillsboro', then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein George Frederickson is plaintiff and James H. Foster is defendant on the part of the depts.

WITNESS, John S. McEachlock, Clerk of our said Circuit Court, this 10th day of May

Court, at the town of Hillsboro', this 10th day of May in the year of our Lord one thousand eight hundred and forty five

John S. McEachlock CLERK.

Served this Subpoena on James Mc-
 - Colough - May 24th on Willis Rogers -
 May - the 14th, on Thomas Medley Same day
 on David Ryle the 22^d of May. on John
 Smith the 10th & on Druy Rogers the 14th
 of May 1852, all by reading and -
 giving copy -
 B. J. Boughton

sworn to & subscribed
 before me May 24th 1852
 Geo. Hendrickson
 W. Y. Spoa
 James J. Foster
 for Deft.
 James Mc Colough
 Willis Rogers 14
 Thomas Medley
 Daniel Ryle
 John Smith 10
 Druy Rogers 14
 Boughton \$3

COUNTY OF JEFFERSON, Sct.

OFFICE SHERIFF OF MISSOURI,

TO
Leaborn Williams, Benjamin Dickel
and George Wellrichen and John C. Stokley

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our Circuit Court on the twenty ninth day of May at the town of Hillsboro', then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein

George Wellrichen is plaintiff and
James C. Foster is defendant on

the part of the Debt

WITNESS, ~~James C. Foster~~, Clerk of our said Circuit

Court, at the town of Hillsboro', this 10th

day of May in the year of our
Lord one thousand eight hundred and forty five

Thos. C. Fletcher CLERK.

Witnessed & Subscribed before
me May 24th 1852
Thos. C. Fletcher Cld

to Circuit Court

May Term 1852

George Wendrickson
vs } & pro
James B. Baker

for Deft:
Lebourn Williams
Benjamin Kidd
George Wickerson
John B. Baker

I "do" Day
Broughton for

I executed this Subpoena on the
within named George Wickerson
Ben^a Kidd and Lebourn Williams
by reading the same in their presence
and hearing at the County of
Jefferson this 18th day of May 1852
also on John B. Baker B. Broughton
on this 24th day of May 1852

COUNTY OF JEFFERSON, Sct.

DEPTED SUPREME OF MISSOURI,

TO John Smith, Wm. J. Smith, William Brown and Henry Rogers

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our circuit Court on the 29th day of May — at the town of Hillsboro', then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein George Sheridan is — plaintiff and James A. Graham is — defendant on the part of the ~~defendant~~

WITNESS, ~~John S. Williams~~ *Wm. J. Smith*, Clerk our said Court, at the town of Hillsboro', this 10th day of May in the year of our Lord one thousand eight hundred and ~~forty~~ *forty-five*

Wm. J. Smith CLERK.

I Executed this writ on Austin Brown
by reading it in his presence and hearing
on the 19th day of May 1852 I Executed this writ
on Wm T Lenter by reading it in his presence
& hearing on the 20th day of May 1852
I Executed this writ on John Smith

at Fair Court
May Term 1852

Geo: Wendrick Reeve
vs
James T Parker

Left
John Smith
Wm T Lenter
Austin Brown
Ormon Rogers

6th day

Smith Dec 21st

COUNTY OF JEFFERSON, St.

OFFICE SHERIFF OF MISSOURI,

TO

Mr. Spurgeon

(formerly constable in St. Louis)

George W. Spurgeon (perhaps is Frank Weatherman)

GREETING:

You are hereby commanded, that setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our circuit Court on the 29th day of May at the town of Hillsboro', then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein

George W. Spurgeon is

plaintiff and defendant on

the part of the

WITNESS, John S. Matthews, Clerk our said

Court, at the town of Hillsboro', this 10th

day of May in the year of our

Lord one thousand eight hundred and forty-five

John S. Matthews CLERK.

in difference in 24

Geo Henderson
as } open
James & brother

for 20 yrs.

Mr Guinon (formerly
consulable & known as)
sheep or grazing
(believed to be a Banker & a man)

Not 29 may

Mr Guinon not found
in my County

Henry B. Beecher
B. T. M. Barron Sen

Gone to California

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To *Bates Dodson*

GREETING:

You are hereby commanded that, setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our *Circuit* Court, on the ~~day of~~ *forthwith* at the town of *Wellborn*; then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein *Geo. Steenmanson* is Plaintiff and *Jas. S. Foster* is - defendant on the part of the *Def.*

W. C. Fletcher
Witness, ~~JOHNSON H. ALFORD~~

Clerk of our

said *Circuit* Court at the town of *Wellborn*, this *29* day of *May* A. D. eighteen hundred and *fifty two*

W. C. Fletcher
CLERK.

I executed this Subpoena on the
within named Peter Dodson by
reading the same in his presence
and hearing at the County of Lippman
The 31st day of May A.D. 1852

fee 50

W. A. Moxley
1852 Const.

Mendrick Keon

v

Foster

Sp^{on} for self

Peter Dodson

Broughton 50

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

THE STATE OF MISSOURI,
Joacab Sherwin & John Cleaves

GREETING:

You are hereby commanded that, setting aside all manner of excuse or delay, you be and appear in proper person before the Judge of our
 Berwick County Court, ~~on the~~ day of
 at the town of Millstone; then and there to testify and the truth to say, in a certain matter of controversy now pending in our said Court, wherein George Hendriksen is Plaintiff and James A. Foster is defendant on the part of the Plaintiff.

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and in with Court, at the town of
Stallwood, this 29 day of March
A. D. eighteen hundred and fifty two

Wm. L. H. C. Clerk.

Hendrick De
v
Hester 2nd

for Debt
Jesse Herington
John Glover

Partners

Boughton \$1

This writ executed by reading
in the presents and hearing
of Jesse Herington and John
Glover B. J. Boughton
Sworn to & Subscribed before
me May 29th 1852
Thos C Fletcher
CLK

Geo: Hendrickson

vs
James T. Foster

} In Circuit Court
of Jefferson
County, Mo

petition for Mandam

I hereby bind myself to pay
all costs that have accrued or
hereafter may accrue in the
above cause and to adjudge
against said Plaintiff, given
under my hand and seal
this 1st day of June A.D. 1852

Wm. H. Hendrickson Seal

Dear Mother

27

W. H. H. H.

3

Mr. Thomas G. H. H.

From wife please pay to Mr. H. H.

The sum of my fees in the above

case and please pay to his

June 23rd 1857, W. H. H. H.

W. H. H. H.

W. H. H. H.

1 That the action of slander is given to enable a citizen unjustly accused to vindicate himself from false ~~case~~^{or} malicious charges (and if the jury believe that the words spoken agt. Hendrickson are false & malicious, they will give him such damages as will punish the defendant & reestablish Hendrickson in the community)

2 That defendant having confessed the speaking of the words & not having avowed that they are true the jury will ^{it} take that they are false

3. The law presumes that where words are spoken falsely of another they are spoken maliciously also

4 That if the jury find that Foster spoke the words charged in consequence of a difficulty about a cow then this is evidence of express malice

5 That Foster ~~expressly~~^{expressly} is equally guilty of slander to say of another ~~that~~ Hendrickson that he believed he was guilty of hog stealing as if he had said that he was guilty of hog stealing

The jury will consider all the facts & circumstances sur-
rounding the speaking the words charged by Defendant
and render a verdict for whatever may seem right
and just -

The jury will consider the Character of Plaintiff as
shown by Evidence in the Cause. in placing the credit
of their verdict.

Refused That unless the words set forth in plaintiffs Petition have been proved as laid, plaintiff ought not to recover in this action —

That Malice is the essence of an action of Slander, & unless the Jury shall find from the evidence that the words spoken in Malice & for the purpose of injuring the Character of plaintiff, the plaintiff can not recover, & will find defendant not guilty.

Refused That if the Jury find from the evidence that plaintiff general Character for honesty was ~~bad~~, then plaintiff ought not to recover money for any supposed loss of Character.

Refused That to recover in this Action plaintiff must show that ~~def~~ plaintiff possessed a good Character, & an irreproachable Character. Also that the words that are alleged to be spoken were spoken maliciously & to injure the defendant —

Refused That unless the Jury shall find from the evidence, that the Character of defendant is above suspicion for honesty, & that defendant spoke the words charged maliciously & to injure plaintiff then the Jury shall find defendant not guilty.

Given
That the Jury are to ascertain from all the
facts in the case whether the words ~~spoken~~
~~words~~ spoken, were spoken maliciously
or not and if not spoken maliciously
not to injure plaintiff's character; they
ought to be quit.

Very the Yours friend for the Plaintiff and
as a Court Daring for Recd. H. C. H. C. H. C.

Plff Examined
Winer
Fine
Whison
Burger
Strapp

Def Examined
Kidd
Milliam
Rogers
Senter
McBulloch

Hendrickson

✓
Foster

5781

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