

Jefferson County Circuit Court
Case Files - Civil
November 1851, No. 9

Box

7 Folder 26

Hunt, David A.

v.

Pritchett, Zebulon

Slander

Defendant accused plaintiff of swearing
to a lie, Damages \$5,000.00, Bill of
exceptions, Petition for change of venue

David A. Hunt plaintiff
against
Zebulon Pritchett Defendant }

In the circuit
Court of Jefferson County Mo
The plaintiff states that on or about
the first day of June ad 1851 at the county
of Jefferson Missouri, the defendant spoke
the following false and Slanderous words
concerning the plaintiff that is to say

"David A. Hunt (meaning plaintiff) swore
to a dam lie and I (meaning defend
ant) can prove it."

"David A. Hunt (meaning plaintiff)
swore a lie."

By which plaintiff says he is dam
aged to the amount of five thousand
dollars for which he prays judgment
David A. Hunt

David A. Hunt plaintiff makes oath and
says he believes the above petition and
the matters therein, as stated are true
sworn and subscribed before
me this 14th day of October
ad 1851

L. A. Hunt -

J. G. Browne (P)

David Hunt

as

John Smith

John in London

Filed Oct 21 1857

John & John

David A Hunt Plaintiff

against

Zebulon Pritchard Defendant

In the Circuit
Court of

Jefferson County.

The Plaintiff states that
on or about the first day of June A.D. 1851.
at the County of Jefferson Missouri, the
defendant spoke the following false and
slandorous words concerning the Plaintiff
that is to say, "David A Hunt (meaning
plaintiff) swore to a dam lie and I. (mean-
ing defendant) can prove it." "David A
Hunt (meaning plaintiff) swore to a lie"

By which plaintiff says he is dam-
aged to the amount of five thousand
dollars for which he prays Judgment.

David A Hunt.

David A Hunt plaintiff makes oath
and says he believes the above petition
and the matters therein as stated are true
Sworn to and subscribed D A Hunt.

before me this 14th day of
October A.D. 1851.

J L Browne J R

a true copy of the original petition and
affidavit on file in my office

In Testimony whereof I hereto
set my hand and affix the
seal of said Circuit Court
Oct 20th 1851.

Thos C Fletcher C.C.

1891
to Circuit Court
November Term 1891.

David A Hunt
vs 3 defendants
Federal Circuit Court

Shelf fee \$15

Filed Nov.

The State of Missouri.
To The Sheriff of The County of Jefferson Greeting
We Command you that you summon
Zebulon Pritchett 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 Hillsboro within
and for said County of Jefferson on the
fourth Monday of November next, then
and there to answer unto David A Hunt
upon his original petition (hereto annexed
is a copy thereof) and have you there
upon this writ,

Witness Thomas C Fletcher
Clerk of our said Circuit
Court at Hillsboro this
20th day of October A.D.
Eighteen hundred and fifty one
Thos C. Fletcher
Clerk

I executed the foregoing writ in the County of
Jefferson on the 22nd day of October A.D. 1851 by
reading the same and the petition hereto annexed
in the presence and hearing of Zebulon Pritchett
James McColloch Sheriff

David A Hunt
against
Zehulon Pritchett

Jefferson Circuit
Court
November Term
1851

The defendant comes and says
that he did speak the words charged in
the plaintiffs petition as he well might
because the same are true. He therefore
prays to be hence discharged with his
reasonable costs J. Pritchett

Defendant makes oath and says
that the foregoing ~~matters~~ answer and
the matters therein as stated he believes
to be true J. Pritchett
Sworn to & Subscribed
before me Nov 24th 1851
J. C. Melcher
Clerk

D & Lunk

pe
Johann Pilschert

Answer of 1852

Filed Nov 24th 1854
~~John C. Fletcher~~

~~24th~~

~~Filed May 24th 1852~~
~~John C. Fletcher~~
~~Simmons and~~ ~~(24th)~~

Filed by leave of the court
May 28th 1852,
John C. Fletcher
ccr

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To J. Davis. Bro. Davis. Benj. McKee
and Robt. Robertson — 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 Stillbore, then and there to testify
and the truth to say, in a certain matter of controversy, now pending in
our said Court, wherein David A. Hunt is
Plaintiff and Robert Critchell is — defendant
on the part of the Defendants

Witness, ~~JOHNSON H. AFFORD~~, Clerk of our

said Circuit Court, at the town of
Stillbore, this 25th day of March
A. D., eighteen hundred and

Wm. C. Fletcher
CLERK.

to Sir Court
May 20m 1852

David A Hunt
or
Gethelon Philcher

for Pitt

J Davis
Bro Davis
Ben' m Steele
Robt. Robertson

Pr Henry

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To *Mr Robert Low, Bro. Farley. Isaac Hunt*
and *Robt Hunt* —

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 *Wellbore*, then and there to testify and the truth to say, in a certain matter of controversy, now pending in our said Court, wherein *David Hunt is* Plaintiff and *Robert Smith is* defendant on the part of the Plaintiff

Witness,

Wm. C. Melcher
JOHNSON H. ALFORD, Clerk of our

said *Circuit Court*, at the town of *Wellbore*, this *25th* day of *March* A. D., eighteen hundred and

Wm. C. Melcher
CLERK.

20 Cui cauch
May Term 1852

David Althum
vs } Epa
Getalon Gilchell

for Jeff
Jm R Robertson
John Bartley
Joac Alumb
Robt Alumb

6th Day

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To *A Manely, Michel Mestee & Charles Johnson*
and *Levi Stone* — 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 *David A Hunt* is —
Plaintiff and *Jobalou Pritchard* is — defendant
on the part of the *Plaintiff*

His Clerk
Witness, JOHNSON H. AFFORD, Clerk of our

said *Circuit* Court, at the town of
Wellston, this *25th* day of *March*
A. D., eighteen hundred and *fifty two*

His Clerk
CLERK.

Is Co's Court
May Term 1852

David J Hunt
vs
Zetala and Gilchrist

for Debt
of money
which m'kees
dishes between
Levi Stone

1st day

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To Willson D Hunt, Esq; Clerk, James Simpson
John Pence and Gray Anderson 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

Our said Court, on the 29th a 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 David A Hunt is
Plaintiff and John Paulchen is defendant
on the part of the Plaintiff

Wm: R. Belcher
Witness, JOHNSON H. ALFORD, Clerk of our

said Our said Court at the town of
Wellbore, this 25th day of March
A. D., eighteen hundred and fifty two

Wm: R. Belcher CLERK.

20 May Term
Cir Court
1852

At A Court
v
J. Pritchett

for Debt
Wilson P Hunt
Benj Hunt
James Simpson
John Pence
Wm D Gray
Andrew Harrison

6th day

COUNTY OF JEFFERSON, SCT.,

THE STATE OF MISSOURI.

To David Long. Charles Hall & Levi Brinley

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 Stillbore, then and there to testify and the truth to say, in a certain matter of controversy, now pending in our said Court, wherein David A Hunt is Plaintiff and Rebalon Pritchett — defendant on the part of the Defendant

Jno C McTeeher
Witness, JOHNSON H. AFFORD, Clerk of our

said Circuit Court, at the town of Stillbore, this 25th day of March A. D., eighteen hundred and fifty two —

Jno C McTeeher CLERK.

20 Bir Court.

May 30th 1852

David A. Hunt
Esq
of
Pittsford

For Self
Saul Long
Charles Hall
Jesse Brinkley

6th May

D A Hunt
vs
Zebulon Pritchett }

The plaintiff moves the
court to strike out the answer of defend-
ant herein filed on 24 day of May 1852

Because it was not filed at the return
Term

2 Because The defendant did not
ask of the court an extension of time
to file an answer

Beul Jones for
self

D A Hunt

²⁰¹
J Mitchell

motion to strike
out answer of defⁿ

Filed May 20th 1892
Thos C Fletcher
Clerk

Hunt-

against
Protestant

Shander

Defendant - states that at the last term of the court which was the return term in this cause he prepared his answer and had the same in the hands of his attorney ready to file but understanding that no civil business whatever would be done during the term his attorney left taking his answer with him. He also had hopes and expectations that the plaintiff would dismiss his suit and he prepared to ~~withhold~~ withhold his answer until he should be compelled by law to file it his answer being of such a nature as would tend to irritate the plaintiff. The foregoing are the reasons that the answer was not filed at the last term of the court. As to the leave given to file an answer by the first of March neither defendant nor his leading counsel had any notice of it nor is he now ^{fully} advised at whose instance the leave was given whether plaintiff or defendant and he should have filed his answer at the time if he had known that such order had been made. But being advised by counsel that the present term would be considered the term for answering he took no further thought about it the matter

That he has a good defense to the suit and even as he ~~is~~ believes fully substantiate it at the trial if he be permitted

to file his answer and go to trial.

He further states that filing his answer at this term will not really cause any delay if the plaintiff takes a change of venue according to a notice which has been served upon one of his attorneys.

J Pritchett by
M Fripell

M Fripell for Pritchett - upon his oath states that the foregoing statement and the matters therein stated are believed to be true.

Entered & Subscribed } M Fripell
before me May 27th 1852 }
Thos B Fletcher
Clerk

A Hunt
in
T. Mitchell
affd

Filed May 27th 1852
with attached
cert

David A Hunt plaintiff } In the Circuit Court
against } Jefferson County Mo
Zebulon Pritchett }

Be it remembered that on the 27th day of May 1882, the said defendant filed a petition for leave to file an answer in said cause which is in words & figures following (here copy petition & affidavit)

~~The~~ plaintiff objected to the court permitting the defendant to file his answer ~~about~~ the court permitted defendant to file his answer at this term, to which opinion & decision ^{of the court} of the court permitting defendant to file his answer at this term,

The plaintiff objected & excepted & here tenders to the court his bill of exceptions & prays the court to sign, seal & make the same a part of the record which is accordingly done

John A. Stone

Hee

Wm
J P Mitchell

Recd of Expositions

Filed May 28th 1852.
Jas E. Webster
Clerk.

David A. Hunt } In the Jefferson Co. Court
is } May Term 1852
3. ~~Pitcher~~

To the Jefferson Co. Court.

The Petition of David A. Hunt Plaintiff
plaintiff would most respectfully
represent & pray you Hon. to grant
him a change of venue in the above

Entitled Cause to some other Circuit
Plaintiff asks a change of venue in the
above Cause ^{for the following reason} To wit That the Judge
of the aforesaid Circuit Court (Hon. John H
Hem) being Judge thereof ^{is prejudiced against him} so that he has just cause
to believe that he cannot have a fair
trial on account of the causes alleged.

For the reason ~~of~~ that the aforesaid Judge
is thus prejudiced against him he prays
that you be so kind as to grant him a change of venue
to some other Circuit Court & on such Term
as may be just & proper.

He also states that the ~~facts~~ facts, on which he
grounded his application, have just come to his knowledge.
Since the last preceding continuance of this Cause after
David A. Hunt

State of Mo }
Co. of Jeffersons } This 29. May 1852 personally came
before me the undersigned Clerk of the
Circuit Court 'D. A. Hunt who being by me duly sworn
upon his oath states that the facts set forth above
are true & alleges also that he has just cause to believe that he cannot have a fair trial

on account of the cause
alleged.

Sworn Subscribed }
before me this } David A. Hunt
27. May 1853 }

~~David A. Hunt~~
The Clerk
at

Lewis & Clark

By ~~John~~ Stitcher

Wm. H. Clark

Ed. M. M.

Filed May 29th 1852
Jno. E. Gilcher
Clerk