

Stefferson County Circuit Court
Case File - Civil
March 1858

Box

9 Folder 42

Riggs, Lucy

VS

Prewitt, Meredith, Adm.

Riggs, John

Appeal

Defendant appealed from County Court
on order to plaintiff and Lucy &
Riggs \$100 each; depositions

Lucy Riss
Plaintiff
Against
Marshall Rounte

In the County Court
of Jefferson County
Missouri March Term 1858.

Defendant

The above defendant will take
notice, that deposition of witnesses to be read
in and on in the Court of the Plaintiff on
the trial of the above cause will be taken
at the Court house in the town of Keokuk
in the State of Iowa on the 13th day of
March next between 8 o'clock of the forenoon
and 10 o'clock of the afternoon and that the
taking of said deposition if not completed
on that day will be continued from day to
day till completed,

A. P. Smith's Atty for
Pltff.

County of Jefferson, set.

THE STATE OF MISSOURI,

To any Judge or Justice of the Peace or other Judicial Officer
of the State of Ill. of, Greeting:

We, reposing special trust and confidence in your integrity and circumspection,
do authorize and require you, that you cause to come before you, such person or per-
sons as shall be named to you by Wm. Harvard

Attorney or Agent, and him or them examine upon his, her or their corporal oath,
(to be by you administered,) touching their knowledge of any thing that may relate
to a certain matter of controversy, now pending in our ~~Circuit~~ ^{County} Court, for the County
of Jefferson, wherein Lucy Riggs

and Meredith Frentt, Administrator of John Riggs ^{plaintiff,}
deceased ^{defendant,}

on the part of the Plaintiff; and having so reduced the said depositions
so taken by you, as aforesaid, in writing, you are required to send the same, together
with this commission, enclosed under your seal, to our said ~~Circuit~~ ^{County} Court, with all
convenient speed.

Witness, Alfred J. Heper
JOHN S. MATHEWS, Clerk of our said ~~Circuit~~ ^{County}
Court, at Willbore this 18th
day of February in the year of our Lord one
thousand eight hundred and Fifty Eight

Alfred J. Heper
Clerk C. C.

Deposition of Witness, produced, sworn & examined,
on the 12th day of March A.D. 1858, between the
hours of Eight O'clock in the forenoon and six O'clock
in the afternoon of that day at the Court House in
the County of Lee and State of Iowa, before me
the undersigned, a Justice of the Peace in & for the
County & State aforesaid, in a certain Cause now
pending in the County Court for the County of
Jefferson in the State of Missouri, between
Lucy Riggs Plaintiff and Meredith Permitt
Administrator of John Riggs deceased is
Defendant, on the part of the Plaintiff,

Lucy Riggs, of lawful age, being produced
sworn & examined on the part of the Plaintiff
deposeth and saith,

Ques. 1. Do you know John Riggs?

Ans. I do.

Ques. 2. Were you ever married to him?

Ans. Yes, I was, you (Mr. Garrard)
have my Marriage Certificate,

Ques. 3. When & where were you married to him?

Ans. I was married to him in Saint Louis
Missouri, on the 4th day of May
A.D. 1818, Mr. Garrard informs me
now that the Marriage Certificate
that I have spoken of is in the
hands of Mr. Perkins of Missouri.

Ques. 4. ~~Was~~ Have you had any Children
by John Riggs?

Ans. Yes, I have had two Children by him.

Ques. 5. Had you a Son by him, by the name
of John?

Ans. I had a Son by him, named John,

Ques. 6. Has your Son John any Children?

Ans. Yes, he has one child, named Lucy G. Riggs, this child will be Eight years old the 28th of this month - The mother of this child is the lawful wife of John Riggs jr, my Son, Neither the father or the Mother of this child are living -

Ques 7. State, to the best of your knowledge whether your Husband John Riggs is living, and if not, where & when did he die,

Ans. I do not know of my own knowledge, but I have heard that he died some where in Missouri, about two or three years ago - I think it was two years ago this last Winter

Ques 8. State whether the Child Lucy G. Riggs is the daughter of John Riggs jr, your Son, and his lawful wife, and whether John Riggs jr, is the lawful Child of your Husband, John Riggs & yourself -

Ans. She is -

Ques 9. State how long you have known the grand Child, Lucy G. Riggs?

Ans. She was born into my hands and I have known her from her birth.

Cross Examination, by Mr Hagan, Atty for Deft. The Witness further states, that she had two Children by John Riggs, one was named John, and the other died before it was named, John was born on the 10th of October 1824, in Saint Louis, John was

was the eldest of my two children. I was present at John's Marriage, it occurred at my House on the Levee in Keokuk, Iowa. He died in California - His wife died in Alexandria, Missouri at her father's - she was very low at my House before she was removed - She left in April & died in July following - I was never divorced from John Riggs - He was always running away from me, but would come back again, there was no separation - He was with me here about two months, three years ago to the best of my knowledge - He said he was living at no particular place, but had come home to live. I am not married, and never have been but the one time - I am sometimes called Gains because, a man by that name, lived in the house with me. Lucy Smith is my Maiden Name.

John Riggs said he never would give me ^{her} up - He was a Mill Wright & Carpenter. I do not recollect when I came to Keokuk - I have moved backwards & forwards to St Louis several times - My Children were born at St Louis - My Son John died five years ago in April, I think, Lucy was about three years old, His wife died in three months after him - I now live alone with my Grand daughter Lucy Riggs, and support us both by the hardest sort of work - Gains was a Pilot on the River and lived in my House with me - I kept boarding House and he boarded with me - He also boarded

with me in Saint Louis - I was acquainted
with Gainer before I was married, we
boarded at the same House in St Louis
before I was married - Our boarding
House in St Louis was kept by Madam Gainer.
He was but a Boy at that time -
I was raised as one of the family
in the House, & was not a boarder -

Reexamined by Plaintiff, Witness states
that at one time she wanted to make
a deed, and to get his name to the deed
she went to Manchester, Missouri, and
sent for him, and he signed the deed.
I am speaking of My husband, John
Riggs - I understood he was living
near Manchester, And further with not.

Lucy Riggs

State of Iowa
Lee County, S.S.

I, H. R. Reeder, a Justice of the Peace
within & for the County of Lee & State of Iowa
do certify that in pursuance of the within Commission
& Notice, came before me at the Court House
in the City of Keokuk, in the County & State last
aforesaid, Lucy Riggs who was sworn to testify
the whole truth of her knowledge touching the
matter in controversy aforesaid, and she
was examined and her examination reduced
to writing, and subscribed by her, in my
presence, on the day, between the hours
and at the place in that behalf first aforesaid
and her said deposition is now herewith returned.
The Witness is a resident of Keokuk, Iowa.

Given at Keokuk in the County of Lee and
State of Iowa this 12th day of March
A.D. 1858

H. R. Reeder
Justice of the Peace

I see for taking this Deposition
paid by Plaintiff

H. R. Reeder J.P.

State of Iowa
County of Lee

Sept:

I, Erie J. Leach Clerk of the
District Court in and for said
County hereby certify that H. R. Reeder Esq. whose
genuine signature appears to the above Certificate
was at the time of taking the foregoing deposition
Acting Justice of the Peace in and for said
County duly elected and commissioned and such
and full faith and credit are due all
his Official acts.

In Testimony Whereof I
have hereunto set my hand
affixed my Official Seal at
Office at Keokuk March
12th 1858

Erie J. Leach
Clerk Dist Court
L. C. L.

Order on Adam to distribute June 1859

Free Chapp
Meredith Jewett

1643

Securities & Chapp
Ind. Ch. 17th 1859
A. B. Jewett

Ch.

Lucy Riggs } In County Court of
 vs. } Jefferson County,
 Meredith Brewett }

The Defendant moves the Court to suppress the deposition of Lucy Riggs, filed in the above cause, for the following reasons;

- 1st - Because it does not appear by the Justice's Certificate, that the deposition was taken at the place designated by the Notice.
- 2 - The Notice thereto attached, does not purport to have been served on the Defendant.
- 3 - The Certificate of the Clerk is insufficient, as it does not state the requirements of law.
- 4 - The Caption & Justice's Certificate do not show that the deposition was taken between the same parties specified in the Notice.
- 5 - Said Lucy Riggs is incompetent as a witness, in the case pending in the Court, wherein she and Lucy Riggs, the alleged grand daughter, are joint plaintiffs.
- 6 - Questions 2, 5, and 8 are leading, and incompetent, and should therefore with the Answers thereto, be stricken out, ^{and the answer to 6 is irrelevant} - See Sec. 20, p. 639. Statute.
- 7 - Said Deposition is not competent to be read evidence, in support of the Notice given the Defendant, of the application that would be made for a distribution of assets, - as said Notice does not specify the same parties mentioned in the Deposition.

3 Abner Green, Atty, for
 Defendant,

In County Court
Jefferson County

Lucy Riggs

1881

Marcella Bennett

in order to
supplies separation

Alfred March 1858.

Alfred 1858

Proton recorded by the
County, March 1858.

Alfred 1858,

State of Meppoun } In the County Court.
County of Jefferson } March 18th 1838

Among other the following proceedings were had.

Lucy Riggs.
vs. ^{ad.} Meredith Townill, Admr. }
Estate of John Riggs dec^d } Ordered by the Court
that Said Administrator pay to Mrs. Lucy Riggs,
the Widow, and Lucy S. Riggs, the Grand Child
of Said John Riggs, to each, the Sum of One
Hundred and Fifty dollars,

Lucy Riggs
vs. ^{ad.} Meredith Townill, Admr. } Appeal to Circuit Court
Estate of John Riggs, dec^d } Now at this day comes
Said Administrator by his attorney, and files an af-
fidavit praying an appeal to the Circuit Court
from the judgments of this Court in the above order,
which being understood by the Court, is granted.
It is ordered by the Court, that the Clerk of
this Court, make out and file in the office of the
Clerk of the Circuit Court, a complete copy of
the Record in this case, ten days before the next
term of the Said Circuit Court.

I Alfred P. Heper, Clerk of the County Court in
and for the County of Jefferson, hereby certify that
the foregoing is a true and correct Transcript of
the proceedings had in the cause of Lucy Riggs
against Meredith Sewitt, Admr. of the Estate
of John Riggs deceased, as the same remains of
Record in my office, and also the original papers
filed in the above cause,

In Testimony whereof I hereunto set
my hand and affix the Seal of said Court
at office, this 30th day of March
A.D. 1838

Alfred P. Heper, Clerk

Lucy. Briggs
of } Franklin
Hendeth Bennett
of John Briggs

Feb Mar 31" 1858
Ohio J. H. every
Clark

Lucy Riggs.
vs.

Merritt Prentiss
Adm^r of John Riggs }

In the Jefferson County
Court March Term
1858.

Lucy Riggs by her attorney comes
and moves the Court to order the said
Administrator to make distribution of the
assts of said estate in his hands between
the said Lucy widow of deceased and
Lucy, G. Riggs a grand child of said
deceased who are the only heirs and distributees
of said deceased.

Lucy Riggs
By J. P. Phipps her atty.

P.
Ligg
29

Admiral of the Fleet

Melioro da Antillean

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Oliver Mayfield, John Werner*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Severall* Court for the County aforesaid, on the

Ninth day of June next (9th) at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said

Court, wherein *Lacey Riggs et al*

Plaintiff and *the Benitt, Mann of her Riggs* Defendant on the

part of *defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 185*9*

Elias F. Honey
Clerk.

I executed the within Spec in the County of
Jefferson State of Missouri on John Miner on the
5th day of May and on Olive Mayfield 24th day
of May 1859 by reading it within their presence
and hearing

Oscar Dover Sheriff

To June Term
Circuit Court 1859

Lucy Rogers et al

vs
M. Bennett Admnd.
John Rogers

Indeft
Olive Mayfield
vs
John Miner
Sheriff fee \$1.00

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Anderson Bon Lee Allen & Parker Bro*

Hines

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Lorrick* Court for the County aforesaid, on the

9th with day of June next at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Lucy Riggs et al* Plaintiff and *W. Perrett et al* of *his Riggs* is Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court

with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 1859

Oliver J. Honey
Clerk.

To Vincent Court
June Term 1859

Lucy Riggs et al

vs.

M. Bennett Adams of
John Riggs

for Debt

Anderson Bonles
Mend Parke

Geo Winer
Sheriff fees \$150

I Executed the within writ in the County
of Jefferson on the 6th day of May 1859
on John Winer also on 18th on of Bonles
also on the 23rd on M Parke by reading
the same in their Presence and hearing

Jas C Bowen Deputy
Sheriff

COUNTY OF JEFFERSON.

The State of Missouri,

To Jackson Benke,

John Hines

Greeting:

You are hereby commanded, that taking note all manner of
accuse and delay, you appear before our Circuit Court for the
County aforesaid, on the 23rd day of April 1858
at St. Charles, then and there to testify, and the truth to say in
certain matters of controversy now pending in our said Court, wherein

Sally Rogers et al are Plaintiff and
Meredit Smith demand of the Rogers Defendants in the said

of Plaintiff and herein you are in no wise to fail.

Witness,

THOMAS C. FLETCHER,

Clerk of our said Court

with the Seal thereof hereto affixed, at office this

5th day of April A. D. 1858

Chas J Hovey

Clerk.

I Executed the within writ on John Winer on the 21st
day of April 1858 by him David Winer reading the same
and also on Anderson Bonds on the 24th day of April
1858 by him acknowledging the Service
Augustine Wiley Sheriff

Voluntary Deed
April Term 1858

Dacey Magistrate
vs
Juggerhat

Sheweth Process return
of John D. J. do

for D. J.

Anderson Bonds

John Winer 21st day June

returning

Sheweth Process
for D. J.

for vol. 30th

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Samuel Byrnes*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Severall* Court for the County aforesaid, on the *Ninth day of December* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Lacy Riggs et al* are Plaintiff and *Mr. Bennett James of the Riggs* Defendant on the part of *Defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

21st day of *May* A. D. 1859

Elias F. Honey
Clerk.

Executed the within Spa in the County of Jefferson
State of Missouri on Samuel Byrson the 9th
day of June 1859 by reading the
same in his presence and hearing

J. C. Parnes Deft's
Sheriff

2d Circuit Court
June Term 1859

Lucy Riggs et al

v

M. Brewster Adm of Riggs

for debt

Saml. Byrnes

Defendant
of the said Spa 5th or

Lucy Riggs, Plaintiff
Against
Meredith Prewett - defendant
Adminr of John Riggs' Estd.

In the Circuit
Court of
Person County

The Defendant by his At-
torney moves the Court to suppress the
Deposition of Lucy Riggs, in the above
captioned Cause for the following reasons,
1st Because said witness is in com-
petent to testify, she being a party plain-
tiff.

2 - Because the interrogatories of plaintiff
are leading in every instance.

3 - The Certificate of the Clerk is insuffi-
cient.

4 - It does not appear that Defendant had
any notice of the time and place of
taking said Depositions.

5 - All the Interrogatories of plaintiff
are illegal and the answers incompe-
tent.

6 - It does appear that the depositions
are taken in the present case { Hagan, Thomas
Green
Hays for dect.

7 - There is no certificate of the Justice to the
deposition.

Hagan, Green
Thomas for
dect.

Lucy Briggs

Mendith

John Smith Adams

Motion to suppress
of positions

2nd June 8th 1859

Chas. A. Hovey Clerk

overlook

State of Indiana
County of Jefferson

Indian County Court
March Term 1838.

J. J. J.
Jury Clerk

Prudith Jopwith, Adm.
Estate of John Jopwith, dec'd

Dea Cole

A. McKee Clerk

From a late deposition 50¢

John 50¢, 23 Sept. 17. Order to return 20¢. Appraiser 20¢.

\$2.55

Deacons 50¢. Rent value 25¢. Selling 3 Sept. 17.

A. M. Day Sheriff serving John 50¢

\$3.05

Lucy Reggs

for

Mr. Smith Adm'r

See Bill