

Jefferson County Circuit Court

Case File - Civil

June 1860, No. 6

Fight, Flavius boy next friend
Boel, James A

vs

Weaver, John M.

Debt, account

Debt \$400 for use of farm and house in
Plattin Township and for hire of slave
Pete

Box

12 Folder 18

To the clerk of the circuit Court of Jefferson County Mo

The undersigned a relative and friend of Flavius J. Fright a minor under fourteen years of age & with whom said minor resides, asks you to appoint J. A. Deal next friend of Flavius J. Fright to sue John W. Weaver in the circuit Court of Jefferson County Mo

Feb 7 1860

H. S. Brown

I Consent to become the next friend of Flavius J. Fright in suit in the circuit Court of Jefferson County Mo against John W. Weaver
J. A. Deal
Feb 7 1860

I hereby appoint James A. Deal the next friend of Flavius J. Fright to sue John W. Weaver in the circuit Court of Jefferson County Mo
Feb 7 1860

Interim, whereof I hereto set my hand and affix the seal of said Court the day last aforesaid Elias J. Honey Clerk

Harwin J. Dight
by aut. enclosed

W

John W. Weaver

Adel. Dight July 7th 1860
Oliver S. Hooper Att

James A Real next friend
of Flavins J Fight Plaintiff
against
John W Weaver defendant

In the circuit
Court of Jefferson County Missouri
The plaintiff states that the
defendant is indebted to and owes Fla
vins J Fight two hundred dollars for
the use and occupation from October
1858 to January 1860 of a farm and
dwelling belonging to said Flavins J
Fight and being in Platten Township
Jefferson County Mo. Plaintiff asks
judgment for \$200 for rent & use and
occupation of said farm and dwelling

Plaintiff also states that defend
ant is indebted to and owes Flavins J Fight
two hundred dollars for hire and services
work & labor of negro man called Pete
belonging to said Flavins J Fight
all of which will appear by bill of
particulars herewith filed

Plaintiff asks judgment for two
hundred dollars for hire work & labor
of said negro man from October 1858
to January 1st 1860

J A Real next
friend of F J Fight

J A Real makes oath & says that
the foregoing petition and the matters
as therein stated he believes to be true
sworn to before me July 7th 1860
Elias J Honey clerk

1860 John W Weaver

Dr

To Harius J Ficht
Jan 1 To use of farm & dwelling of
J F Ficht in Platteau Town
Ship left to me from
October 1858 to Jan 1 1860 \$200.00
To work & labor of negro Peter
same time

200 00
\$400.00

J A Deal makes oath & says
that he believes the above account
as stated to be true J A Deal

Sworn to before me

Feb 7th 1860. Elias S. Honey clerk

Thomas J. Wright. by
next friend

vs

John W. Weaver.

Filed July 21st 1860

Oliver S. Hoare, Clerk

Heard

2d paid by atty. Beal

order appointed / paid	50
affidavits	20
1 copy book	30
10 hours	50
next to copy	120
docket etc	30
Leave	10
ans	25
Reply	25
sent	50
deposition	50
costs	25
Index	10
	395
	100
	\$4.95

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon *John W. Weaver*

if - he - be found in your County, that he
be and appear before the Hon. 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 the County of Jefferson, on the second
Monday after the fourth Monday of *May*
next, then and there to answer unto *Flavins J. Slight* by
his next friend *J. A. Beal*

upon *his* original petition, a copy whereof is hereto annexed and
accompanies this writ, and have you then there this writ.

Witness, **ELIAS F. HONEY**, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at office
in Hillsboro, this *Seventh*
day of *February* A. D. 1860

Elias F. Honey

Clerk Circuit Court.

No 6

Co Jefferson Circuit Court.

June Term 1860

172
Nathan J. Fights by
att. friend J. A. Beal

vs J. Summers

John W. Weaver

Sheriff fees \$1.00

Filed April 30 1860

E. J. Harey clerk

Dismissed by plff

Decr. 1860

Chd

I Executed the within writ in
the County of Jefferson State of Missouri
on the 3rd day of March 1860 by
Delivering John W. Weaver a True
Copy of the within writ and next
Partitions as furnished to me
by the clerk Oscar D. Weaver Sheriff
J. C. Pomer Deputy

Flavius J. Ficht
by next Friend

J. N. Weaver

Diff. Circuit
Court. Mo.

Defendant for answer to plaintiff's
petition says, that, at the time of
his marriage to Mrs. Ficht, she was
living on the tract of land of the
said Flavius J. Ficht which was in
the month of Nov. 1858. Defendant admits
that he lived on said place from about
the middle of Nov. aforesaid up to Nov.
1859. One year. During that time he
repaired the fences of the farm which
were in a very dilapidated condition
improved the fields by hauling out
manure thereon, he repaired the yard
fence & gravelled the yard about the
house & repaired the garden fence.
The work and labor done upon said farm
was reasonably worth the use of the said
farm & house for the time he had it - only
a ~~small~~ part of which farm was cultivated
by the defendant. Defendant denies
therefore owing the plaintiff any thing
on account of said farm.

Defendant further says, that the said
Flavius J. was living with his mother at the
time of her marriage aforesaid and continued
to live with this defendant up to the present
time and still lives with him. That his
board during that time is reasonably worth
including his washing & clothing the sum of
One hundred and fifty dollars. That he paid

in Cash for a tightening rod for the house
of said Flannery I. \$20. paid doctors bill
for the same \$10. paid his Taxes \$10.95
paid for his schooling \$18 - Making in
all the sum of \$268.95.

Defendant admits that the slave Pete
belonging to said Flannery I. worked for
him and the other members of the family
of the late Andy Flight. to wit ~~Dr. Lee &
his wife.~~ the said Flannery & the daughter
Christina. Said Boy was there when the
defendant married under the contract of
the widow and the said Flannery and
after this defendants marriage he still
remained there. Defendant denies
that his services for this defendant
were worth \$200 - They were not worth
over \$100 dollars to this plaintiff during
the time he staid there. Defendant therefore
denies plaintiffs right to any part of
said sum on account of said boy Pete,
as the same has been more than paid
by the defendant as stated in the above items
of money expended and laid out for his
use and on account of his board
clothing and washing as aforesaid -

Defendant further says that the suit
against him is malicious, set on foot
by one H. S. Preen without the consent
or request of the said Flannery I. Flight
for the purpose of harassing this
defendant.

John W. Weaver ~~for~~ states that
the foregoing ~~business~~ and the matters
therein as stated he wishes to be taken
down to Paul's care
before me Jan 12th 1863 }

Elias J. Honey
Clerk

J. W. Weaver

William J. Hughes
My most friend

J. W. Weaver

Alfred Louis Brown

Stated June 12th 1860
Claus & Hooney
Chas.

Flavius J. Fichtelberg
his next friend
against
John W. Weaver

In the Jefferson Circuit
Court

The plaintiff for reply to defend
ant's Setoff & counter claim, denies that defend
ant is entitled to credit for repairs alleged
to be done by him on plaintiffs farm and
denies all knowledge sufficient to form a
belief of the correctness of the charge

In reply to the charge of \$150 for boarding, clo
thing and washing for Flavius J. Fichtelberg plaintiff
denies any knowledge or information sufficient
to form a belief & requires strict proof and
therefore denies that defendant is entitled to
\$150 for the same or any part thereof

To the defendants Setoff of \$20
for a lightning rod, defendant denies that
defendant was authorized by the County Court to
repair the farm of plaintiff and denies all
and any information sufficient to form a beli
ef as to its correctness & says that defend
ant is not entitled to a credit for the
same

Plaintiff denies any information or know
ledge of the \$10 per doctors bill sufficient
to form a belief & requires strict proof

Plaintiff denies any knowledge or inf

ommation of \$10-95 stuff sufficient to form
a belief & requires proof

Plaintiff denies any knowledge
or information of the item of \$18 per sch
ooling of plaintiff sufficient to form
a belief & requires proof

Flavius J. Fright

By not found

J A Seal not found of Flavius J
Fright makes oath & says that the fore
going replication & the matter as therein
stated he believes to be true

Sworn to before me July

J A Seal

5th 1860. Elias J. Hooney

Flavius J. Fright

as

grove weaver

Replication

Filed July 5th 1860

Elias J. Hooney

Clerk