

Jefferson County Circuit Court
Case Files-Civil
June 1860

Box 12 Folder 39

Bell, William H.

vs.

Cowan, John Epps

Certiorari

Certified from JP William L.
Lemaster on unlawful detainer
of land in survey 2005742126E;
file contains transcript from JP
H.M. Parker for same litigants;
Supreme Court

of which you took possession ~~of~~ and fenced
on or about the 10th day of March A.D. 1860.
And you will please surrender and deliver
such possession to me, as aforesaid, by surrend-
ing and delivering the same to Mr. Lewis T. Waters,
who is my agent and attorney for the purpose
of accepting such Surrender and deliverance
of said premises, and who will deliver to you
this demand in writing, for such deliverance
of possession of said premises -

Dated March 19th 1860 -

Wm. H. Bell

For J. E. Spier, Corvair Reg.

Dated Mar 30th 1860

E. Lee & Son

A.

To Mr. E. P. C. Coward -

You will please take notice, that I hereby and hereby make demand of you in writing, for the deliverance to me of the possession thereof, forthwith, of the following described lands, tenements and possessions, situate lying and being in the County of Jefferson, State of Missouri, viz: all that part of the eastern portion of ~~the~~ Survey No. 2005, in Township No. 42 North, Range 6 East of the 5th Principal Meridian, lying on the East side of the Illinois and Iron Mountain Rail Road, and between that and the Mississippi River, adjoining the Southernly line of said Survey No. 2005, and lying immediately North of Mr. Kim's fence, and running from thence Northwesterly to, or near the Northwesterly end of the Rock cut in Town the line of said Rail Road within the Southernly half of said Survey No. 2005, and including the portion of the old orchard lying between said Rail Road & the Mississippi River; And also the flat ground between the Hill on the eastern part of the South half of said Survey, and the North fence of said Kim and said River & Rail Road; And being the same lands tenements and possessions, of which you wrongfully, and without force, by distress obtained the possession of, on or about the 10th day of March A.D. 1860, and still continue in the possession of, by having had a fence made, enclosing the same in whole or in part, and still maintaining such fence and possession; and being the same and all the premises in said Survey No. 2005 of which you

took possession, and fenced on or about the 10th day
of March A.D. 1865; and you will please surrender and
deliver such possession to me as aforesaid by surrendering
and delivering the same to Mr Lewis E. Waters, who is
my agent and attorney for the purpose of accepting
such surrender and deliverance of said premises,
and who will deliver to you this demand in writing
for such deliverance of possession of said premises -

Dated March 19th 1865 -

Wm. H. Bell



State of Wisconsin }
County of Jefferson } ss. In Justice's Court -
Before W^m L. Lemaster
Esq one of the Justices of the Peace
of said County -

William H. Bell, plaintiff, complaining
of J. E. C. Cowan, defendant, in an action of
unlawful detained.

For that the said plaintiff prior to and at the time of the alleged acts of the said defendant as hereinafter stated and set forth, was in the possession of the premises hereinafter mentioned and described; and that on or about the 10th day of March A.D., 1866, the said defendant entered upon said premises, without the permission and against the will of the plaintiff, and wrongfully and without force, by dissimulation obtained and continues in the possession of the following described lands, tenements and possessions, situate, lying and being in the County of Jefferson, State of Missouri, viz: All that part of the Eastern portion of ~~the above survey~~ Survey No. 2005 in Township 10 42 North, Range 6 East of the 5th Principal Meridian lying on the East side of the St. Louis and Leon Mountain Rail Road, and between that, and the Mississippi River adjoining the Southernly line of said Survey No. 2005, and lying immediately North of Mr. Kim's fence, and running from thence Northwesterly to, or near the ^{Northwesterly end of the} Rock cut in and on the line of said Rail road; within the Eastern half of said Survey No. 2005, and including

the portion of the old orchard lying between ~~the~~
said Rail Road, and the Mississippi River, and also
the flat ground between the Hill on the Eastern part
of the South half of said Survey and the North fence
of said Hill and said River and Rail Road; and
being the same lands, tenements and possessions of
which the Defendant obtained and took possession
of as aforesaid, on or about the 10th day of March
A.D. 1860, and had a fence made enclosing the same
in whole or in part, and being all of the premises
in said Survey No 2005, of which the said Defendant
so obtained and took possession, on or about the
10th day of March A.D. 1860, and fenced as aforesaid,
and still continues in the possession of, by maintain-
ing such fence as aforesaid; that on or about
the day of March inst. A.D. 1860, the said
Plaintiff caused a demand in writing to be made
upon the said Defendant for the deliverance of
the possession of said premises to him forthwith,
by the deliverance to him of such written de-
mand, a duplicate and copy of which is hereto
annexed marked "A," and is made a part of
this complaint, as if incorporated herein;
that the said plaintiff has the legal right to
the possession of said premises, ^{as aforesaid} at the time of
the making of such demand in writing for the
deliverance of such possession; and that the
said Defendant has refused and neglected after
such demand made in writing as aforesaid.

and still does refuse and neglect to quit the possession of said premises, or to deliver the possession thereof to the plaintiff as required by said demand in writing or in any other manner but still continues in the possession thereof, and the possession thereof still detains from the plaintiff this damages in the sum of fifty dollars -

Wherefore, the said plaintiff says, that the said defendant is guilty of unlawfully detaining said premises from the Plaintiff, and he prays that Process may be issued against the defendant, and he be summoned to appear at a day and place to be therein named to answer & defend against this complaint of unlawful detainer, in accordance with the provisions of the Statute in such case made and provided -

L. S. Coleman

Atty for Plaintiff

Jefferson County, Mo:

Lewis W. Waters of said County, being duly sworn, on his oath, says, that he is the agent of the said William H. Bell the Plaintiff in the foregoing Complaint, and as such agent makes this affidavit verifying said Complaint; that the matters and things set forth in said Complaint are principally known to him personally, and the same are unknown to the said plaintiff except from & through affidavit;

and that the foregoing complaint is, and the mat-
ters and things therein stated are, true according
to the best knowledge & belief of this affiant.

Subscribed & sworn to before me
this 24 day of March A.D. 1860.
Wm. L. Somers
Justice of the Peace

Lewis K. Waters

William H. Bell

~~James H. Bell~~

Complaint for Unlawful
Detainer &c.:-

Const. Mr. Moway. 1.00

Geo. Coleman
Affs Atty.:-

State of Missouri }
County of Jefferson } Justice Court
Before Wm. I. Lancaster
Esq. one of the Justices of the
peace of said County

William H. Bell Plaintiff complain-
ing of J. E. Cox Defendant in an action
of unlawful detainer

For that the said Plain-
tiff prior to and at the time of the alleged acts
of the said Defendant as hereinafter stated
and set forth, was in the possession
of the premises hereinafter mentioned and
described; and that on or about the
10th day of March A.D. 1860, the said Defen-
dant entered upon said premises without the
permission and against the will of the
Plaintiff and wrongfully and without
force, by design obtained and continued in
the possession of the following described lands
tenements and possessions, to-wit: lying
and being in the county of Jefferson
State of Missouri, viz: all that part of
the Eastern portion of Survey No. 2005, in
Township No. 42 North Range 6 East of the
5th principal Meridian lying on the east
side of the St. Louis Iron Mountain Railroad

and between that and the Mississippi River
adjoining the southern line of said survey
No. 2005, and lying immediately north
of said River ~~from~~ fence and running
from thence northerly to or near northerly
end of the rock cut in and on the line
of said Rail Road within the ~~northern~~
eastern half of said survey No. 2005, and
including the portion of the old Orchard
lying between said Rail Road and the
Mississippi River, and also the flat
ground between the hill on the eastern
part of the south half of said survey,
and the north fence of said River and
said River and Rail Road: and being the
same land, tenements, and possessions,
of which the defendant obtained and took
possession of as aforesaid, on or about
the 10th day of March A.D. 1860, and
had a fence made enclosing the same in
whole or in part, and being all of the
premises in said survey No. 2005, of
which the said defendant so obtained and
took possession on or about the 10th day
of March A.D. 1860, and fenced as aforesaid,
and still continues in the possession of
by maintaining such fence as aforesaid

That on or about the 1st of March
inst. A.D. 1860, the said Plaintiff cau-
sed a demand in writing to be made upon
the said Defendant for the delivery of
the possession of said premises to him forth-
with, by the delivery to him of such
written demand, a duplicate and copy of
which is hereto annexed "A" and is made
a part of this complaint as if incorpo-
rated herein. That the said Plaintiff has
the legal right to ~~and~~ the possession of
said premises and had at the time of the
making of such demand in writing for
the delivery of such possession, and that
the said Defendant has refused and neg-
lected after such demand made in
writing as aforesaid, and still does refuse
and neglect to quit the possession of said
premises or to deliver the possession ~~thereof~~
thereof to the plaintiff as required by said de-
mand in writing or in any other manner
but still continues in the possession thereof
and the possession thereof still detains
from the plaintiff to his damage in the
sum of fifty dollars; Therefore the Plaintiff
says that the said Defendant is guilty

of unlawfully detaining said premises
from the Plaintiff and he prays that
process may be issued against the
Defendant and he be summoned
to appear at a day and place to be there-
named to answer and defend against
this complaint of unlawful detention
in accordance with the provisions of the
Statute in such cases made and pro-
-vided

C. J. Bolman
Atty for Plaintiff

Jefferson county N. Lewis B. Waters of said County
being duly sworn on his oath that he is
agent of the said William H. Bell the Plaintiff
in the foregoing complaint, and as such
agent makes this affidavit verifying said
complaint. That the matter and things set forth
in said complaint are principally known to
him personally, and the same are unknown to
the said Plaintiff except from & through
affiant, and that the foregoing complaint is, and
the matter and things therein stated are true
according to the best knowledge and belief of
this affiant } Lewis B. Waters
This 24th day }
of March A.D. 1860
Wm. L. Semaster
Justice of the Peace

State of Missouri

To the Constable of
Little Rock Township

in the County of Jefferson greeting
you are hereby commanded to
summons J Epps, Coroner
of the County of Jefferson to ap-
pear before the undersigned Justice
of the Peace within and for said county
at his office in said county
on the 3^d day of April at the
hour of ten of the clock in the
forenoon of that day then and
there to answer against the com-
plaint of William & Bill
of unlawful detainer made
by the said J Epps Coroner upon the
lands of the said William & Bill
as by the complaint of the William
& Bill wants amended, and have you
them and then bring the return of
your proceedings thereon.

Given under my hand this 24th day
of March 1860.

Wm S Locaster
Justice of the Peace

William H Bell

23

John Bowman

Complaine for me
dearful Volume de -

E D Bowman

~~Wm H Bell~~

PLM 1845

March 1860

Dear B H only
etc

Of the State of Mississippi
To the Court of the County of
Jefferson Gaetling Yace are hereby Com-
manded To Summon J. Epes Bowen of the
County of Jefferson to appear before the
Undersigned Justice of the peace within
Yas Said County at his Office in the Same
County on the 3rd Day of April at the hour
of Ten of the Clock in the forenoon of that
day then & there to answer & defend against
the Complaint of William H Bell of unlawful
detainer Made by the Said J Epes Bowen upon
the lands of the Said William H Bell as
by the Complaint of the Said William H Bell
hereto annexed and have Yace then & there then
with the return of Yace proceedings
thereon

Given under my hand
This 24th Day of March 1860

Wm L Lemaster
Justice of the peace

I acknowledge Service of
Within Wit

J. Epes Bowen

William H. Bell

Jr
of Essex Haven

Seamman

At the request I am
with of the plurality
of our Messrs James
L. Warner to enclose
this card

Wm L. Doan
Secretary of the Essex

The State of Mississippi

To the Constable of
of Ball's Township in the County of Jefferson
Greeting where as Complaint in writing is
made to the undersigned a Justice of the peace
within & for said ^{County} of a certain unlawful
detainer made by J. Epps Covert of the
Land of William H. Bell in the County
aforesaid there are therefore to Command
you that you cause to come before the
said Justice at his Office in the County aforesaid
on the 3rd the Day of April 1860 at the
Hour of Ten of the Clock in the Forenoon of that
Day Twelve Good & Lawful Men of the County
to make a Jury Jury to Inquire in to the
unlawful detainer aforesaid

Given Under My Hand
This 2nd the Day of March 1860

Wm L. Lemaster
Justice of the Peace

Wm H Bell
vs
J Esq. Cameron

Receipt for a Jury
of 12 men

C P Clark 1
George W Edwards 2
Geo Thompson 3
Geo Brackenridge 4
H S Keffey 5
John J McMillin 6
John Robertson 7
Joseph Harrison 8
Henry Long 9
B J McMillin 10
Wm H Walker 11
Wm J Williams 12

Served the W.

Served the within Summons on each of the
it heard named Jury men By reading in
each of their presence this 3rd day of April
1860 James J McMillin Court Clerk

State of Missouri }
County of Jefferson } John E. Corvan. being duly
sworn upon his oath says, that in the matter of now
pending before W. L. Lemaster a Justice of the peace
in and for said County upon the Complaint of
Wm. H. Bell against John E. Corvan for an un-
lawful detainer of certain premises in his said
Complaint described. Says that he verily believes that
the complainant is not entitled to recover the posses-
sion of the premises described in the Complaint.
Sworn to and Subscribed
before me. March 30th 1860 } J. E. Corvan
Elias S. Hovey Clerk }
Clerk Court.

Mr H Bell

as Secretary of the
John C Cowan

Feb 1 Mar 30th 1860

Wm C Honey
Clerk

Know all men by these presents that I John E Cowan
as principal and James M^c Millen
as security are held and firmly bound unto W^m
H. Bell in the full and just sum of Two hun
dred dollars. to the true payment whereof well
and truly to be made we bind ourselves our heirs
executors and administrators jointly and severally
firmly by these presents. Sealed with our seals and
dated Hillsboro. March 30th A D 1860.

The condition of the above bond is that whereas
the said John E Cowan, has this day made applica
tion to and obtained from the Clerk of the Circuit
Court of Jefferson County a writ of certiorari on
W. L. Lemaster. a Justice of the peace of said County
in the case of W^m H. Bell. against said John
E. Cowan, for an unlawful detainer. Now if
the said John E Cowan, will not commit or suf
fer any waste or damages to be committed, on the
premises sued for, and that he will pay all rents
and profits, damages and costs, that may be ad
judged against him, and otherwise abide the judg
ment, of the Circuit Court; then the above bond
to be void otherwise to remain in full force, and
virtue in law,

James M. Millen

James M. Millen

Taken and approved by me
March 30th A D 1860

Elias McKoney. Clerk Cir Court.

John Leonard
Esq Bond

Mr H. Bell

Decr 30th 1850
Chas & Henry
all

The State of Missouri, To William L. Lemaster
Esqr one of our justices of the peace within and for
the County of Jefferson. Greeting:

Whereas it has been
represented to our Circuit Court within and for the
County of Jefferson aforesaid, that there is now pend-
ing before you, a suit for an unlawful detainer
wherein William H. Bell is complainant, and
John E. Corvan Defendant, and the said John E.
Corvan the defendant, having filed the affidavit
and bond with the clerk of our said Circuit Court,
which the law requires; You are therefore, comman-
ded, to stop further proceedings in said Cause,
certify to our said Circuit Court, a complete trans-
cript of your docket, and all proceedings had
before you, together with the original papers
filed in the Cause aforesaid, and file them in
the office of the clerk of our said Court, within
ten days after the service of this writ, and certify
hereon how you have obeyed our commands

For Witness whereof J. Elias J. Honey
Clerk of the Circuit Court aforesaid
have hereunto signed my name and
affixed the Seal of said Court at office
this 30th day of March A.D. 1860
Elias J. Honey Clerk. Cir. Ct.

Esqr L. Lemasters Dear Sir Mr. Lemaster
Gave me the above Notice this
morning to serve on you
I will just leave it with your
wife as you are out at home
yours Truly
March 28th 1860 J. P. Pomer Deputy
Sheriff

20. Vincent Court
June 20th 1860

William H. Bell
as 1st Lieutenant

John C. Coombs

20th & 21st Co. 1st Regt

William H Bell of Dated the 24th of March
 1860 by Lewis H. Walter
 Agent per William H
 J. Epes Caewen Bell a complaint of
 unlawful Detainer
 Summons Isued on the

Justice Fees
 1 Summen 75
 Venisee 25
 Judgement 25
 Transcript 35
 appraint 1.60
 2.50
 1.85
 1860 at Ten o'clock a precept
 Isued for a jury of Twelve
 Men and put in the hands of
 James S. Mc Mullin Constable

Const Fees
 Venisee 75
 Wm L Lemaster

James S. Mc Mullin March the 30th 1860 Justice
 the Sheriff served
 a notice on the Justice to stop
 the proceeding before him

April the 3rd 1860 the Constable
 returned Venisee with the following named
 James C P Clark George W. Edwards
 George Fleming George Breckenridge
 H S Peppy John S. Mc Mullin John
 Robertson Joseph Harrison Henry
 Lang S. S. Mc Mullin Wm H Walter
 Willis J Williams James S. Mc Mullin
 Court

The Justice discharged the jury and
 rendered Judgement a gainst plaintiff for
 Cost April 7 1860 Summen returned served
 on J Epes Caewen by acknowledgement
 Service of the wait

Jefferson Fees

C. P. Clardy 25

G. W. Edwards 25

George Fleming 25

Geo Breckinsedge 25

John T. Mullen 25

Joseph Harseren 25

Henry Lang 25

T. L. McMillin 25

Wm. H. Walker 25

Wm. J. Williams 25

\$ 250

I Wm. L. Lancaster a Justice
of the peace within & for the Townships
of Valle in the County of Jefferson
hereby certify that the above & foregoing
is a true & complete Transcript in said
Process and such Transcript is accompanied
by all the papers

Given under my hand
this the Day of April 1860

Wm. L. Lancaster
Justice of the peace

1620
Wm. H. Bell

as { Chancellor

John, D. Howard

Chet

Attest April 9th 1860
John A. Howard

June 1860

W H Bell

vs

Thomas Daily

}

In the Jefferson Circuit Court

The defendant states that on the trial of the above cause the defendant was taken by surprise in the evidence of Lewis K Waters that said Waters testified on the trial in behalf of plaintiff that the defendant did not take possession of the ^{Cabin} ~~Shanty~~ land for rental after Edward Buckley left the Rail Road in July 1857 and stated for his reasons of belief that Daily did not come into the ~~Cabin~~ ^{Shanty} until Buckley left & that Buckley did not leave until the running of the Cars in July 1857

That the defendant relying upon his knowledge of the fact that he did enter into the Cabin ~~in~~ in 1856 & remained there ever since on East side of the Road that relying upon that fact, he did not anticipate the evidence of Waters as to the time of possession & of course he did not come prepared with evidence to disprove the statement of Waters that Buckley remained in Shanty until after the completion of the Road in July 1857 ~~and~~ ^{and}

that Daily did not enter into the Shanty until after Buckley left - that he was surprised in the statement to that fact. Defendant positively states that he entered into said Cabin in controversy in 1856 & has remained in the peaceful & uninterrupted possession of the same until the commencement of this suit and he believes that he can prove by Andrew Goas, Wm Blake, Lewis Goas, Jacob

Huller & E.B. Hanna that Daily did take possession of the Cabin & premises in controversy in 1856 & remained there in winter up to ^{peaceful} possession until the commencement of this suit in 1860, that witness was mistaken in his statement on that point & that Edward Buckley & all the Buckley left the Road in 1856 & did not occupy the Cabin or premises since, 1856

also states that he can furnish documentary evidence of a justice docket in ^{April} 1856 from which connects with the evidence of other witnesses that Daily was in the Cabin & premises in dispute in the winter preceding April 1857 & continued there continually down to the present, that if a new trial is allowed he believes that he establish beyond a doubt by the said witnesses & the justice docket & papers in the case that he was in the possession of the Cabin & premises in dispute in 1856 & that the Buckleup left the Cabin in 1856 that his application for a new trial is not made for vexation or delay but because he feels aggrieved & has a meritorious defence. *Thos. Dill*

Thomas Dally
1111 1/2 Ave, New York

John E Lewan agent for Thomas Daily
who is not at Court on the 20 of June
1860, states on oath that the foregoing
petition & the matters as therein stated

he believes to be true from what he
has heard from one of said witnesses
to wit, I from facts that came to
his knowledge before this trial
Subscribed & sworn to
before me this 20
of June 1860

J. H. Corvan

Elias J. Honey
Clerk

Doel
as
Cousin

affidavit of
superior for new
trial

Filed June 20 '1866
Geo J Honey
Clerk

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Lucas W. Heiden for Richard on fr
John B. Pratt Robert Heiden

GREETING:

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

19th 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 *William H. Bell* is

Plaintiff and *John E. Conner* 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

14th day of *May* A. D. 18*86*

Elias F. Honey

Clerk.

20 Circuit Court

June Term 1860

John H. Bell

John C. Cowan

for deft

Lucero McMullen

vs. Richardson Jr

vs. B. Pratt

Robert Hunt

He with others

I Executed the within writ by reading
the same in the presence and hearing
of Lucero McMullen and Robert Hunt
on the 19th day of May 1860 also on
John Richardson Jr and John B
Pratt on the 23rd day of May 1860
J C Cowan, Deputy
Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Jacob Wheeler Thomas Bailey*

GREETING:

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

19th day of June 1860 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 *William Mc Bell* is Plaintiff and *John E. Leonard* is 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

2nd day of *June* A. D. 18*60*

Elias F. Honey

Clerk.

RECEIVED TO THE

Bell

as

Cowan

for left
fact built
two Dairies

clear

State of Missouri }
County of Jefferson } Before Justice Parker one
of the said county

Wm H Bell Plaintiff complains of J Epes-
Cowan Defendant in an action of Forecible Entry
and Detainer

For that the said J Epes Cowan at the county of
aforesaid on or about the first day of May, A.D. 1860
with force and arms did enter upon certain lands
of the plaintiff, situate lying & being in said county
and described as follows viz - The south half
of survey No 2005 in township No 42 North range
six East of the fifth principal meridian, and
particularly that portion of said survey lying
north of, and immediately adjoining survey No 1303
in same township and range now in possession of
one Kiman, and immediately east of rock creek
where the same crosses the line between said survey
No 2005 & 1303 and being of the width of about two-
hundred & fifty yards by about five hundred yards
in length, and did then and there carry off the
goods of the plaintiff to wit - about one hundred
cords of wood of the value of about three hundred
Dollars and did then and there turn the plaintiff
out of possession of said premises and still detains

and holds the same to the damage of the plaintiff of
five hundred dollars
Jefferson County ss (Signed) C. D. Coleman
Plffs atty

Lewis K Waters being duly sworn says he is the
agent of the and are true according to the
best of his information knowledge and belief
& farther saith not =
Subscribed & sworn to before (Signed) Lewis K Waters
me this 30th day of June, A.D. 1860

H. M. Parker
Justice of the Peace.

I the undersigned certify that the above
& foregoing is a correct & complete
transcript of the entries on my
docket so far as it goes - in
the suit - Bell vs Cowan in
the year 1860.

April 30th 1860. H. M. Parker
Justice of the Peace

Truroport

130th

— W. —

Cowan

Filed Oct 11th 1860

Geo Honeywell

State of Illinois } Before Justice Parker
County of Jefferson } one of the Justices of the
Peace of said County -

William H. Bell, Plaintiff, complains of J. E. Cowan, Defendant in an action of forcible entry and Detainer -

For that, the said J. E. Cowan, at the County aforesaid, on or about the first day of May, A.D., 1860, with force and arms, did enter upon certain Lands of the Plaintiff, situate lying being in said County and described as follows, viz: the South half of Survey No 2005, in Township No 42 North, Range Six East of the Fifth Principal Meridian, and particularly that portion of said Survey lying North of and immediately adjoining Survey No 1303, in same Township & Range, now in possession of one Kimer, and immediately East of Rock Creek where the same crosses the line between said Survey No 2005 & 1303, and being of the width of about two hundred & fifty yards by about five hundred yards in length, and did then and there carry off the goods of the Plaintiff, to wit above one hundred cords of wood of the value of about three hundred dollars, and did then and there turn the Plaintiff out of possession of said premises, and still detains and holds the same to the damage of the Plaintiff of five hundred dollars.

J. E. Cowan,
Plff's Atty.

Jefferson County, Va.

Lewis K. Waters being duly sworn, says
he is the agent of the Plaintiff, and that the foregoing
complaint and the matters therein stated, is
and are true, according to the best of his in-
formation, knowledge and belief. Further
saith not.

Subscribed & sworn to before me this ^(30th) day of ^{June} 1860

L. K. Waters
Justice of the Peace
3

In Justice's Court -
Before Justice Parker.

William K. Bell

J. E. Corvan

Complainant in Faculties
Entry returned.

Leopoldina
Affinity.

2. P. fees deems - .75
Luis 700 - 1.00
1.75

Filed Oct-10th 1860

Clas & Honey
J. Bell

Deceased. The within by reading the same in the
presence of John E. Corvan
Jas. E. Thomas
Attest: Township Clerk July 9 1860.
J. Bell

State of Missouri }
County of Jefferson }

Little Rock Township of the County of
Jefferson - Greeting - You are hereby
commanded to summons John Epes
Cowan of the County of Jefferson to appear
before the undersigned Justice of the
Peace within and for said County at his
office in the same County on the ^{16th} ~~15th~~ day of
July A.D. 1860 at the hour of 10 o'clock
in forenoon of that day then and there to
answer and defend ~~against~~ the complaint
of Mr Mc Bell of forcible entry and detainer
made by the said John Epes Cowan upon
the lands of the said Mr Mc Bell as by the
complaint of the said Mr Mc Bell hereto
annexed will more fully appear and have
you then and there this writ, with ~~and~~ the
return of your proceedings thereon

Given under hand this 30th day of June
A.D. 1860

H. M. Parker
Justice of the Peace
3

At the request and risk of Plaintiff I authorize
James L Warner to execute and return this
Writ

H. M. Searles
Justice of the Peace

Summons

Wm H. Bell

vs
John E. Pearson

Justice fee
Costs fee

75

Venue for Jury.

State of Missouri
County of Jefferson

Forecible entry & Detainer.

To the Constable of Little
Rock Township, in Jefferson County.

Greeting.

Whereas, complaint is made in writing to the under-
signed, a Justice of the Peace in and for said County,
of a certain Forecible entry and Detainer, made by
J. E. Cavan, in the Messuage, or on the Land of
William C. Bell, in the County aforesaid, there are,
therefore, to command you, that you cause to come
before the said Justice at Sulphur Springs in the
County aforesaid, on the ^{16th} ~~25th~~ day of July A.D.
1860. at the hour of 10 o'clock A.M. of said day,
Twelve good and Lawful Men, of the body
of the County, to make a Jury to inquire into
the Forecible entry and Detainer before described.

Given under my hand, this 30th day of
June A.D. 1860.

H. M. Parker
Justice of the Peace

Executed this writ in the county of Jefferson
 by summoning, Jacob Miller, Gustaf Royenbach
 John Ogle, Austin M. Johnston, Wilson. J. Hunt
 Benj^a Hunt, Thos. W. Floyd, Israel L. Waters
 Michael Green, William Fine, Jackson, Burgess,
 James Stewart, twelve good and lawful men
 of the body of the county to appear before
 the Justice at his office on the 16th day of
 July, 1860 at 10 o'clock, A. M. to act as a
 jury, to make inquiry as required by said
 writ.

Pat. L. Warner

Deputy Const
 of Little Rock Township

Precept

William H Bell

—vs—

J. E. Cowan

Justice Fee — \$50

Constⁿ " 2.00
 \$2.50

Filed Oct 1st 1860

Chas. H. Honey

clerk

At the request of the Plaintiff the Court has ordered
 to execute a writ of Habeas Corpus in favor of the Defendant
 and the said writ is hereby executed.

STATE OF MISSOURI, }
COUNTY OF ST. LOUIS. } SS.

To *Wm. H. Bell*
Sherrill

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be

and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis*, in

the County of *St. Louis*, on the *16th* day of *July* 186*6*, at the hour of

ten of the clock, *a M.*, at his office in said Township, to testify on the trial of a case wherein

Wm. H. Bell plaintiff, and *John E. Lee* defendant, on the part of the

defendant, on the part of the

Given under my hand, this *11th* day of *July* 186*6*.

Wm. H. Bell Justice.

Subjeano

Mr H. Bell

vs

John E. Cowan

Nettes, (No 154)

Wm B. Patten

C. S. Patrick

J. Wiedehopf

J. P. Lee. 23

Page 1. 75

100

STATE OF MISSOURI, } SS.

COUNTY OF ~~Jefferson~~ }

To

D. B. Pratt & Aquilino Pratt & Lewis Pratt

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of ~~St. Louis~~ in the County of ~~St. Louis~~, on the — *16* — day of *July* — 186*6*, at the hour of *10* of the clock, *A. M.*, at his office in said Township, to testify on the trial of a case wherein *William D. Bell* is plaintiff, and *A. J. Coker Casen* is defendant, on the part of the *Defendant*; and of this you are not to fail at your peril.

Given under my hand, this — *12th* — day of *July* — 186*6*.

Levi Fowler Justice.

Suchpenna!!

H.

John B. Pratte
August Pratt
Lewis Pratt

Beck

— is —

Cannon

(Nov 15-4)

A. P. Lee — .25

J. C. Bauer Dep
Sheriff fees \$1.50

1.75

I have let the matter depend on looking the same
in the presence and hearing of Lewis's attorney
and John B. Pratte as the report of the jury is
the same as the report of the jury is
the same as the report of the jury is
the same as the report of the jury is

THE STATE OF MISSOURI,
COUNTY OF *St. Louis* } ss.

To *William B. Bell*

YOU are hereby commanded, that all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis* in the County of *St. Louis*, on the *16* — day of *July* — 18*60*, at the hour of *10* of the clock, *A. M.*, at his office in said Township, to testify on the trial of a case wherein *William B. Bell* is plaintiff, and *Wm. C. Coover* is defendant, on the part of the *Defendant*; and of this you are not to fail at your peril.

Given under my hand, this

12th

day of

July

18*60*.

He Mearns Justice.

Served the witness' subpoena upon William A. Boole on
the 14th day of July, 1860, by delivering to him a true copy
of the same at his place of residence, W. S. Howard, in the
County and County of St. Louis.
Dorwin to Subscribing

Thomas Boole
" "

W. S. Howard
Notary Public

W. S. Howard
" " 1.80
1.25

St. Louis
William A. Boole
William A. Boole
- 23 -
W. S. Howard
(Mo. 1874)

THE STATE OF MISSOURI,
COUNTY OF *St. Louis* } ss.

To *Levi Warner Miller*

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis* in the County of *St. Louis* on the *16* day of *July* — 186*0*, at the hour of *10* o'clock, *A. M.*, at his office in said Township, to testify on the trial of a case wherein *William H. Bell* is plaintiff, and *J. Ches Carson* defendant, on the part of the *Defendant*; and of this you are not to fail at your peril.

Given under my hand, this *12th* day of *July* — 186*0*.

Levi Warner Miller
Justice.

Dr. Hearn!

To,

William F. Ritter

James Warner

Beck } most
as }
Cowan }

22 Feb - 25

J. C. Bremer, Deputy Sheriff

81.00

THE STATE OF MISSOURI,
COUNTY OF ST. LOUIS. } ss.

No *Lewis & Clark* _____

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis* in the County of *St. Louis* on the *16* day of *July* 186*0*, at the hour of *10* o'clock, *AM*, at his office in said Township, to testify on the trial of a case wherein *Wm. H. Bell* is plaintiff, and *Wm. H. Bell* is defendant, on the part of the Plaintiff; and of this you are not to fail at your peril.

Given under my hand, this *14th* day of *July* 186*0*.

Wm. H. Bell Justice.
}

Served the within Subpoena by reading in
 the hearing & presence of Lewis H. Hatters
 on this 14th day July 1860

Wm. H. Hatters D. C.

Subpoena 11

To.

L. H. Hatters

Wm. H. Hatters

3 E. 1st Ave.

(No. 1374)

27 Fees - .25

Cost - .25

50

W. H. Bell

vs

John E. Cowan

} Before H. M. Parker Jp

The defendant comes on the
16th day of July 1860 & moves the justice to
dismiss the suit for these reasons viz

1 Because the plaintiff has sued defend-
ant for five hundred dollars damages

2 Because the suit is for recovery of
land and goods of the plaintiff of five
hundred dollars

3 Because there is a misprison of factum

4 Because the justice has not juris-
diction in the case of \$500 damages

5 The summons is not served according
to law, that is by reading a copy of compl
and summons to defendant

Deaf for Cowan

Wm H Bell

- 08 -

J. Eves Curran

Filed Aug 16th 1860
and recorded
by the District C. M. Curran
District
11

Filed Oct 1st 1860

Oliver B. Mowrey
Clerk

Subpoena
Rebelle

vs (no 15-4)

Comon.

for Comon.

Jas: Johnston

Wm. Fuller

John Pratt

Jas. Warner

c Lewis Cook
c John Glaze

edges enclosed this writ in the Township
of Little Rock this 10 day of
August 1861 to the
within named
J. P. Ka-e
Cm. 1861
8175

State of Missouri }
County of Jefferson }
}

Rachel Gownship.

To the Constable of Little

Greeting:

Whereas, complaint in writing is made to the undersigned, a Justice of the Peace, in and for said County, of a certain forcible entry and detainer made by J. Eper Cowan, in the messuage, or on the land of W^m H. Bell, in the County aforesaid, there are, therefore, to command you, that you cause to come before the said Justice at Sulphur Spring Landing in the County aforesaid, on the 13th day of August, A. D. 1860. at the hour of 10 o'clock, in the forenoon of said day, twelve good and lawful men, of the County of the County, to meet a Jury, to inquire into the forcible entry and detainer before described.

Given under my hand, this 7th day of
August A.D. 1860.

J. C. M. Parker
Justice of the Peace

Dearest Mary

William H. Bell

52

2. *E. p. caerulea*

of Dr. Hees

Clusia

200



Filed April 1860

Clear of enemy

Clark

I Executed this within Jury Summons by Summoned
Antone Berger, Hermann Derrid, Henry Longhenry,
Thoms Savage, Merrill Parks, Isaac Hunt, Francis
Kirk, John M. Friederich, Lydias Yates, James Burgess,
W. C. Danforth, and Henry Crowe,
on their 13th day of August 1860, J. P. Speck & P. Const
Executed this writ in the County of Jefferson, by summoning Antone
Berger, Hermann Derrid, Henry Longhenry, Thomas Savage,
Merrill Parks, Isaac Hunt, Francis Kirk, John M. Friederich,
Peter Hutter, James Burgess, W. C. Danforth and H. R. Crowe,
good and lawful men of the hudge of the County & appear before the
Justice at his Office, on the 13th day of Aug: 1860. at 10 o'clock A.M. to
act as a Jury to make inquires, as required by said writ.

John P. Speck
Sept. Cant.

Sept. Cant.

his work -

Authentic Peter Street to Exeter and return

STATE OF MISSOURI, }
COUNTY OF ST. LOUIS. } SS.

No

Charles Becker

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis*, in the County of *St. Louis*, on the *15th* day of *September* 186*9*, at the hour of *11* of the clock, *AM*, at his office in said Township, to testify on the trial of a case wherein *Wm H. Beebe* plaintiff, and *A. J. C. Coover* defendant, on the part of the *Defendant*; and of this you are not to fail at your peril.

Given under my hand, this

15th day of *September* 186*9*.

Chas. Becker
Justice.

Post-Receipt

Subpoena!!

To.

Isaac Baker
a Surveyor

Wm & Bell
vs

J. Eper Cowan
(Duis-#1054)

J. P. Fes — 25

**THE STATE OF MISSOURI,
COUNTY OF ST. LOUIS.**

To

John B. Partridge and Lewis Partridge, Deeds

} ss.

YOU are hereby commanded, that all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of *St. Louis*, in the County of *St. Louis*, on the *15th* day of *September* 186*0*, at the hour of *10* of the clock, *A. M.*, at his office in said Township, to testify on the trial of a case wherein *William H. Bell* plaintiff, and *J. E. Cameron* defendant, on the part of the *defendant*; and of this you are not to fail at your peril.

Given under my hand, this

24th

day of

September

186*0*.

St. M. Gardner

Justice.

I recd the within subpoena on 27th
 of the month of June by reading in the hearing
 of the court then sitting at 10 o'clock
 of the 27th of June 1850
 Do the Prothonotary

Wm. H. Bell
 J. E. Corwin
 (No 154)
 Acknowledged
 J. E. Corwin
 25-
 50
 75

William H Bell

vs.

J Epez Cowan

Before Justice H. W. Bartley

We, the Jury, find the
Defendant guilty in manner and form
as charged in the complaint; and do find
that the Complainant has sustained damages
to the amount of \$ 15.04 that the monthly
rents is one cent J. Belcher Foreman
of said premises,

Notice of the Burg...
Freight entry & Detainer

William H. Bell
1865

J. E. C. C. C. C. C.

Sept 15th 1860.
(1860 15-2)

Filed Oct 1st 1860

Chas. H. Horney
Clerk

We John E Cowan as principal and
as Surety acknowledge ourselves
indebted to W St Bell in the sum of ~~One~~
~~Five hundred dollars~~ upon the condition that whereas J. E
Cowan has appeared from the judgment of Mr
Mr Parker a justice of the peace in an
action of Forcible Entry & Detainer ~~between~~
between W St Bell complainant and John E
Cowan Defendant, now if said Cowan shall
prosecute his appeal with effect and without
delay, neither commit nor suffer to be com-
mitted, any waste or damage on the premises
whereof restitution is adjudged & pay all rents
& profits, damages and costs, that may be adjudged
against him and otherwise abide the judg-
ment of the Circuit Court in said Cause, then
this recognizance to be void Given under
our hands this 15 day of September 1860

Attest

H M Parker
Justice of the Peace

J. E. Cowan

Theodore Kinney

Attest - H M Parker witness
J. P.

Bell vs Cowan. John E Cowan makes oath &
says that the affiant verily believes that the
appellant in case of Bell vs Cowan is aggrieved
by the judgment of the justice & that he does not
take the appeal for vexation or delay but that
justice may be done
Subscribed & sworn to before
me this 15 of September 1860
H M Parker
Justice of the Peace

J. E. Cowan

William H. McQuinn

for W. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

(Wm. H. McQuinn)

Wm. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

Wm. H. McQuinn

Record of Justice.

Returns to July 1st A.D. 1860 Call Law Day.

N^o. 154. William H Bell }
v.s. }
Damage \$30.00 I Epes Cowen }
Summons and
Receipt issued
June 30th 1860.

Be it remem-
bered, that on the 30th day of June A.D. 1860,
William H Bell (by Attorney) Filed his com-
plaint of Forcible Entry & Detainer. Justice Court, 12.75
against I. Epes Cowen before me,
H. M. Parker a Justice of the Peace for the county
of Jefferson, in the State of Missouri, in the words Sheriff's Court 2.25
and figures following to wit:-

State of Missouri }
County of Jefferson }

Court's Court, 7.50

Before Justice
Parker one of the Justices of the Peace of said County. Wilkes Court 3.50
William H Bell Plaintiff, complains of I. Epes
Cowen Defendant, in an action of Forcible
Entry & Detainer. Jury Court 9.60

For that the said I. Epes
Cowen at the county of aforesaid on or about Damages 30.00
the first day of May A.D. 1860 with force and total \$65.80
arms did enter upon certain Land of the
Plaintiff, situate, lying & being in said Coun-
ty, and described as follow:- Viz:- The south
half of Survey N^o. 2005 in Township No. 42 North
range Six East, of the fifth Principal Meridian,
and particularly that portion of said Survey
lying of and immediately adjoining Survey
N^o. 1303 in same Township and range, now
in possession of one Himm and immediately
east of Rock Creek, where the same crosses the
line between said Survey No. 2005 & 1303 and
being of the width of about Two Hundred

and fifty yards, by about Five Hundred
yards in length, and did then and there
carry off the Goods of the Plaintiff to wit:-
about One Hundred Cords of Wood
of the value of about Three Hundred
Dollars, and did then and there turn
the Plaintiff out of possession of said Prem-
ises, and still detains and holds the
same to the damage of the Plaintiff of
Five Hundred Dollars,-

(Signed) C. D. Coleman
Jefferson County J. - Pltffs Atty. -

Lewis H. Waters being duly sworn says,
he is the Agent of the Plaintiff, and that the foregoing complaint
and the matters therein as stated, is, and are true, acco-
-rding to the best of his information, knowledge and belief
and further saith not. - (Signed) L. H. Waters
Subscribed and sworn to
before me, this 30th day of June A.D. 1860.

C. M. Parker Justice of the Peace

And thereupon, on the same day, to wit: The 30th day of June
A.D. 1860, I issued my warrant for a Jury and Summons
for the Defendant agreeable to the Statute in such cases
made and provided. -

And on the 11th day of July A.D. 1860. Sept. Court. James
L. Warner returned the summons endorsed "served"
he within by reading the same in the presence of J. E. Es-
Cowan, Rural Township. July 9th 1860. (Signed) Jas. L. Warner
Sept. Court Clerk

And at the same time also returned the warrant
endorsed, Executed this writ in the County of Jefferson,

by summoning Jacob Miller, Gustaf Rozarbeck, John
Ogle, Augustin M Johnston, Wilson Hunt - Benjamin
H Hunt - Thomas W Floyd, Isaac S Waters, Michell
Greer, William C Hine, Jackson B Rye, & Jane
Stewart twelve good and lawful men of the Body
of the County, to appear before the Justice at his
Office on the 16th day of July A.D. 1860. at 10 o'clock
A.M. to act as a Jury to make inquiry & require by said
writ. (Signed) James L Warner

Dep^t Constable

Issued 3 subpoenas on behalf of the Defendant this 12th day
of July 1860. To James L Warner, William Miller (Major)
William H Bell, John B Pratt, Augustus Pratt
& Lewis Pratt. Issued 1 subpoena on behalf of the
-plaintiff to Lewis H Waters dated July 14th 1860. Also
1 subpoena dated July 11th 1860. To Henry Fitzpatrick,
John B Pratt - Henry Hardsuff. Also the subpoena
duly served except on James L Warner. -

And on this 16th day of July A.D. 1860. the parties appeared before
me at my Office, in Jefferson County & a part of said
Jury, also appeared, And the defendant applies
for a continuance (after applying for a dismissal
of the suit, as set forth in the Petition filed this
day, which was overruled by the Justice) which con-
tinuance was granted by agreement between both
parties, and set for the 13th day of August A.D. 1860 and
all witnesses & all parties notified to attend at
said day at 10 o'clock A.M. -

And on this 7th day of August A.D. 1860. I issued my
warrant for a Jury to Peter Speck who being forth-
-coming for that purpose. - And on this 13th day of Aug.
1860. Dep^t Const. Speck, returned the venire served. -
Executed summoning Anton Geyer, Hermann Berwin

Henry Laughing, Thomas Savage, Merrill Tuttle, Isaac Hunt, Thomas Russell, John M. Frederick, Peter Frederick, James Bugenoch, Wm. K. Danforth, & H. R. Crane twelve good and lawful Men of the Body of the Jury of Jefferson. - And on this 13th day of Aug. 1860. Comes as well as the Parties as the said Jurors, before me at my office, in said Jefferson County, And the Plaintiff by his Attorney, R. J. Coleman Esq. ask for a continuance on account of the absence of a material witness which continuance is granted by the Justice, and by agreement between the Parties, the Trial is set for the 13th day of September 1860. at 10 o'clock A. M. thereupon the Justice notified the above last Jury and all the witnesses present to attend as Jury & witnesses at the above place, day & hour. -

And afterwards to wit: - on the 13th day of September A.D. 1860. the Parties appeared before me, at my Office in Sulphur Spring Jefferson County Mo. and the following Jurors, John Trevel, John G. Sweet, Joseph Belcher, Henry Miller, Thomas Moz, B. F. Hunt, Anton Geyer, Herman Sevin, Peter Frederick, W. K. Danforth, H. R. Crane & Joseph Kendall, and the Parties being ready for trial the said Jurors were empaneled and sworn, well and truly to try the Forcible Entry & Detainer in the Complaint of Wm. H. Bell alleged, and a true true verdict give according to the Evidence. -

and the proofs and allegations of the Parties being fully heard, and the said Jurors having retired to consider their Verdict, did afterwards on said day return into Court, before said Justice their Verdict, as follows:—

William H. Bell } Before Justice
J. E. Cavan } H. M. Parker,
the Jury find the Defendant guilty in manner and form as charged in the Complaint. And do find that the Complainant has sustained damages to the amount of \$15. That the monthly rent is one cent of said Premises. —

(Signed) J. Belcher, Foreman
whereupon it is considered and adjudged by said Justice, that the Complainant have restitution of the Premises found by the Jury to have been forcibly entered and detained and described as follows:— Certain Tracts of the Plaintiff, situate, lying & being in Jefferson County, viz: The South half of Survey No. 2005, in T. N. 42 North, Range Six East of the fifth Principal Meridian, and particularly that portion of said Survey lying north of and immediately adjoining Survey No. 1303, in same Township & Range, now in possession of one Kinn, and immediately East of Rock Creek, where the same crosses the line between said Survey No. 2005 & 1303, and being of the width of about two hundred & fifty acres, by about five hundred

yards in length. And recover of the
Defendant the sum of Thirty Dollars
and also at the rate of Two cents per
month per rent and profits, from the
15th day of Sept. 1860, untill restitution
be made, together with the sum of
\$ Thirty-Five Dollars & Eighty-cents,
for his costs by him on this behalf
expended, and that he have thereof
execution. —

H. M. Parker
Judge of the Peace
of September A.D. 1860.

Came the said J. E. Cawen
and filed his affidavit and
Recognizance, for an appeal
to the Circuit Court, which App-
=eal is granted.

H. M. Parker
Justice of the Peace

I H. M. Parker, a Justice of the Peace within and for the county
of Jefferson, do certify the foregoing to be a complete transcript
from my pocket of the proceedings in the case between
William H. Bell vs. J. E. Cawen, for Forcible
entry and Detainer, appealed to the Circuit Court,
which said transcript, together with the affidavit,
Recognizance, and all the original papers in said case
hereto attached, are herewith returned to said Circuit
Court, in accordance with said appeal. —

Given under my hand, this 24th day of September A.D. 1860.

H. M. Parker
Justice of the Peace

Cont. at debts cont. Decr 24th 1860. book no 4 page

De
University of Vermont
Entire.

1620

Wm H Bell }
— 24. —

J Eves Carver }
(S^{rs} 1854)

Freddie Conly & Betman

Frederic de la Roche

Quintin yth de la Roche

Sept 27 1854

Sept 27 1860

Wm & Henry
Clark

William H Bell
vs.

J Eves Cowan

set

in suits of Parable entry and
Detainer, brought before H. M. Butler
Justice of the Peace.

Bill of Costs.

Justice Fees,	Coppying Complaint July Term	\$1.00
"	Summoning to Defendant	.75
"	Precept July Term	.50
"	3 Subpoenas	1.25
"	Affidavit & Continuance	1.50
"	Precept For Aug Law Day	.50
"	2 Subpoenas	.50
"	3 " " " "	.75
"	Continuance & Affidavit	1.50
"	Denire for Aug for Sep. Law Day	.50
"	7 Catches	.35
"	Rendering Judgement Sep. Law Day	.35
"	Affidavit & Bond for Appeal	1.00
"	Very Long Transcript	2.00
"	Certifying to the correctness of papers	.50
Sheriff Fees,	Serving 3 Subpoenas for July Term	2.25
Court	" Summoning " " (Warner)	1.00
"	" Precept " " " "	2.00
"	" 3 Subpoenas " " (Waters)	.75
"	" 1 Subpoena " " (Duckham)	.25
"	~~" 1 Subpoena " " (Duckham)~~	~~1.00~~
"	" 4 Subpoenas for Aug. Trial (Speech)	1.00
"	" 2 Subpoenas " " (Waters)	.50
"	" Denire Serving " " (Speech)	2.00
Witnesses Fees	~~William H Bell July Term (as witness)~~	~~2.50~~
"	L K Waters " "	.50
"	~~A B. Butler " "~~	~~1.00~~
Continuance Carried over		\$23.20

And Bent: over

\$23.20

Witness Fee	Augustus Peattie Only Term	50
"	" Lewis Peattie " "	50
"	" William Peattie Wm Peattie	50
"	" Chas. Peattie " "	50
"	" Joseph Peattie " "	50
"	" James Peattie Aug. Term	50
"	" John Peattie " "	50
"	" William Peattie " "	50
"	" Lewis Peattie Sept. Term	50
"	" August Peattie " "	50
"	" Lewis Peattie " "	50

Jury Fees for Aug. Term Parties agreed to pay 4.80
Jury Fees for September Term (12 men) 4.80
(3 times set for Trial) Total amount \$35.80

I, J. C. M. Parker, a Justice of the Peace for
Sevier County of Jefferson hereby certify that the
foregoing is a correct bill of the costs in the
above foregoing suit - that the items therein
charged for were rendered

Given under my hand this 15th day
of September A. D. 1860

J. C. M. Parker
Justice of the Peace

P.S.

The verdict of the Jury was doubled
by the Justice which makes it -

\$30.00

Sum total - Amount of Damages & Costs. \$65.80

J. C. M. Parker
D. P.

The Bill.

of suit-

William H Bell

vs.

J Eves Caswell
(noisy)

To wit: entry & detainer

do

only Term to Sept. Term.

Justice, Shropshire County,
between & among & es
showing to the jury
little term of - \$33.80
warrant of entry.
double the hy duties 30.00
Dances & coats - \$63.80

Filed Oct-1st 1860

Oliver H. Hony
Clerk

H.M.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

John A. Daulton, et al
Joseph Handshoff

GREETING:

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

14th day of *December* 18*60* 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 *Wm. Mc. Ball* Plaintiff and *A. C. Leves Cornum* 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

28th day of *November* A. D. 18*60*

Elias F. Honey

Clerk.

Executed the within subpoena on this
1st day of Dec^r 1860 in Little Rock
County Ark. Jeff Co mo by reading the
same in the hearing & presence of
Joseph Herdshoff. L. K. Waters

do correct book
Deer drawn 1860

Wm. H. Bell

Geo. C. C. C.

for

no 13. Parthe

Archie

Joseph Herdshoff

showing see
to L. K. Waters

Chas

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

John D. Pratt ~~Attorney~~
~~Atty Genl James Harrison~~

GREETING:

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

14th day of December 1860 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 ~~at Hillsboro~~ *at Hillsboro* ~~at Hillsboro~~ *at Hillsboro* are Plaintiff and *William H. Chase* 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

14th day of December A. D. 1860

Elias F. Honey

Clerk.

I Executed the within writ in
the County of Jeff on the 23
day of November 1860
by Reading the same
in the presence and
hearing of J D Pratt
J C Parker Dep
Shiff

J D Pratt
Sheriff fees 50

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,
To *Wm. Fletcher*

Edward Leovann, Louis H. Hester's

GREETING :

You are *Hereby* Commanded, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the
16th day of June 1863 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 *William H. Bell is*
Plaintiff and *John C. Leovann 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

19th day of *May* A.D. 1863

Elias F. Honey
Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1863

Wm H Bell

vs
Jno E Cowan

for debt

Wm J. Ritter

Edw. Cowan

Lucas K Waters

Sheriff fees 1.50

I got called the within are Lewis H Walters by
reading the same in his presence and hearing the
the 28 day of May 1863 also an Edward Cowan by
reading the same in his presence and hearing the
the 28 day of May 1863 also an J. H. Ritter by reading
the same in his presence and hearing
the the 30 day of May 1863

J. B. Jones Clerk
by J. J. May Deputy

William H Bell

vs

John E Cowan

} In the circuit
} Court of Jefferson
County Mo

John E Cowan being sworn states
that ~~the~~ the ~~appellate~~ is not made for
vexation or delay but because the affiant
believes that the appellant is aggrieved by the
judgment or decision of the Court.

Subscribed & sworn
to before me this
12th day of June
1863

Elias J Honey
Clerk

J. J. Cowan

Wm H. Bell
as
Jno E. Weaver

affidavit for appeal

Dated June 16th 1863

Geo A. Hooley

the land in question.

6th Because the Court permitted a witness to give parol evidence of the contents of a lease in writing from the Complainant to one ~~of~~ ^{the} lease for the premises described in the Complaint

7th Because the Court misdirected the jury at the instance of the Complainant.

8th Because the Court refused to give to the jury legal & proper instructions asked for by the defendant

9th Because the law and right of the case is with the defendant and manifestly against the Complainant.

10th Because the verdict is for damages unwarranted by the evidence and the law or either the law or evidence

11th Because

~~the Court has erred~~

Beal & Davis
Atty. for def.

Wm. Bell

John E. Brown

Proctor per news
that

Recd June 21 1863
Cous Anthony
Dear

Overruled June
12th 1863.

William H Bell

vs

John E Cowan

In the circuit
Court of Jefferson County
Ind June 5 1863

Be it remembered that in the trial
of the above cause the plaintiff
to sustain his suit introduced the
following evidence viz

Lewis R Waters who being sworn
stated that he was the agent of Bell
for his lands in Jeff Co from 1859 till
Oct 1861 when he left & went to Ark
as agent & has not acted since as such
agent that he knew the lands in contro
versy that Bell had possession of
the lands by his agent that he, ^{Bell} never
lived on the land but he had many
tenants one Pratt was tenant for two
years before March 1st 1860 then left
the land. Bell gave John Glaze a
written lease on the land dated March
1st 1860 for one year and at the expi
ration of the lease Bell renewed it &
gave Glaze another written lease on
the land. Glaze went onto the land
under the first named lease, ~~that he held it till~~
and remained on it from Mar 1 1860
till his death about one month ago

His wife still lives on the land

The land called the upper Sulphur Sp
ring tract contains about 1300 acres
all the lands owned there by Bell was
included under the name of upper
Sulphur Springs tract. If there
were separate surveys, whether did

not know the law, nor know whether
the tenants of Bell were on the confer-
mation to Lebarge or to David W. W.

That in winter of 1860 Cowan called him
one fall at Kimmswick & told him
that he had been cutting wood on the
lands there & if he was defeated in
his suit against Bell for the recovery
of the lands he would pay Bell
for the wood. That Cowan told
him at the same time he had the
possession of the land.

Witness had no knowledge of Cowan
cutting wood except what he then
stated to witness. Don't know the
place on the land where he said he
cut the wood, witness went over
the land before commencement of
this suit. The wood was then all
removed off, he saw stumps, he
estimated from stumps he saw that
about 100 cords of wood had been
cut & taken off. Cowan was not there
nor any person on the land. The
land was wild and unimproved, Cowan
lived on land of his own, never
saw Cowan on the land or in poss-
ession before commencement of this
suit or since, he knew that Cowan
did not hold the land. never saw
any person on the land or in posses-
sion except Bell's tenants. Bell never
occupied the land or was in possession
in person.

The plaintiff then offered to prove the following
Statements by Waters, "that by the written lease
from Bell to Glaize, Glaize was entitled
to the farm on the land in question and
that Glaize was required to supervise
the other parts ^{of the} tract which was called the
Upper Sulphur Spring tract, and that
Glaize had no right by the lease
to any part of the tract except the farm"
to which the defendant objected but the
Court overruled the objection and permitted
the statement to be made to which ruling
of the ^{Court} defendant then and there excepted.

Waters further stated under the ruling of
the Court notwithstanding the objection of the
defendant to the statement, "that when the road
was cut by Cowan Glaize has no right
under the lease to the part of the land upon
which the road was cut. his only power over
that being to watch and keep off trespassers."
to which statement the defendant then and there
excepted.

Plaintiff then offered to prove by
the witness Waters, "that Cowan was a witness
in the case of Bell vs Daily tried in this
Court and what Cowan swore to on that
trial" to which the defendant objected but the
Court overruled the objection and allowed
Waters to state as follows "that on the trial
of the case of Bell vs Daily Cowan
swore that he defended the suit for
his own benefit," to which ruling of the
Court the defendant then and there excepted.

The judge further stated that Pratt
was tenant under Bell until Glaize
rented of Bell. Bell never lived
on the land but had possession
~~there~~ by tenants. Bell then offered
to read in evidence judgments & complaints
on file in the cases of Bell vs Bailey &
Bell vs Cowan (here insert them) to
the reading of which to the jury the depen-
dant objected but the Court overruled
the objection and allowed the plaintiff
to read the same to the jury to which
ruling of the Court the defendant then & there
excepted. The plaintiff read in
evidence the deposition of Pratt
(here insert it). Plaintiff read
in evidence lease from himself to Glaize
dated March 1st 1860 (here insert it)

Plaintiff offered to read in evidence
these letters written by defendant to him
(here insert them) to the admission of
which ~~in evidence~~ and each of them the
defendant objected but Court overruled
the objection & allowed ^{them} to be read in
evidence to which ruling defendant then
and there excepted. Plaintiff introduced
William Pitter who was sworn & testified
that his ^{terms} hauler wood for defendant fifteen or
twenty cords in 1860 did not know from what
place though he understood it was from
the land in question. The foregoing was
all the evidence in the cause.

The Court gave the following instruction to the jury at the instance of the plaintiff (here insert it) to the giving of which by the Court the defendant objected but the Court overruled the objection & gave it to the jury and the defendant then and there excepted to the giving of it by the Court.

The defendant asked the Court to give the following instructions to the jury (here insert them) but the Court refused to give them and the defendant then and there excepted to this ^{of the Court} refusal to give the instructions as prayed by him.

The Court gave the following instruction on its own motion (here insert it) to the giving of which to the jury the defendant duly excepted.

The jury returned & returned into the Court the following verdict (here insert it)

The defendant moved the Court for a new trial and filed the following reasons in support of his motion (here insert the reasons) and the Court overruled the motion for a new trial and gave judgment for the plaintiff against the defendant to which ruling of the Court upon his motion for a new trial the ^{defendant} then and there duly excepted ~~as~~ also the giving

of present for the Plaintiff against
him the Defendant. And I certify &
pray that this bill of exceptions
may be signed sealed allowed
and filed in the cause as a part
of the record which is done accordingly

James H. Owens Seal

From H. Bell

to
Mrs E. Leonard

Recd of Exchpts

Recd June 12th 1863
Wm J. Horney Clerk

Judgment for Plaintiff Sumell 1863
Book No 4 page 573-

In the Supreme Court held at St. Louis, of the State of Missouri,

October Term 1863
Monday December 14th 1863

William H. Bell)
Respondent) Appeal from
John Esch Cowan) Jefferson Circuit Court
Appellant)

Now again come the parties aforesaid, by their respective attorneys, and the Court being now sufficiently advised of and concerning the premises, doth consider and adjudge that the judgment rendered herein by the said ~~circuit court within~~ ~~and for Jefferson County~~ be reversed, annulled, and for naught held and esteemed: That the said Appellant be restored to all things which ~~he~~ ~~has~~ lost by reason of the said judgment: That the said cause be remanded to the aforesaid Jefferson County Circuit Court for further proceedings to be had therein, in conformity with the opinion of this Court herein delivered and filed, and that the said Appellant recover of the said Respondent his costs and charges herein expended, and have execution therefor.

STATE OF MISSOURI, SS.

I, ANDREW W. MEAD, Clerk of the Supreme Court, held at St. Louis, of the State of Missouri, certify that the above and foregoing is a full, true and complete copy of the judgment rendered in the above entitled cause, as fully as the same remains of record in my office.

In Testimony Whereof, I have herunto set my hand and affixed the seal of said Court, at office in the City of St. Louis, this fourteenth day of December A. D. eighteen hundred and sixty three



Andrew W. Mead Clerk.

Supreme Court of Missouri.

William A. Hall

vs
John Geo. Cowan

MANDATE.

Judgment *Reversed and Remanded.*

Filed January 5th 1864.
Chas. A. Hovey Clerk



Bell
against-
Loomer

The jury are instructed that
unless they find from the evidence
~~that~~ the defendant was at the time
the notice in this case was served upon
him, in the actual possession of the
premises described in the petition
they will find ~~he~~ ~~found~~ a verdict
for him.

Separating Bailey or other persons
in possession to build fences or doing
other work upon the premises, or making
a possession which renders him liable
to this action.