

Jefferson County Circuit Court

Case File - Civil

July 1863

Gutman, Moses

vs

Repp, Hamilton S.
Williams, Willis J.

Appeal

Defendants appealed from County Court
on \$151.65 judgment against defendants
as securities for Isaac Hunt adm.
James Hunt

Box

14 Folds. 80

State of Missouri } In the County Court
County of Jefferson. February 23rd 1863.

Among others, the Following Remains of record.

Moses Gutman

vs.

H. S. Reppy

W. J. Williams &

E. M. Boley

} Motion for Vire Facias,

} Now at this day comes said
Plaintiff by his Attorney,
and on his motion, it is ordered by the Court, that a Vire Facias issue to said, defendants, as the Securities of Isaac Hunt Executor of the Estate of James Hunt, Deceased, to be, and appear at the next term of this court, to be begun, and held, on the First Monday of April Next, to show cause, if any they have why judgment should not be rendered against them as such Securities.

A true copy from the Record.

In testimony whereof, I, S.
A. Reppy Clerk of said Court
have hereunto set my hand,
and the Seal of said Court,
This March 10th AD 1863,
S. A. Reppy Clerk do let

Moses Gutman;

vs.

Hamilton, J. Reppy

Willis, J. Williams

E. M. Boley

J. H. Reppy, clerk \$1.00

Sheriff Fees \$1.25
2.25

Filed March 31st 1863.

J. H. Reppy, clerk

I, Executed the within writ on Willis, J. Williams
on the 11th Day of March 1863 by Reading the same
in his presence and hearing, also on Hamilton
J. Reppy, by leaving a certified copy of the same
at his usual place of abode with a white person
of his family over the age of 15. This 27th Day of
March 1863, The within named E. M. Boley not
found in my county. This April 6th 1863

J. B. Dever Sheriff

State of Missouri; In the County Court
County of Jefferson; April Term, A D 1863.
Among others the following remains of Record,

Moses Gutman, } On Execution,
vs. Isaac Hunt, Executor of the } Motion for Scire Facias.
Estate of James Hunt Deed, } against the Securities
of Isaac Hunt, Executor of the Estate of James
Hunt Deceased.

Now at this day comes the plain-
tiff, Moses Gutman, and it appearing from the
Execution in favor of said plaintiff, against Isaac
Hunt, Executor, as aforesaid, that it was returned
unsatisfied, on motion of plaintiff's Attorney,
it is ordered by the court that a Scire Facias
issue against Geo. Reppy, Williz. J. Williams, and
E. M. Boley, Securities of Isaac Hunt Executor
of the Estate of James Hunt, referring to the
bond of said Hunt, the Order of payment,
the Execution and return thereon, and
requiring said securities to show cause if
any they have, why judgment should not be
rendered against them for the amount
ordered to be paid, and still unsatisfied.

The State of Missouri, County of Jefferson, to
the Sheriff of Jefferson County (Greeting):
Whereas Isaac Hunt, Executed, and delivered

his bond in favor of the State of Missouri with
H. O. Kippy, Williz. J. Williams, and E. M. Boley
as securities, of Date, September 30th 1854, for
the sum of Six Thousand Dollars (6,000.00) —
conditioned that if Isaac Hunt Executor
of the Estate of James Hunt, Deceased, shall faithfully
Execute the will of said deceased, account for
pay and deliver all money and property of
said Estate, and perform all other things tou-
-ching said Executorship, required by law, or the
order or decree of any court having jurisdiction,
then the bond to be void, otherwise to remain
in full force. And whereas, the county court
of Jefferson county Mo. at its October Term
1861, Ordered Isaac, Hunt to pay over to Moses
Sutman, his allowance, in the fifth class,
amounting to the sum of One Hundred
and Nine 17/100 Dollars, on which order
an Execution was issued against
said Isaac Hunt, and placed in the
hands of the sheriff of said county, and
was returned, by the said sheriff un-
satisfied; and whereas at the April term
1863, the said county court, Ordered
a Scire Facias to issue against H. O. Kippy
Williz. J. Williams, and E. M. Boley, securities
of said Isaac Hunt. These are therefore,
to command you to summon said

Geo. Reppy, Williz. J. Williams, and C. M. Boley
to be, and appear at the next term of this
court to be begun, and held in Hillsboro
in said county, on the first Monday
of July 1863, to show cause why if any they
have why judgment should not be
rendered against them for the amount
remaining unpaid.

In testimony, whereof, S. A. Reppy
Clerk of the county court
of the county of Jefferson has
hereunto set my hand, and
affixed the seal of said court
at Office, this 13th day of April, A. D. 1863,

Samuel A. Reppy, Clerk

I, Executed this writ on Hamilton, ^SReppy & Willis,
J. Williams by reading the same in their
Presence and hearing this 16th Day of May 1863
The within named E. M. Boley not found
in my County this 16th day of May 1863
J. B. Dorer Sheriff

Moses, Gutman
vs.

Hamilton, C. Reppy

Willis, J. Williams &

E. M. Boley

Motion for Writ of Habeas Corpus

C. M. Reppy, fee \$1.00

J. B. Dorer Sheriff 1, 25

Filed May 25th 1863

J. B. Reppy Clerk



Moses Gutman
vs
H. S. Reppy and
W. J. Williams, } In the Jefferson Circuit
Court. July Term 1863.
Scire Facias.

We H. S. Reppy and W. J. Williams
as principals and John L. Thomas & S. A. Reppy
as
securities acknowledge ourselves to be owe
and stand indebted to Moses Gutman the
Plaintiff in the above entitled cause in the
sum of three hundred and fifty dollars
however upon the following condition: Whereas
the said H. S. Reppy and W. J. Williams have
taken an appeal from the judgment of the
Jefferson County Court, in the above entitled
cause, to the Circuit Court of said County.
Now if the said Reppy and Williams shall
prosecute the said appeal with effect and
without delay - and pay all debt, damages
and costs that may be adjudged against
them in the appellate Court, then this bond
shall be void, otherwise the same shall
remain in full force.

H. S. Reppy & W. J. Williams

By John L. Thomas, their atty

John L. Thomas.
S. A. Reppy

Deal
Deal
Deal
Deal

Mr. Bullock

Reidy & McLean

Bond

Filed July 6th 1863
Attest my hand

Moses Gutman,

H. S. ^{vs} Reppy and
W. J. Williams

} Scire Facias.

This affiant states that an appeal
is not taken in the above entitled cause
for vexation or delay but because the
Defendants feel themselves aggrieved by
the judgment of the County Court.
Sworn to & subscribed } J. L. Thomas,
before me July 6.
1863. D. A. Reppy



Mr. Sullivan

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Rephing Sullivan

Official for Official

Filed July 6th 1863,
Rephing Sullivan

State of Missouri } In the County Court
County of Jefferson } July 6th 1863.
The following remains of Record.

Moses Gutman }
vs } Sire Facias against the Securities
Hamilton S. Reppy & Willis J. Williams } of Isaac Hunt Administrator of
James Hunt decd.

Now at this day come Moses Gutman the plaintiff, and Hamilton S. Reppy and Willis J. Williams securities of Isaac Hunt administrator of James Hunt by their respective attorneys, and submit to the Court all and singular, the matters at issue between said parties, whereupon the Court after hearing all the proofs and allegations of the parties afore said doth find for the plaintiff the sum of one hundred and fifty one $65/10$ dollars. It is therefore considered, by the Court that the plaintiff have and recover Judgment against said Hamilton S. Reppy, and Willis J. Williams for the sum of One Hundred and Fifty one $65/10$ Dollars for his debt and damages, and also for his proper costs laid out and expended, and that he have execution therefor. whereupon comes John L. Thomas attorney for defendants and files bond of defendants which is approved by the Court, and also his affidavit and makes application for an appeal to the Circuit Court stating that the appeal is not taken for the purpose of vacation or delay but because this affiant believe that the appellant is aggrieved by the decision of the Court, which being seen heard and fully understood by the Court, it is ordered that the appeal be granted, and that the Clerk of this Court transmit to the Clerk of the Circuit Court a certified transcript of the record and proceedings relating to the cause.

together with the original papers in his office relating thereto.

I, Samuel A. Peppy Clerk of Jeff. Co. Court
hereby certify that the foregoing is a full and correct copy of the
Record in the above entitled cause.

In testimony whereof I hereunto set my hand
and affix the seal of said Court this 8th
day of October 1863.

Samuel A. Peppy Clerk



Due Bill

To Samuel A. Reppy Clerk	Issuing and Execution	1.00
" " " "	" 2 Scirefacias	2.00
" " " "	" for taking Appeal Bond	25
" " " "	" " Filing Papers	25
" " " "	" " certifying up appeal	60
		<u>\$4.10</u>

To J. B. Dover Sheriff	for serving 2 Scirefacias	2.00
" " " "	" " " 1 Execution	1.00
		<u>\$7.10</u>

Moses Gutman, - Plaintiff } In the Circuit
 Against } Court of Jefferson
 H. S. Reppy, & } County, Missouri,
 Willie J. Williams - Defendants, - On Appeal
 From the County Court,

H. S. Reppy, one of the Defendants in the above entitled cause, for Answer to the Scire Facias served on him, as one of the Securities of Isaac Hunt, executor of the Estate of James Hunt, deceased, denies that he signed the Bond of said Executor, and upon which this suit is brought. This Defendant says he did not sign his name to the said Executor's Bond filed in this suit, and he therefore denies that Plaintiff ought to have or maintain any action thereon against this Defendant.

A. Green
 Attorney for H. S. Reppy

H. S. Reppy, Defendant, makes oath and says the above Answer and the matters therein as stated he believes to be true.

Brought before me
 July 4th 1864

H. S. Reppy

Elias McConney, Clerk



In Circuit Court
Jefferson County
Moore & Hutchinson
vs.

W. S. Beatty &
W. J. Williams

Answered
by W. S. Beatty

Filed July 4th 1864
Claus & Honey
Clerk