

Jefferson County Circuit Court
Case file - Civil

October 1863

Box

14 File

81

Rayborg, Malinda
vs

Sweeney, Martin

Appeal

Plaintiff appealed from JP
H.M. Parker on \$75 note

SUMMONS—Printed and Sold by Charles & Ennis, 67 Main Street.

THE STATE OF MISSOURI,

To any Constable of Little Jack Township, in Jefferson County—GREETING:
WE COMMAND YOU TO SUMMON

Martin Beaman

to appear before the undersigned, one of the Justices of the Peace of *Little Jack* Township,
in *Jefferson* County, on the *17th* day of *July* 18*63*, at
ten of the clock in the forenoon, at his office in the same township, to answer the complaint of —

Mrs Malinda Hegberg

Given under my hand, this

18th day of *June* 18*63*,

J. M. Gault
JUSTICE.

Summa 1118.

Maria Rezharg
—, vs. —

Martin Swaney
H

J. J. Res — 25
Const fu 25

D D Hark
Const

Executed this writ in the Township of Little Rock
this 23rd day of June 1868. by executing the same
to the defendant etc Swaney within named

THE STATE OF MISSOURI,
COUNTY OF STEPHENS. } ss.

To *Frederick Cullweller*

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 *W. T. in* the County of *St. Louis*, on the *17th* day of *July* - 1865, 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 *M. Hegarty* plaintiff, and *M.weeney et al* defendant, on the part of the

Given under my hand, this

10th day of *July* - 1865.

To. M. Parker Justice.

Dr 77. 2000.

M. Keyborg

- or. -

M. Swanson

To Frank Caldwell

91, fees	25
Canst fu	25

the within named amount had collected at found
served the within by reading. Canst
the within to Francis
Canst fu on the 15 day of August 1863
this ~~canst~~ within

Malinda Rayborg }
 vs } Before H M Parker Justice
 Martin Sweeney } of the Peace

I A Beal attorney for Malinda Rayborg states on oath that the application for an appeal is not made for vexation or delay in the above cause, but because he believes the appellant is injured by the judgment of the Justice

Subscribed & sworn to before me this day of September 1863

Elias Horney Clerk for court
 Dec 15/



We the undersigned Malinda Rayborg principal and I A Beal as security acknowledge ourselves indebted to Martin Sweeney in the sum of fifty dollars, to be void upon this condition, whereas Malinda Rayborg has appealed from the judgment of H M Parker a justice of the peace in an action between Malinda Rayborg plaintiff and Martin Sweeney defendants now if on such appeal the judgment of the Justice be affirmed, or if on the trial given in the appellate Court judgment be given against the appellant and she shall satisfy such judgment, or if her appeal shall be dismissed and she shall pay the judgment of the Justice together with the costs of appeal, the recognizance shall be void

Approved Sep 15th

1863

H. M. Parker }
 Justice of the Peace

I A Beal Atty for Malinda Rayborg
 I A Beal (Security)
 Malinda Rayborg
 (Principal)

Recognizance for Appeal.

Malinda Rehgory }
- vs. - } ss

Martin Swaney }

We the undersigned,
Malinda Rehgory, & James A. Beal
acknowledge ourselves indebted to
Martin Swaney in the sum of Seventy-
-an Dollars to be paid upon this
Cavition. Whereby M. Rehgory has
appeared before the Judge of H. M. Parker
a Justice of the Peace in an action between
M. Rehgory vs M. Swaney -
now, if an such ~~Defendant~~, the Day
of the Court he appears, or if on trial now,
in the Circuit Court, Judge he give
against - said appellant, & she shall
satisfy said Judge as if her appeal
should be dismissed, & she shall pay the
Judge of the Court together with
Costs of appeal, then this recognizance
be void. -

Attest -
H. M. Parker
Justice of the Peace

{ seal }

{ seal }

Grand Jury Appraiser

Dr. Feghury

— vs. —

Mr. Deane,

County of Jefferson }
 Malinda Rahorg }
 vs. }
 Martin Swaney }

Suit before
 H. M. Parker
 J.

Malinda Rahorg being sworn
 upon her oath says, that her
 application for an appeal is not
 made for vexation or delay,
 but because she believes the
 appellant to be injured by the
 judgment of the Jury Justice.
 Sworn to and

Subscribed before me
 this 19th day of September
 A.D. 1863.

H. M. Parker
 Justice of the Peace

Malinda Rahorg
 By Chas Cadwallader
 Atty

Affidavit for
Admiral

Mr. Ribbentrop
as
Mr. Secretary

Notice of Appeal.

Malinda Rejberg

vs.

Martin Sweeney

} Appeal from
H. M. Parker

S. I.

To the Appeller, Take Notice, that an
appeal has been taken from the Judge-
ment of H. M. Parker of Justice of the Peace
for Rock Township rendered on the 18th
day of September A. D. 1863. in
favor of Deft. & against Plaintiff -
returnable to the next term of
the Circuit Court for Jefferson
County.

Given at Rock Township Sept. Co.
Mo. this 1st day of October 1863.

Malinda Rejberg
p. H. M. Parker attorney
by her Atty.

Notice of Affairs

to
Martin Secney

—

J. H. Secney — 25-

No. 5. Docket Entries.

Melinda Hegburg } Suit on Note.
 vs. }
 Martin Swaney } Before H. M. Parker
 Justice

Judgment Rev. for Sept.

J. P. Fees Summons — 25
 " " 2 Subpoena — 50
 " " Continuance — 35
 " " Verdict — 25
 " " Swearing Jury — 25
 " " 2 oaths — 10
 " " Return Judgment — 35
 Affidavit & App. Bond — 75
 Transcripts — 75
 writing notice of appeal
 by order of Plt. — 25
 Justices Fees \$ 3. 50

Court Fees Summons — 25
 " " 2 Subpoenas — 50
 " " Serving venire — 75
 Court Fees 1. 50

Plt's witness Frank Cudwelder — 50
 " " H. Hunt — 50

Def't's witness J. E. Chilson — 50
 " " " — 50
 Court Fees 1. 50

F. W. Geigler }
 Batine Sammahe }
 James Simpson }
 Fred. Fiskell }
 Chas. Tiefenbaum }
 Henry Schure }
 Court Fees 6. 50

Plaintiff filed June
 18th 1863. for Suit on
 Note executed to
 M. Swaney by said
 Swaney assigned to
 Plt. for \$ 75. — dated
 Sept. Co. Mo. May 8th 1860.
 due 6. Mo. after date,
 (bearing ten per cent
 per annum from
 date) & signed by C. Kebz
 & Herman Derrin and
 ordered a Summons
 to issue which is done
 & delivered to J. Speck
 Court. Made returnable
 July 17th 1863. H. M. Parker
 J.

And on this 17th day of July 1863 the above

Cause coming on to be heard both parties
appeared & by agreement of both parties
a continuance is ordered by the
Justice of this Cause & Case continue
to the 18th day of September 1863. My
next Regular Law Day. - & all parties
notified to that effect.

H. M. Parker!

And on this 18th day of September A.D. 1863.
Comes the Plaintiff by her Counsel (Beal
& Cadwallader) & the Deft. by Hendrickson
& Williams his Counsel. A Jury having
been ordered by Sept. the Justice issues
a summons for said Jury returnable
forthwith; & thereupon comes the
said Jury summoned by the Court to wit:-
F. W. Geigler B. Gamache
James Simpson, Fred. Finkle, Chas.
Tiefenbaur & Henry Scherer six good
& lawful Men of the County of Ill.
who, having heard the evidence
return their verdict as follows:
"We, the Jury find for the Defen-
-dant" Signed Chas. Tiefenbaur
Foreman

Whereupon it is adjudged by the
Justice that the Plaintiff take

Nothing to her Suit - & thus Sept.
go another day. -

And on this 19th day of Sept.
A.D. 1863. Comes the said
Pltf. & files her Affidavit &
Bonds for an Appeal with
James & Beul as security -
which is granted by the
Justice

H. M. Parker
State of Missouri }
County of Jefferson } ss. J. I.

I H. M. Parker
a Justice of the Peace with & for
apprise in case do certify that
the above & foregoing to be a
full true & complete Transcript
of the entire proceedings in the
case of M. Reylay vs M. Swamy
as the same are of record in my
Docket - & that the papers thereto
attached are all the original
papers on file in my office.
Witness my hand this 19th day
of September A.D. 1863

H. M. Parker J. I.

New Suit. Febry 11th 1864 Book No 5
page 58. Cuts charged

Revised

Mr. T. C. T. T.

Mr. T. C. T. T.

11

Justices Fees	—	\$3.80
County	—	1.50
within Fees	—	1.50
jury fees	—	1.50
Cents before Justice	—	8.30

Filed Oct 26 1863

Chas. D. Hovey att

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Frederick No. 1. Sheet
John Dexter Harrison

GREETING:

Robert Thompson

Now are hereby Commanded, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the

17th 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

vs. Robert Thompson

Plaintiff and *Robert Thompson* 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

17 day of *March* A. D. 186 *3*

Elias Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

December 3rd Jan, 1863

Mr. R. Borge

Mr. Greeny

for Plff.

Mr. Humple

Mr. P. Speck

Mr. Ritter

Wagon Driver

Christian Hoffman

J. B. Dover shff \$2.00

I. Executed this writ on John P. Speck on the 12th day
of November on Wm. Ritter on the 11th day of
December 1863. by Reading the same in their presence
and hearing
Gerome B. Dover Sheriff

I. Executed this writ on John Humple and
Christian Hoffman, Dec 8th 63
Geo C. Wilson Jpt

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To John Humphreys - Wm. Driscoll - Geo. D. Speck

vs

GREETING:

You are Herely Commanded, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the

5th day of February 1864 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

vs

Plaintiff and

vs

Defendant on the

part of *vs* 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

24th day of December A. D. 1863

Elias F. Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

Dear Sir, Jan, 1863

In Reyborg
as
in Sweeney

for Plff

Ans Kumpke
Wm Driller
Ans P Speck
H. B. Moore

J. B. Dorneshoff \$2.00

I expected this morning John Kumpke
Wm Driller before Judge by receiving the
Dorneshoff then presence and hearing of
Dorneshoff the 19th day of January 1863 H. B. Dorneshoff
not found in my custody

Jerome, B. Dorneshoff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Lamorie

Adair

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

Fifth day of February 1864 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

Matilda J. Keaburg is

Plaintiff and

Walter's Attorney

is Defendant on the

part of *September* 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

Fifth day of *February* A. D. 1864

Elias F. Honey

Clerk.



TO JEFFERSON CIRCUIT COURT.

Journal Her Jan, 1864

Wm. J. Raborg

25

Dr.
Martin Swaney,

Francis J. Cadwallader

J. B. Dwyer Mff Dec 50

I expected this unit or two backward by Reading
the dinner his presence cut him in this, &c
day of February 1864

Jerome B. Davis & Co.