

Jefferson County Circuit Court
Case Files - Civil

Box No.

15

Folder No.

69

February 1865

Vineyard, Charles W. S.

vs

St. Louis & Iron Mountain Railroad Co.

Appeal

Defendant accused of killing
a gray horse belonging to
Plaintiff on tracks owned
by Defendant due to lack
of maintenance; Seeking
damages of \$150; Sullivan
Frazier, J.P.

Charles H. S. Vineyard

vs

The Saint Louis and Iron
Mountain Rail Road,
Company.

} Before Sullivan
Hazen, J. P.

Charles H. S. Vineyard, the Plaintiff
in the above entitled cause states that
the Saint Louis and Iron Mountain Rail
Road Company, the defendant herein, is
an incorporated Company duly organized
under the charter of incorporation; that the
Saint Louis and Iron Mountain Rail Road
with the cars, locomotives thereon belong
to said defendant; that on the 3rd day of
December 1864, said defendant by its agents
and employees, while running its loco-
motives & cars upon said Rail Road
in Jefferson County, ~~ran~~ such locomotive
& cars over a gray horse, the property
of Plaintiff and killed him ^{not at a Rail crossing} at a point on
said Rail Road where the same passes
through an enclosed field or fields; that
said horse was worth one hundred and
twenty dollars; and that said Company
has not erected and maintained and
does not now maintain on the sides of
said Rail Road, where the same passes
through Ras Smith's field near Victoria
in said County - this being the place where
said horse was killed, ^{fence} of the height and
strength of a division fence required by
law with openings or gates or bars therein

and farm crossings of the said Rail Road for the use of said Smith and other proprietors of lands thereto adjoining; nor has said Defendant constructed and maintained cattle-guards at all the road crossings on said Rail Road suitable and sufficient to prevent cattle and animals from getting onto said Road.

Plaintiff says he has been damaged by means of the acts of the agents and employees of said Defendant as above stated in the sum of one hundred and fifty dollars for which he asks judgment.

C. W. Vineyard

Co. Mrs. Iniquad

n

Al. Lewis & Co. N. H. H. Co.

Filed Aug 10 1868

By Attorney Charles

The State of Missouri to the Honorable District
at Savannah in Jefferson County greeting
we command you to summon the St
Louis and Iron Mountain Road Road Company
to appear before the undersigned Justice of the
Peace of Southern Savannah in Jefferson County
on the 3^d day of February 1863 at ten of the
clock in the forenoon at my office in the
sheds in the same Savannah to answer
the complaint of C M W Avery and given
under my hand this 3^d day of January 1863
William George Justice

Justice fears	25
Least fears	25

Filed & Dec 10 1865
Eft Hmy clk

Arthur Williams
Consul &c

I collected the within suit on the Saint
 Louis and Hannu Mountain Road teaming
 day delivering all feed at the Hotel Station
 about of Road Road Road teaming
 a first and second day of feed with
 the 9th day of January 1865
 John Willing

The State of Missouri to Rudolph H. Stewart of
St. Louis and others. Be it remembered, that you are hereby com-
manded to appear personally before Sullivan Thayer, Esq.
one of the Justices of the Peace within and for the
first Township in the County of Jefferson in the
City of St. Louis on the 18th day of December 1864 at the hour of Ten o'clock
in the forenoon of that day at my office in St. Louis
Shaw in the Township and County aforesaid to
testify in the trial of a cause wherein the State
of Missouri is Plaintiff and the said Sullivan Thayer
is Defendant and hereby paid not at your peril with
my signature this 18th day of January 1864
Sullivan Thayer Justice

to West Vineyard
no
St Louis and Iron
mountain, R.R.

G. W. Ogle
R. H. Stewart
Mrs Bliss

Justice fees 25
Constable fee 50

Filed July 10th 1865
E. H. Hines C.K.

I Executed this writ in Central County of
Missouri this the 7th day of January A.D. 1865
by Receding the same to the within named
G. W. Ogle and R. H. Stewart
John Williams Constable
Central Township

Louis Leach
J. C. Beck

The State of Wisconsin to "William
Larnet and John Abeger you are here
by commanded to be and appear persona
ly before me Justice of the Peace and one of the
Justices of the Peace within and between
that township in the County of Jefferson
on the 28th day of February 1869 at the
hour of ten of the clock in the fore
noon of that day at my office in
Oshkosh in the ~~County~~ Township and
County aforesaid to testify on the trial
of a cause wherein to wit Henry and
his Plaintiffs and the St. Louis and Iron
Mountain Railroad Company as de
fendant and the part of the Plaintiff and
thereof said and at your peril witness
my Signature this 16th day of January 1869
Justice of the Peace
Justice

L. W. S. Vineyard
vs
St Louis and
Iron Mountains
R. R.

William Dannel
John Mcgee

Justice fees 25

Constable fee 75cts

Filed Feb 10 1865

E. H. Hines CLK

I Executed this Writ in Central County of
Missouri this the 18th Day of January A.D. 1865
by Receling the same to the within
named John Mcgee. Louis Gasby
J. C. Bebe

John Williams Constable
Central Township

C. W. S. Vinyard
1865

The St. Louis & Iron Mountain
Railroad Company de ft.

Before Sullivan Brazier, Justice.

This day personally appeared before Sullivan Brazier, a Justice of the Peace in & for Central Township, County of Jefferson & State of Missouri Alfred Mitchell who being duly sworn, upon his oath says that the application for an appeal in the above entitled case is not made for vexation or delay but because he believes the appellant injured by the judgment of the Justice.

Subscribed & sworn to before me,
this 4 day of February 1865.

Sullivan Brazier Justice of the Peace.

We the undersigned George B. Kellogg, as principal and Alfred Mitchell, as surety, acknowledge ourselves indebted to C. W. S. Vinyard in the sum of two hundred ^{\$250} dollars, to be void upon this condition; Whereas the St. Louis & Iron Mountain Railroad Company have appealed from the judgment of Sullivan Brazier, a Justice of the Peace in a case in which C. W. S. Vinyard is plaintiff and the St. Louis and Iron Mountain Railroad Company is defendant, Now, if on such appeal, the judgment of the Justice be affirmed, or if on trial anew in the Circuit or Supreme Court, judgment be given against the appellant, and he shall satisfy such judgment, or if their appeal shall be dismissed and they shall pay the judgment of the Justice together with the costs of appeal, this recognizance shall be void.

Attest this 4 day of February 1865
approved February 4th 1865
Sullivan Brazier Justice of the Peace

Alfred Mitchell (Seal)
Geo. B. Kellogg- (Seal)

2380

W. H. D. Simpson
and
St. Louis & O. M. R. Co.

Index July 10 1865
Spencer Allen

Charles W. Vineyard Plaintiff filed December
 against the 28th 1864 for Suit an account
 Saint Louis and dated the 3rd day of December 1864
 Iron Mountain Amount are hundred and fifty
 Rail Road ty dollars \$150.00 and direct
 Company ed a summons to issue which
 Debt - \$125.00 is done and placed in the hands
 Justice fees of John Williams Constable
 2 Subt 1 summons .75 made returnable the 3rd day of
 Swearing 2 witnesses .10 February 1865 my regular law
 Judgement .35 day Sullivan Frazier Justice
 This transcript 250 words 2.5 February 3rd 1865 the Summons
 Certificate to transcript 2.5 in the above cause being returned
 Frazier Justice fees \$1.70 & executed on the defendants as
 Constable John William the law directs the cause coming
 no Subt 5 witness on to be heard the defendant appear
 ed 1 Summons \$1.50 are by her agent but makes no
 Witnesses fees defence after hearing the evidence
 Rudolph H. Stewart .50 in the case it is considered by
 John McGee .50 the Court that plaintiff have
 Lewis Leashy .50 and recovers of the Saint Louis
 and Iron Mountain Rail
 Road Company defendants
 the Sum of one hundred and
 twenty five dollars for his debt and also four
 dollars and twenty cents for his costs and that
 he have Execution therefor Sullivan Frazier Justice

State of Missouri
County of Jefferson

} Sd

Charles W. S. Vineyard

against

the Saint Louis and Ironmountain Rail Road Company

I Sullivan Frazier a

Justice of the peace within and for the Township of
Central in the County of Jefferson aforesaid hereby certi-
fy that the above and foregoing is a full, true
and complete transcript of all the entries made in
my docket relating to said case of Charles W. S.
Vineyard plaintiff against the Saint Louis
and Ironmountain Rail Road Company defend-
ants, and that such transcript is accompanied by
all the process and other papers filed with the Just-
ice relating to such suit

given under my hand this 9th day of February 1865

Sullivan Frazier

Justice of the peace

Filed Feb 10 1865
C. J. Henry Clerk

Charles W. S. Vineyard
against the
St Louis & Iron Mountain
R. R. Company

Charles W S Vinyard } Appeal from Justice Court
 St Louis & I M R Co. } filed February 10th A.D. 1865

See Bill

	Judgment \$125 ⁰⁰	
Sullivan Magier Justice 2 Subp 1 Summons	75 [¢]	
2 oaths 10 [¢] enter judgt 35 [¢] Transcript 25 [¢]		
Certificate to Transcript 25 [¢]		\$1.70
John Williams Constable subpo 5 witnesses 1 Summons		1.50
Rudolph H Stewart witnesses		.50
John M Lee	"	.50
Lewis Masby	"	.50
E J Haney Clerk Filing 4 papers	20 [¢]	20

Samuel A Reppy Clerk, docketing 20[¢]
 2 continuances 70[¢] Dismissal 75[¢]

170
 \$5.90

Paid A Reppy Nov 20 1866

Wm. S. Wingard
per
H. Davis & Son
See Bill