

November 1867

Kathenau, Henry

vs

Duningham, John
Porter, D.C

Hicks, William H.

Appeal

Plaintiff appealed from JP H. M.
Parkees on change of venue from
JP J. P. Speck on \$90 account
for quarry rent

Jefferson County Mo Dec 1st 1846
John Cunningham of the Halls & Porter
to Henry Halletman Dr
to 9 months & many Bent from first day
of March to first day of Dec 1846 \$19.00

quild 18th day of
December 1866

~~Filed Feb 15/03~~

Newy Kattman	}	Before J. P. Spick
Nicks Cunningham & Porter		Justice Jan'y 11/67

Now comes the defendants and moves the court to dismiss this writ for the following reasons

1. Because the several items of the two accounts accrued within the same periods of time and compose one account and should have been brought into one account and sued on as such and because the said two accounts amount to a sum beyond the jurisdiction of a Justice of the peace
2. The said two accounts cannot be divided and sued upon because they compose one account & one indebtedness between the same parties
Kadwallader & Peckin-
for Defendants.

Feby 11th 1864.
day of January

When after
scattered this 11th
day of January
1864
J. P. Shuck
J. P.

Handbook

Lancaster Decr Enclined 1867
Henry Whitman
17

John Birmingham. Mr. H. H. H. H.

~~Handbook~~

Handbook

Docturing two and 20

2 Handbooks 70

1 Handbook 35

Change of names 35

100

2.60

Cost for
Handbooks

2.10

Handbooks

1.65

8.75

and the Defendant's filed his affidavit for a Change
of venue which is granted & the Cause sent to
Justice of the Peace for a hearing

Handbook

Justice of the Peace

Handbook

Transcript

Henry Kattelman

vs

John Cunningham

Wm H. Nick

V. D. C. Porter

Change of venue
taken from Speck

Jan. 11th 1867

Speck Fee

2.60

Cart Haul Fee

3.75

8.65

I & D Shuck a Justice of the peace have meeting before
us that the above is a true and correct copy of
my docket entries in the suit of Wm Whittman vs
John Birmingham W. M. W. Hicks & D. W. Foster
& that I therewith send all the papers on file in
my office with the transcript to Justice Stauffer
January the 11th 1869
J. P. Shuck
J. P. Shuck

and also was on this 11th day of January 1869
a motion filed by the defendant & his attorney
for judgment that the two accounts were upon some the
Justice Shewen & Shuck, which motion was after recd,
that the account of John Whittman was for and claimed
and not a fourth a third &

J. P. Shuck
J. P. Shuck

Henry Kalthmann Esq.

Mr.
Dear Sir,
I am writing you this note

1866,
To do good of work at 100 20.00

Katlamon -

Cunningham -
that

affair

Filed Mar 15 -
1867.

Heinrich
DB

THE STATE OF MISSOURI,

COUNTY OF SAINT LOUIS,

SS.

To *John Thompson*

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 *15* day of *January*, 18*67*, at the hour of *11* o'clock, *A.M.*, at his office in said Township, to testify on the trial of a case wherein *John Thompson* plaintiff, and *John Thompson* defendant, on the part of the *defendants* and of this you are not to fail at your peril.

Given under my hand, this

15

day of

June

18*67*

Wm. H. Miller
Justice.

I Executed this Subpoena upon the within named
John Thompson by reading the same in his presence
and hearing this 15th day of Feb. 1867, 0 447905

John Hunt

Const

SUBPOENA.

VERSUS

Justice

Couch

35

85

Affidavit for Appeal.

County of Jefferson
Henry Kattelman

res.
John Cunningham
William H. Hoies &
Daniel C. Porter

Subscribed
H. M. Parker
Justice of the Peace

Henry Kattelman being sworn upon
his oath says, that his application
for an appeal is not made for rever-
sion or delay but because he believes
the appellants to be injured by the Judgment
of the Justice

Henry Kattelman

Sworn to and subscribed
before me, this 21 day
of March A.D., 1867.

H. M. Parker
Justice of the Peace

Appeal Bond.

We, the undersigned Henry Kattlemann and
acknowledged ourselves
indebted to the Defendants John Cunningham
Wm H. Hicks & Daniel C. Porter, in the sum
of _____ Dollars
to be waived upon this condition
whereas.

Henry Kattlemann has appealed from
the Judgment of H. M. Parker a Justice
of the Peace in an action between
Henry Kattlemann Plaintiff and
Cunningham William H. Hicks
& Daniel C. Porter, Defts, now in
upon such appeal the Judgment of
the Justice be affirmed, or if on
the Trial anew in the appellate Court
Judgment be given against the appellate
and he shall satisfy such Judgment
or if his appeal shall be dismissed
and he shall satisfy such Judgment,
of the Justice together with the
costs of the appeal, this recognizance
shall be waived

Henry Kattlemann

Approved 21 day of }
March, A.D. 1857 }
H. M. Parker }
Justice }

William B and
Far
Aphend

Henry Hulten
25. -

John Cunningham
William H, Hobbs
Daniel C Parker
From John Parker
Office

Benjamin B

Transcript

Henry Mattlemann — vs. — John Cunningham William H. Nichols Daniel C Porter	Suit upon an Account for \$70. — Charge of Venue from Lucia Speer. & Set for trial February 15-1867 before Justice H. M. Parker.
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Judgment rendered March
15-1867 in favor
of Defts for costs

2 P. Speech Costs \$2.60
Court House Cost
before Speer 3.75

Warden's Entry Rent .10
Sums .35
2 Subpoenas .70
Continuing Case .35
Issuing writ per writs .35
3 Defts .15
Rendering Judgment .35
Officer & Watch Bond 1.00
Thamsoht 1.50

Plaintiff's Duties A. Hoffmiller .50
Geo. Johnson .50
" " " " .50
John Thompson .50

Amt. H. M. P. Fees
4 Subpoenas 1.40
3 " 1.05
\$ 15.65

And on this 15th day of February
A.D. 1867 came the Plaintiffs and
all the Defendants Ripkin &
Candall & Council for Defts and
by agreement of the P'ty and
Defendants the Suit is contin-
ued to March 15-1867 by regular
law day & all parties notified
to that effect.

And on this 15th day of March
A.D. 1867 both the Plaintiffs &
all the Defendants all app-
eared & being ready for trial
& the case being left to the

Justice who having heard the evidence adjudge that the
Plaintiffs take nothing by this Suit & that the Defendants
recover of P'ty their costs expended in this Suit
And on this 20th day of March A.D. 1867 came
the P'ty & files his affidavit & Bond for an appeal
which is granted by the Justice H. M. Parker
H. M. P.

State of Missouri }
County of Jefferson } set

I H. M. Parker Justice
of the Peace in and for Jefferson County Mo.
Certify the foregoing to be a true full transcript
of the entries on my docket in the case of
H. Kullman vs John Cunningham D. C. Parker
& Wm. H. Hick, Deft, as the same are
of record on my docket & that the papers
hereto attached are the original papers in
this suit:—

Witness my hand this 20th day of
March A. D. 1867.

H. M. Parker
Justice

Transcript

H. Kullman

vs.
John Cunningham

D. C. Parker &

Wm. H. Hick

Before H. M. Parker

J. P.
March 15-1867

Filed

1867

Henry Rattlemann, petff,
against

John Cunningham,
William Hicks, and
D. C. B. Porter, depts

{ Before Me
M. Parker,
Justice of
the Peace.

To John Cunningham, Wm Hicks and D. C. B. Porter,

You are hereby notified, that
I have taken an appeal from
the judgment of the Justice in
the above entitled case, to the
Ancient Court of the County
of Jefferson, Missouri,

Jefferson County, Missouri, May 14th 1867.

Henry Rattlemann
Appellant.

Henry Foster
master of

over
John Cunningham
Frank & others

Notice of
Appeal.

Make return of
service on this

Served 14th May
John Williams Sheriff

fee \$1.50

Filed May 29th 1867
E. J. Money Clerk

I Executed this notice in Jefferson County
Missouri on John Cunningham
William Hicks and D. C. Porter on
the 14th Day of May 1867 By Deli-
vering to each of them a true
copy of this notice
John Williams Sheriff

COUNTY OF JEFFERSON.

The State of Missouri,

To

Robert Hoffmeister Valentine Mathias
William Weiss

You are Hereby Comanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the first day of October 1867 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

Plaintiff, and

Wm. Hoffmeister vs
John Hoffmeister

Defendant, on the part of

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 29th day of October, A. D. 1867.

Elias F. Honey
Clerk.

By Edw. W. Davis Deputy

SUBPŒNA.

TO

Jefferson Circuit Court

Nov. TERM, 1867.

Kattelman

vs

Cunningham

For Plaintiff

A. Hoffmeister

Valentine Mathias

Wm. F. Green

John Williams
Sheriff fee \$1.00

I Green the within in Jefferson County
Mo on the 4th day of November 1867
by receiving the same to at Hoffmeister
& William Beeson

John Williams
Sheriff

Navy Kuttman }
vs }
John Cunningham } Term 1867
Diff Circuit
Court. Nov

Now comes the defendant and
moves the court to dismiss the
appeal in the case because

1. The appeal bond is insufficient
and not in conformity to
the statute in such case
made and provided

P. Siphon Atto
per Siph.

W. Williams

3

John Williams

Wm. Williams
Alfred

Filed Apr 6 1889
O. A. Money & Co.

We, the undersigned, Henry Kattlemann as
principal, and _____, as secu-
rity, acknowledge ourselves indebted to John
Cunningham, William M. Hicks and
Daniel L. Porter, in the sum of forty
_____ dollars, to be paid upon this
condition: Whereas Henry Kattlemann
has appealed from the judgment of H.
M. Parker, a Justice of the Peace, in
an action between Henry Kattlemann,
plaintiff, and John Cunningham, William
M. Hicks and Daniel L. Porter, defen-
dants, now, if, on such appeal, the ap-
pellant will prosecute his appeal with
due diligence to a decision, and that
if, on such appeal, the judgment of
the Justice be affirmed, or, upon a
trial anew in the appellate court, judg-
ment be given against him, he will
pay such judgment, and that, if his
appeal be dismissed, he will pay the
judgment of the Justice together with
the costs of the appeal, this recogni-
zance shall be void,

Henry Kattelman
Adolf Weber.

Appeal Bond

Henry Kattmann

vs,

John Kummly & Co
et al.

—

Filed May 1st 1864
C. H. Mearns Clerk

COUNTY OF JEFFERSON,

The State of Missouri,

To

John Thompson

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 *first week*

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 *Henry Patterson*

is
Plaintiff, and

John Thompson is

Defendant, on the part of *Defendant* and herein you are in no wise to fail.

WITNESS, ELLIAS F. HONEY, Clerk of our said Court, with the seal thereof hereto affixed, at office, this . . . day of . . . *September* A. D. 186*8*.

Ellias F. Honey Clerk.

SUBPŒNA.

TO

Jefferson Circuit Court

Nov. TERM, 1867

Henry Kallmann

vs

John Cunningham
for Debt

John Thompson

Sheriff's Fees

50

Received the within upon at Jefferson County Mo
in the within named John Thompson on the 9th day
of November 1867 by reading the same in
his presence and hearing
John Williams Sheriff
By W. W. Morris Deputy

Henry Kuttelmann } Nov Term 1867
 John Cunningham et al. } Judgment for Defendants

John P. Speck Justice,

12.60

Munt Constable,

6.20

St. H. Parker,

4.80

A. Nifmeister

.50

Geo. Schwartz,

.50

Wm. Sinder,

.50

John Thompson,

.50

C. J. Noney Clerk, files 50^c dock 10^c app 11^c .70

Sub 55^c Indgt. 50^c Ind to same, 25^c, cont. 25^c 1.35

Ind- 20^c into file bond 20^c motion 20^c rule 20^c .80

2 Spas, 50^c 9 oaths 45^c . Ex. 11 1.95 / \$80

John William Sheriff Serv 3 Spas, 50^c 9 calls 45 1.95

notice of Appeal, as deft. 1.50
 execution 3.45
 4.95

Witness Nov Term 1867,

John Thompson, 344

3.44

26.29

428.34

Goldman
no
Cunningham

the Pitt

\$ 28.34

H Rattleman

vs

Cummingham

et al

2541
Mar 15-1867

Filed

1867