

Pettis County Circuit Court  
Circuit-Case Files-Civil  
May 1859

Box 16 File 3

File 3 of 4

Champlin, J. W.

vs

McClure, Wesley

Replevin

In the Circuit Court of Pettis  
County Missouri ~~Sept~~  
~~Term~~ 1859

J. W. Champlin plaintiff

vs.

Wesley McClure defendant

To Wesley McClure the above named  
defendant:- You are hereby notified  
that depositions of witnesses to be read  
in evidence in the above cause, on the  
part of the plaintiff will be taken in the  
City of Maysville in the State of Kentucky  
at the office of Richard H. Stanton  
in said City on the 15<sup>th</sup> day of September  
1859 between the rising and the setting  
of the sun on that day; and that the taking  
of the said depositions, if not completed  
on that day will be continued from day  
to day at the same place and between  
the same hours until completed.

J. W. Champlin  
By Douglas & Hayden  
his attorneys

L. M. Champlin

or

Wesley McCalister

Copy

Aug 28/09

In the Circuit Court of  
Pettis County Missouri  
J. W. Champlin Plaintiff

vs.  
Wesley McClure defendant  
To Wesley McClure the above named de-  
fendant:- You are hereby notified, that  
depositions of witnesses, to be read in evi-  
dence in the above Cause, on the part of  
the plaintiff, will be taken at the office  
of Johnson, Bortley & Co \_\_\_\_\_  
in the City of Louisville in the State of Kentucky  
on the 20<sup>th</sup> day of September 1839 be-  
tween the rising and the setting of the sun  
on that day; and that the taking of the said  
depositions, if not completed on that day  
will be continued from day to day, at  
the same place and between the same  
hours, until completed

J. W. Champlin  
By Douglass & Hayden  
his attorneys

J M Chamberlin

27

Frederick McBlane

COPY

Aug. 8/59

In the Circuit Court of Pitts  
County, Missouri ~~Sept~~  
~~Term~~ 1859

J. W. Champlin Plaintiff

vs

Wesley M. Clure defendant.

To Wesley M. Clure the above named defend-  
ant:— You are hereby notified that depositions  
of witnesses to be made in evidence in the  
above cause, on the part of the plaintiff,  
will be taken in the City of Maysville  
in the State of Kentucky, at the office of  
Richard H. Stanton in said City, on the  
15<sup>th</sup> day of September 1859 between the  
rising and the setting of the sun on that day;  
and that the taking of the said depositions,  
if not completed on that day, will be  
continued from day to day at the  
same place and between the same  
hours until completed.

J. W. Champlin  
By Douglass & Hayden  
his attorneys

I hereby certify that I served the  
within notice on the within named  
Wesley McClure by delivering  
to him a true copy of the same  
in Pettis County Missouri on the  
8<sup>th</sup> day of August 1859.

L. J. Bridges  
Clerk of Pettis  
County Missouri

Coroner's fee 50 cts

J. W. Champion

vs.

Wesley McClure

Notice to take depositions

County of Pettis ss.

The State of Missouri to any Judge, Justice of the Peace, Mayor, Notary Public or other Judicial officer in the State of Kentucky Greeting

Know ye, that we, in confidence of your prudence and fidelity, do by these presents authorize you to cause to come before you to be examined as witnesses in a cause depending in our Circuit Court of Pettis County in the State of Missouri wherein Joseph W. Champlin is Plaintiff and and Wesley McClure is defendant, all and every such person, and at such time and place as shall be named to you for that purpose by the said Joseph W. Champlin or his agent or attorney. And we command you to examine <sup>any</sup> and every such person upon his oath or solemn affirmation first made or taken before you to testify the whole truth touching his knowledge of any thing relating to the said Matter in Controversy between the said parties and that you do take his examination and reduce the same to writing. When you shall have taken his examination you are to cause the witness to sign the same and to that and each examination at the foot thereof you are to append your certificate setting forth the facts that the examination was subscribed and sworn to, or affirmed by the witness, and the day, as well as between what hours of the day, on which it was done, and, also, the place of residence of the witness (if known to you). Should any paper or exhibit be produced or proven, or referred to, by the witness you are to describe the same in his examination

or cause it to be so marked by him as to establish its ~~etc~~ identity, and to attach the same to his examination

The examination thus taken you will cause to be accompanied by a certificate of your official Character, authenticated by the certificate and seal of the Clerk of any Court of record in the County in which you reside: Stating also that in addition to his being Clerk, and that the Court is one of record; that at the time when the depositions were taken you were an acting Judge, Justice of the Peace, Notary Public, Mayor or other Judicial officer: and duly Commissioned as such. And you will return the same, and all exhibits produced to you, annexed hereto carefully closed up and under your seal, directed to the Clerk of the Circuit Court of Pettis County Missouri with the names of the parties litigant endorsed thereon with all convenient speed.

Witness Saml. A. Lowe Clerk of  
our said Pettis Circuit Court  
with the seal thereof affixed  
hereto. at office in Georgetown  
County of Pettis State of Mis-  
souri this 8<sup>th</sup> day of August  
A. D 1859. Saml. A. Lowe Clk.

J. M. Schanck  
215. I can't take steps  
weekly in the line

In the Circuit Court of  
Pettis County Missouri  
J. W. Champlin plaintiff

vs.  
Wesley McClure defendant. —

To Wesley McClure the above named  
defendant:— You are hereby notified  
that depositions of witnesses to be read  
in evidence in the above cause, on the  
part of the plaintiff, will be taken at  
the office of James B Goff in the city of  
St. Louis in the State of Missouri, on the  
18<sup>th</sup> day of August 1839, between the  
rising and the setting of the sun of that  
day, and that the taking of the said  
depositions if not completed on that  
day, will be continued from day to  
day at the same place and between  
the same hours until completed

J. W. Champlin  
By Douglass & Hayden  
his attys.

I hereby certify that I served the within notice  
upon Wesley McClure within named <sup>Defendant</sup> by delivering  
a true copy of the same to him in Pettis County  
Missouri on the 1st day of August 1859

J. J. Bridges, Coroner

Coroners fee 50 cts

J. W. Champlin

vs

Wesley McClure

Notice to take  
depositions.

JAMES B. GOFF,  
Attorney at Law and Conveyancer,  
Notary Public, and Commissioner of Deeds  
FOR ALL THE STATES AND TERRITORIES,  
No. 78 Chestnut Street, ST. LOUIS, MO.

Collections Made, Titles Investigated and Taxes Paid in any part of Missouri or Illinois.

Deposition of a witness produced, sworn and examined at the  
office of James B. Goff, on the 18<sup>th</sup> day August  
1859 in the City and County of St. Louis and State  
of Missouri, before James B. Goff, a Notary Public within and for said  
County, duly appointed and commissioned by the Governor of the State of  
Missouri, and authorized by the laws thereof to administer oaths and  
to take and certify depositions to be read as evidence therein, in pursuance of the annexed  
Notice, to be read as evidence in a certain cause now pending in the  
Circuit Court of the County of Pettis  
and State of Missouri  
between L. A. Chapman Plaintiff and  
Wesley M. Allen Defendant, on  
the part of the defendant Plaintiff

Hope F. Robertson, of lawful age, being first duly  
sworn, deposes as follows:

I reside in the City and County of St.  
Louis and State of Missouri and  
am Book-keeper for the firm of Ly-  
tle Johnson & Co of St. Louis. The same  
persons who composed said firm were  
previous to March 1857 members of  
the firm of Johnson Parthey & Lytle  
The title of the firm was changed in  
March or April 1857. I was Book-  
keeper for the firm of Johnson  
Parthey & Lytle in July and August  
1856. I know the Plaintiff Mr.  
Chapman. I have knowledge of  
business transactions between the Plaintiff

and Johnson Bartley & Lytle in ~~the~~  
July and August 1856. On the 9th  
of July 1856 the Plaintiff in person  
deposited with Johnson Bartley &  
Lytle four thousand dollars in mo-  
ney and three drafts on New Or-  
leans amounting to two hundred  
dollars each, and at the same  
time left with them written  
instructions how to dispose of  
the same. The paper here shown  
and marked "A" is the paper con-  
taining those instructions. This  
paper is in his handwriting and  
was left with me by him in person  
and has remained in my possession  
ever since, my means of knowledge  
that it is in his handwriting is that  
it is in the same handwriting as  
that in which his former correspondence  
and with the house had been  
carried on. (Defendants attorney  
objects to the introduction of the paper  
marked "A" and testimony is re-  
solved to it as incompetent)

James H. Hoff, A.P. 1856  
Between July 24th and August 16th 1856  
whole account of money deposited  
and the proceeds of the drafts men-  
tioned was paid out by Johnson Bart  
ley & Lytle to Lewis E. Libb as ap-  
pear by the account now before  
me marked "B" which is a true  
account of the whole transaction  
including the deposit of the money  
and checks and the disbursements  
of the same. Said account was  
made out by me from the books

of the firm of Johnson ~~Lytle and~~  
Bartley & Lytle and I knew it to  
be correct and that the whole a-  
mount mentioned in said account  
was paid to Lewis Hubbard in per-  
son or on his order. I have no  
personal knowledge of what Hubbard  
did with the money paid him.  
The money paid to Hubbard was only  
paid on the authority given by Champ-  
lin.

Cross Examined

by J. H. Cornwell

I have no knowledge personally as  
to where money it was that Champ-  
lin deposited, but understood it to  
be his own. Our firm had previ-  
ous to the deposit been dealing with  
and corresponding with Champ-  
lin. He was a merchant of Grand  
Gulf. I do not know what Hub-  
bard had been doing. Champ-  
lin was a merchant all the time  
I knew him. I never knew Champ-  
lin to be an agent for Hubbard.  
Champlin never before or after that  
deposit, deposited any money for  
Hubbard with us I do not know of  
my own knowledge how Champlin  
came to deposit the money. I know  
nothing about their arrangements

I do not know any more that Champ-  
lin had for buying a farm  
or whether he actually bought a  
farm or not. I cannot say whether  
Champlin was a man of capital or  
not. We always looked upon him  
as being poor. My knowledge of  
these transactions does not extend  
farther than the acts and con-  
sultations of Champlin. We had the  
order to pay the money to Sub-  
banc and whenever he came for  
it we paid him

Wm J. Abbott

STATE OF MISSOURI, }  
CITY AND COUNTY OF ST. LOUIS, } ss.

I, JAMES B. GOFF, the aforesaid Notary, do hereby certify that ~~at the place & between the hours mentioned in the notice~~ the aforesaid deponent, was, on the Eighteenth day of August 1859 before he gave his testimony, by me duly sworn, to testify the truth, the whole truth, and nothing but the truth, in relation to the matters in controversy in the cause aforesaid; and that said deponent was then and there examined, and thereupon testified, as herein set forth, which testimony was then and there, in the presence of said deponent,

by me taken in writing, and, after being carefully read over to said deponent, by him subscribed in my presence: I further certify that I am not interested in the result of the aforesaid action, or related to or of counsel for either of the parties; and that the exhibits hereto attached, marked respectively "A" and "B" are the same referred to by the deponent in the foregoing deposition as such. I

In Witness Whereof, I have hereto set my hand and affixed my official seal, at my office, in the City of St. Louis aforesaid, this Eighteenth day of August 1859

NOTARY'S FEES, \$ 2.00  
WITNESS' " .50  
OFFICERS' " .50  
POSTAGE, .9

\$3.09 paid off

James B. Goff  
Notary Public.

3. B

1<sup>st</sup> Mead

Return.

Posti Cairns Trust

~~1394~~ 12

McLain & Co

Wiley McLain

\$3.09

Deponition

for

Meat September 1. 1839

W. A. Davis

Deponition

Meat & Charcoal \$3.09

PAID

NOTARY'S TEST  
WITNESSES  
OATHS  
SIGNED

St Louis July 9. 1836

Messrs Johnsons Bartley & Lytle

Y

I have given Mr Louis  
Gebhard Power of attorney to draw on you  
in such sums and at such times as he  
wants for the four thousand dollars  
I to day deposited with you to buy  
a place some where in this state for  
me. The deed will be made to me. and I  
would be pleased to have you see that it is  
all right. The articles stored let Mr  
Gebhard have when he calls for them  
any Chups he does not pay I will  
settle.

I also enclose three Sfts of it an  
Mr George Connolly for \$200. each. should he  
wish in buying the land or stock of cattle  
Hens or more than the \$4000. deposited  
sell one or more of the Sfts as he may want  
and let him have to the amt. of what they  
bring. Advising me at Grand Gulf Miss when  
any of the Sfts are used.

J. M. Champlin

Dr. E. Franklin  
Attending to Drury  
Attorney for Drury  
Franklin  
Drury Aug 7 1855

1856

|                       |                                              |         |                |
|-----------------------|----------------------------------------------|---------|----------------|
| July 10 <sup>th</sup> | Recd from Mr Champlin this date              | 4000-00 | } 398-25       |
|                       | Less 1/2% on \$3750 Cy                       | 18-75   |                |
| Aug 16 <sup>th</sup>  | Mr Champlin 3 St Cls of \$200 Ea on A. Adams | 600-00  |                |
|                       | Less 1/2% Exchange                           | 3-00    | 597-00         |
|                       |                                              |         | <u>4578-25</u> |

|                       |                                 |                |
|-----------------------|---------------------------------|----------------|
| July 24 <sup>th</sup> | Paid Mr Gibbard this date       | 100-00         |
| Sept 11               | " " to buy Gray mare            | 18-50          |
|                       | " Feed & other Expenses "       | 5-70           |
|                       | " Telegraph Despatch            | 1-50           |
| 6                     | " Mfg to buy horses             | 150-00         |
| 8                     | " Freight on horse from Seneca  | 12-00          |
| 13                    | " Mr Gibbard for horses         | 40-00          |
| 16                    | " " in full for balance in Summ | } 4200-55      |
|                       | of Lytle Johnson & Co           |                |
|                       |                                 | <u>4578-25</u> |

Mr John B Boyatz Grand Gulf Miss February 26 1837  
Maypoille Ky

I wish you would buy  
for me a good Durham Bull to cost from  
\$50. to \$100. not over \$100. And a good one or none and  
if you can get a good Durham Heifer for \$50,  
or less. get one also. Send them with the  
negroes to my place in Missouri to Care Louis &  
Gebhardt by first safe chance. And advise  
me as soon as shipped Let me know also  
what the cost of the above and expenses are and  
I will send you it by draft on New York or  
New Orleans as you prefer for the amount.  
With kind regards to you and yours I remain  
Very truly Yours

J.S.

J. M. Humphreys

Send me also out at same time  
20 Bushels Blue Grass Seed

J.M.

(A)

Friend Miss April 28. 1897  
Mr Geo A Darity  
Morgantown

Young of S. Matthews Lane  
Came to hand this morning and enclose my  
left at at an Allen Phelps & Son May 18. 94  
for \$209.95 and due you as a sum bill  
which is perfectly satisfactory and for your  
attention to these matters I can now than  
obliged - I hope I may have the opportunity to  
revisit you at some time

Very truly Yours

Mr Edmund Davis



Mr J B Poyntz  
Memphis

Grand Gulf Miss Nov 25. 1836

Yrs of Sept 24. I found here on my  
arrival home about the middle of last month and would  
have replied to it sooner but have been so busy that I could not  
besides it got mislaid and passed out of my recollection  
I enclose my draft on George Corbally at 12 mos from  
date for \$1065.<sup>50</sup> being added 12 mos but to \$1005. the  
price paid for the negroes. You can fill in the date  
date that Mr Swedegate's note is dated it will then  
be his note and interest. Please let me know what date  
you fill in so I can know when the draft matures.  
Now I wish you to purchase the negroes for me, and  
take them. As soon as they can be sent down the  
River from Louisville. Ship them on some good  
boat to me here. If you think best, and I think it  
will be best. Send some good Trusty man to Louisville  
with them. To see them on the boat, or if you can  
send them to Mitchell Guthrie No Louisville. by  
some safe hand. Please do so. Writing them to forward  
them to me as soon as possible. For any expense  
or trouble you may be at. I will send you a sight  
draft on New York as soon as you advise the amount.  
If you cannot use the draft as above please return it to me  
and let me know what will be required. I have written  
to Gebhart that I have ordered the negroes sent here, and  
will put them on my farm in Mo. where he is some  
time in January or February as I may have to go up  
there to buy mess Pork at that time and I want to see  
the farm. For your kindness to me when I was at your house  
I shall ever retain a grateful remembrance. And hope I may have  
an opportunity to return it. With kind regards to your family  
I remain

Yours Very Truly

J. W. Champeling

(C.)

Mr. R. Poyntz  
Maysville

Grand Cuy mess Decr 21. 1836

Dep Yours of 18. has this moment come  
to hand. and the arrangement you made in regard  
to the negroes is perfectly Satisfactory And the Drft will be  
paid on the 31st April the time it matures by me I will  
enclose my Drft. at sight on Messrs Allen & Sean  
and Buckley A. Y for \$49." to Cover the Balance you  
paid to Newdegate. I send you this and at this time  
to make the even amount. you paid for them. For  
any sub- or any other expenses. and for your trouble  
I will send you a Drft. at at on New York. As soon as  
I get advice from you of the amount. You will probably  
want to pay something to get them shipped in the Spring  
and after they are all off. you can send me a statement  
of. all. and as stated above I will remit. I would  
prefer having the negroes sent directly to my place  
in Missouri if it can be done without any risk  
or trouble. my object for wishing them sent here was  
they could be sent directly from Louisville without  
change of Boat. And I could send them up with  
Louis who will be here in January or February  
You can send them there or here as you may think  
safe - but if sent here they must be here by 15th  
of February so I can send them up by Louis. If  
you think you can safely send them direct from  
there to Missouri. do so. Send me all the papers  
when convenient. And now let me express to you my  
Sincere thanks for your trouble in this matter and  
for your kindness in endorsing and negotiating  
my Drft. Had I known Newdegate would require the money  
I would have sent the Drft. at sight. If you come  
down the River call on us. with kind regards to you  
and yours. I remain  
Very truly Yours  
J. M. Champlin

|               |     |
|---------------|-----|
| 133           | 428 |
| 833           | 314 |
| 22,75         | 184 |
| 150,00        |     |
| <u>314,08</u> |     |

(.D.)

Grand Lief Miss April 8. 1837  
Mr John B Poyntz  
Mayeville

Sir I recd a dispatch yesterday  
from Mitchell Guthrie & Co. Louisville. "John  
B. Poyntz of Mayeville sending us negroes for you  
what shall we do with them" I presume your  
instructions in regard to forwarding them had  
not reached them as soon as the negroes  
did - or the person whose company they were  
to go to Cooper County Mo. had not arrived  
when the negroes had. Will you please let me  
know with whom you sent them, or what -  
instructions you sent to Mitchell Guthrie & Co in  
regard to them. Also if you sent the Blue  
Grass Seed and Stock - Bill for all of which  
I will send you on N.Y. as soon as the amt  
is recd. With kind regards I remain  
Yours very truly  
Wm. McChamplin

(E)

(75) (4)  
Lancaster April 8. 1857

John B. Rogers Esq  
Waynesville Ky  
Nc

Yours of 4th at hand  
and contents noted. The response will be  
forward according to Mr Chapman's instructions.  
A Johnsons, Carthy & Lytle are Chapman's agents  
in Saint Louis

Respectfully  
Mitchell Gustine & Co

(F)

Mayeville, Ky, Sept 20th, 1859.

We agree that the following depositions in the case of J. W. Champlin vs. Wesley McCune, pending in the Circuit Court of Pettis County, State of Missouri, shall be taken on this day (Sept 20, 1859) instead of the day fixed by the notice attached hereto, viz: Sept. 18, 1859.

T. C. Campbell for  
Defendant McCune  
Stanton & Sulzer, attys  
for Champlin.

The Deposition of John B. Paynter taken at the law office of Stanton & Sulzer in the city of Mayeville, Ky, on the 20th. of September 1859, to be read as evidence on behalf of the Plaintiff in an action wherein J. W. Champlin is Plaintiff and Wesley McCune is Defendant, pending in the Circuit Court of Pettis County, State of Missouri. Respondent being of lawful age, and first duly sworn says,

1. Question by Plaintiff's attorney: State whether or not you ever had any business transaction with the Plaintiff J. W. Champlin, if so state what it was.

Answer.- I have had business transacting with him in relation to his care. I brought for him upon his order a negro woman and two children, a Bull and one heifer and some Blue Grass seed, and shipped them as directed to his Merchants.

Louisville and St Louis to be forwarded to his farm in Missouri. He makes a Letter from J W Champiten Marked A. a part of my deposition.

2. By same.

State if you know in what way the negroes, bull, heifer and blue grass seed above referred to by you were paid for.

Answer. The negroes were paid for with the proceeds of J W Champiten's ~~acceptances~~ <sup>drafts</sup> with exception of thirty or forty dollars which I advanced for Mr Champiten. I negotiated his ~~acceptances~~ <sup>drafts</sup> at the Farmers Bank of this City. The Blue Grass seed and the Cattle Doctors bill on the negroes by his naming me the amounts on New York. I refer to a Letter from J W Champiten Marked B as part of my deposition. I further refer to four Letters from J W Champiten to myself Marked C D E and F and make them part of my deposition.

By Campbell for Defendant

Had these negroes previously belonged to Louis Lubhard, if so from whom did he purchase the negro woman and how long had he owned her? They had. he bought the negro woman from Nat Poyt about the

3  
Year 52 or 53

2 How much were these negroes worth at the time you caught them, at public sale in this Market? answer I have no means of knowing

3 How did Mr Newdegate get those negroes and how often had he caught them? answer I know nothing about Mr Newdegate's transactions further than what I have been told

X  
4 At the time you bought these negroes was it not expressly stated and understood, that the negroes were to go into the possession of Mr Hubbard, before Newdegate would agree to sell them? answer I don't think I ever made any such statement to Mr Newdegate in order to get the negroes of him I bought them of Champlin.

5 Did not Newdegate make such a statement to you? answer I have no recollection of it

6 Did you not yourself believe at the time you caught the negroes, that the money that paid for them really belonged to Hubbard, & that it was advanced by Mr Champlin for the benefit of Hubbard?  
(Question objected to by Pliffs atty)

Nov 52 or 53

(4.)

Answer I did not believe the Money <sup>Coming</sup> to  
Gibbarts or I would have tried to have made  
4.50 dollar out of it due that Poynt  
by Gibbarts on the purchase of <sup>The</sup> negroes from that  
Poynts

7 Did you not in Conjunction with or through  
H. Dawson of this City think and talk of  
retaining the negroes to pay Gibbarts debt  
was not Council Consulted on this sub  
ject before the negroes were shipped  
(Question objected by Platts atty.)

Answer. No Sir; never

8 Will you please state what other letters (than  
those filed) you have received from Cham  
berlain which relate in whole or part to the  
negroes or their purchase; answer I have  
received no other Letters on the subject.

9 How many (if any) letters have you received  
from Louis Gibbarts or his family on the  
subject of these negroes, or their purchase  
answer: I received no Letters from Mrs Gibbarts  
or his family on the subject of <sup>the purchase</sup> those negroes

10 Did the letters received of you from Gib  
barts or his family, relate in any way to  
the negroes if so in what particulars  
Answer, Not to those purchases, while at my  
house Mrs Gibbarts wrote me a Letter in which  
she inquired about the health of the girl

- 10 Can you produce and file that letter and any other letters from Hubbard at or about the year 1856 or 1857 - if so please do so; answer. I have not got that letter
- 11 Has Hubbard paid to you or to any one represented by you, any money due by him at the time he left her last, since he left her? answer. Not a cent.
- 12 As near as you can gather from all sources, what was the amount of Hubbard's liabilities at the time he left her answer. I have no idea I never had any means of knowing.
- 13 What amount of property was taken south by Hubbard south the last time he left Murphysville last. State as near as you can. answer. I don't know.
- 14 Were you not intimately and well acquainted with Hubbard while he resided in Murphysville answer. I was very well acquainted with him personally
- 15 & what about men you acquainted with Champlin, prior to the purchase of the negroes answer. I had a business acquaintance with Champlin and he visited my house upon my invitation <sup>was</sup> ~~there~~
- 16 Had you ever engaged in the purchase or sale of negroes as a business at or prior

to the purchase of these negroes

Answer; ~~answer~~. I had bought and sold  
Negroes for myself and friends to the extent of  
Twenty or thirty; and further say this not

John Boynt

Also The deposition of James A. Johnson Taken at  
the same time and place, and ~~in the same~~ for the pur-  
poses mentioned in the caption. Deponent being of law-  
ful age, and first duly sworn, says;

1. Question by Plaintiff's atty. Please state in what bus-  
iness you have been engaged for the last 6 or 8 years, and  
in what business you are now engaged?

Answer.- I am now and have been during  
the time mentioned Cashier of the Farmers  
Bank Kentucky at Mayfield

By same.- Did Lewis Gebhard or L. W.  
Chapman ever have any business transaction with your  
Bank in Mayfield? If so, state what it was.

Answer.- Mr Lewis Gebhardt frequent  
transacts in our bank.

By same.- Did Mr. Gebhardt ever negotiate any  
paper of L. W. Chapman at your Bank.- if so state to  
what amount. answer on the thirty day of

J.

May 1855. Mr Champlin's acceptances amounting  
in all to seven thousand dollars were negotiated  
at the Bank. They were drawn by Lewis G. G. &  
part indorsed by Mr B. Wood and George  
Dodson and ~~the~~ proceeds placed to the  
Joint Credit of the indorsers Mr B. Wood and George  
Dodson, a part of the proceeds amounting  
to two thousand four hundred and twenty  
two dollars \$2,422.00, was paid upon the Check  
of the indorsers to W. D. Coagwell. They  
paid also out of the proceeds of the acceptances  
some protested paper of Lewis G. G. &  
held by the Bank amounting with interest  
and costs to \$33,54.79. The acceptances were  
drawn 12 months after date and were paid on  
maturity.

My Campbell for debt

How much was G. G. & bonded for to  
your Bank at the time he left Mansfield  
and how much of that amount has he  
paid since. State as near as you can  
from recollection; Answer. My recollection  
~~is~~ <sup>is</sup> that he owed the Bank at that time  
between five and seven thousand dollars  
none of which has been paid, <sup>which has been</sup> ~~and~~ charged  
to profits & loss on the books and further  
say not

J. A. Johnson

Also the Deposition of R. M. Dodson taken at the same time and place and for the purposes mentioned in the Caption. Deponent being of lawful age and first duly sworn. Says:

1st. Question by Plffs. Attorney: State whether or not you ever had any business transaction with any person in the State of Texas for Louis Gebhard? if so state it and when it was.

Answer.- It has been some <sup>time</sup> ago I do not remember the year now, ~~for~~ <sup>as</sup> I had ~~business~~ transaction as agent of Gebhard.

2nd. By same - Did you ever transact any business for Mr. Gebhard with a man in Texas by the name of Burk?

Answer.- I cant say I did have any business transactions with Burk. I dont think I had business transactions with more than two men in Texas one named Crocker of Lavaca and some man in Austin I have forgotten his name.

3rd By same - Do you remember of Mr. Burk having in his possession considerable waggons & other work which you went to said Burk to obtain possession of and did you have a settlement with said Burk concerning Gebhard's business in his hands?

Ans.- I went there for the purpose of settling a little with Burk I also had other

(9)

Business in Texas I do not remember of having any little with Burke. Burke I think rendered me a statement of his account against Gebhard. I can't say that he turned any of his stuff over to me, I think he turned it over to some one else before I got them. I don't think I got any money of Burke. ~~Burke~~

By same. - Do you know how much work Mr. Burke had in his hands belonging to Gebhard altogether?

Answer. - No I don't know. I think it was about four thousand dollars and for the days not

By Campbell

1 In what Capacity did you ship with Gebhard when he went south the last time, as a hand or a partner or for pleasure?

Answer. I went as Capt<sup>n</sup> Clerk

2- Did Gebhard's Creditors follow him and send after him, answer Yes Sir,

3 When did Jack Ravenscraft overtake the Boats, when he went down for Jimmy Wood  
Ans. I think at Columbia

4 When Gebhard's Creditors and their agents overtook the Boats did not Gebhard claim that he had sold the Boats & Cargo to

73 you and that you had paid him five thousand dollars in money for them  
Ans Yes he did when Rainscraft & Campbell come down

5 After Hubbard found that his creditors were following him. did he not commence shipping his plows to out of the way places. From hundred to Laracca Texas with instructions not to put them ashore at New Orleans. One hundred to Little Rock, One hundred to Mullikens Bend to go to Gazor City and others to other points and were not all these shipments made in your name?

Ans We commenced shipping plows before any of these creditors came down and after they came we continued to ship. I cant say they were shipped in my name or not. I think we had but one bill of Lading of any plows we shipped

6 Were Hubbard and Champlin frequently together that trip. talking over Hubbard business

Ans They were never together only at Grand Gulf they were party often together there

7 Did Champlin know that Hubbard had sold out to you at Memphis

11.

I dont know whether he did or not  
It is very possible he did

8 When did you first learn that Hubbard was not coming back to Kentucky, but was going to Missouri  
answer. - I cant say whether I knew it  
before the river or after I come home

9 Which one of Hubbards Creditors, did Hubbard tell Champlin at Grand Gulf that he never intended to pay a damn cent to as long as he lived. ans. -

I cant say that Hubbard ever made that remark to Champlin or not. I think he made the remark about Conrad

10 Did you hear Champlin frequently advising with Hubbard about his business

Ans. I has been so long I dont remember about that

11 What did this man Champlin do principally at Grand Gulf. ans. he was a business man there he was a Merchant.

12 At how many points did Champlin claim that the property stored at Hubbard, belonged to him. ans I dont know. and further says the  
not.

R M D adson

The further taking of depositions herein is adjourned until tomorrow at 8 o'clock A. M. (Sept 21, 1859.)

Thos Daulton M C M,

Sept 21st. 1859. — The attorney of The Plaintiff announced that he was through taking depositions on behalf of Plaintiff. Whereupon The taking is closed.

Thos Daulton M C M,

State of Kentucky, Mason County:

I, Thos. Daulton, Mayor of the City of Mayersville, County & State aforesaid, do certify that the foregoing depositions of Geo. B. Paynter, Jas. A. Johnson and R. M. Rodson were taken before me at the law office of Stanton & Sulzer in the City of Mayersville, Ky, on the 20th day of September 1859, between the hours of 8 o'clock A.M. and 6 o'clock P. M. of said day. The said Geo. B. Paynter, Jas. A. Johnson, and R. M. Rodson having been first duly sworn by me that the evidence they should give in the case should be the truth, the whole truth and nothing but the truth, and their statements were reduced to writing by me in their presence, and the statements of each were read to and subscribed by him in my presence. The said Geo. B. Paynter being a resident of Mason County, Ky, and said Jas. A. Johnson and R. M. Rodson being residents of the City of Mayersville, County & State aforesaid.

In Testimony whereof, I have here-  
unto set my hand as Mayor of the  
City of Mayville, Ky. and caused the  
seal of said city to be affixed this  
21st. day of Sept. 1859.

Thos Daulton Mayor

State of Ky. Mason County }  
I, Robt. A. Cochran, Clerk of the Mason  
County Court, the same being a Court of Record, do certify  
that on the 20th. day of Sept. 1859, and at this time, Thos.  
Daulton whose signature appears above, is the acting Mayor  
of the City of Mayville, Ky.

Witness my hand as Clerk  
aforesaid, and the seal of  
said Court.

Robt. A. Cochran Clerk

Chas. J. W. \$1.

No 13 1/2

Filed September 26, 1839

James M. Smith

Deputy  
John  
Robertson

County of Pettis }  
State of Missouri } ss.

The State of Missouri

To any Judge, Justice of the Peace, Mayor, Notary  
Public or other Judicial Office of the State of  
Louisiana Greeting:

Now ye that ~~we~~ in Confidence  
of your prudence and fidelity, do by these presents  
authorize you to cause to come before you to be examined as  
witnesses, in a cause pending in our Circuit Court of Pettis  
County in the State of Missouri wherein J. W. Champlin  
is plaintiff and Wesley McClure is defendant, George  
Buckingham and John Enckelbouer; at such  
time and place as shall be named to you for that  
purpose by the said Plaintiff or his agent or attorney  
And we command you to examine the said George  
Buckingham and John Enckelbouer upon their  
solemn Oaths or affirmation, first made or taken by  
you, to testify the whole truth their knowledge of any  
thing relating to said Matter in Controversy between  
the said parties, and that you take their examination  
and reduce the same to writing. When you shall  
have taken their examination you are to cause the  
witnesses to sign the same and to each examination  
at the foot thereof, you are to append your Certificate  
setting forth the facts that the examination was sub-  
scribed and sworn to by the witness, and the day  
as well as between what hours of the day on which  
it was done, and also the place of residence of the

witnesses. (if known to you.) Should any paper or exhibit be produced or proven, or be referred to by the witnesses you are to describe the same in this examination or cause ~~it~~ to be so marked by him as to establish its identity and to attach the same to his examination.

The examination thus taken you will cause to be accompanied by your official character attested by the certificate and seal of the clerk of any court of record of the county in which you reside, stating also, that in addition to the facts of his being clerk and that the court is one of record, that at the time when the depositions were taken you were an acting Justice, Justice, Mayor or other officer, and duly commissioned as such, and you will return the same and all exhibits produced to you annexed thereto, carefully closed up and under your seal directed to the clerk of the circuit court of Pettis County Missouri with the names of the parties litigant endorsed thereon with all convenient speed.

Witness Saml. A. Lowe Clerk  
of our said court, with the  
seal of the circuit court  
affixed hereto at office in  
Georgetown this 24<sup>th</sup> day of August  
A.D. 1839

Saml. A. Lowe Clerk.

*Dr. W. W. Humphreys*  
*against*

*Wesley M. Church*

*Communion to the sick*  
*ordinations*

In the Circuit Court  
of Pettis County,  
J. W. Champlin Plaintiff  
vs  
Wesley McClure Defendant

To Wesley McClure, above named  
Defendant, Take notice, that on the  
3<sup>rd</sup> day of October 1859, at the Office  
of Charles M. Bradford Second Justice  
of the Peace for the Parish of Orleans, in  
the city of New Orleans, State of Louisi-  
ana, depositions will be taken to be read  
on the trial of the above entitled suit,  
on behalf of the Plaintiff; and that  
the taking of said depositions, if not  
completed on that day, will be continued  
from day to day, at the same place, and  
between the same hours until completed.

J. W. Champlin  
By his atty  
J. F. Phillips  
"

I hereby Certify that I served the within  
Notice by delivering a true copy thereof  
to the within named Defendant by  
on the 24<sup>th</sup> day of August 1859 in  
Pettis County Missouri

Corn fee, 50 cts

J. G. Bridges  
Clerk P. C.

J. W. Champness

vs

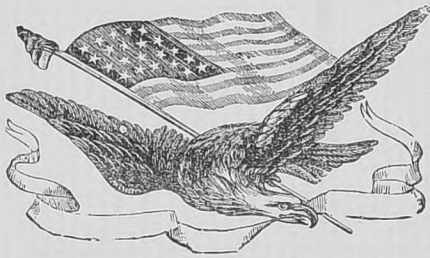
Wesley M. Chase

In the Circuit Court  
of Pettis County

Notice to take  
depositions

New Orleans

United States of America.



THE STATE OF LOUISIANA.

PARISH OF ORLEANS.

CITY OF NEW ORLEANS.

*Deposition of our Witness taken and subscribed before me,*

CHARLES M. BRADFORD, Second Justice of the Peace for the Parish of Orleans, in the State of Louisiana, duly elected, sworn, commissioned, and acting as such, on the *eight* day of *October*, A. D., eighteen hundred and fifty-*9*, at *10 o'clock*,

A. M., of said day, at *the office of the Second Justice of the Peace for the Parish of Orleans* in the City of New Orleans, Parish of Orleans, in the State of Louisiana, in pursuance of a commission hereto annexed, and to be read as evidence in a certain cause now pending in the

*Circuit Court of Pettis County, State of Missouri,*

Wherein

*J. W. Champalin is plaintiff and Wesley McChes is defendant*

, on the part of the

*plaintiff John H. Augerhouse*

a Witness known to me to be of lawful age, being to me at the time and place aforesaid produced, and being by me first duly sworn upon the Holy Evangelists, and according to law, to testify the truth, the whole truth, and nothing but the truth, in regard to the matters in controversy in the suit aforesaid, did then and there, on his oath aforesaid, depose and say, and answer as follows, TO WIT:

10. A. M.

My name is John A. Angrebow. I was book-keeper for J. W. Champlin, then doing business in Grand Gulf, Mi. This was from November 1855 to the 1st of March 1858. In December 1855 Louis Lebbard was indebted to Mr. Champlin in the sum of six thousand seven hundred and eighty-four  $\frac{3}{100}$  dollars (\$6,784,31). Mr. Champlin paid Lebbard, at different times, from Dec 12-1855 to March 1st 1858 the sum of three thousand two hundred and eighty-two  $\frac{70}{100}$  dollars (\$3,282,70). During this period Louis Lebbard paid to J. W. Champlin six thousand one hundred and ninety six  $\frac{48}{100}$  dollars (\$6,196,48) leaving a balance in Champlin's favor on March 1st 1858 of three thousand eight hundred and seventy  $\frac{53}{100}$  dollars (\$3,870,53). The last of Lebbard's payments to Mr. Champlin, made upon his last trip South, amounted to three thousand and nine  $\frac{30}{100}$  dollars, which amount is included in the six thousand one hundred and ninety six  $\frac{48}{100}$  dollars before mentioned.

Mr. A. Angrebow

drawn to J. W. Champlin  
before my  
day of departure

# THE STATE OF LOUISIANA,

Parish of Orleans===City of New Orleans.

I, CHARLES M. BRADFORD, Second Justice of the Peace for the Parish of Orleans, duly elected, sworn, commissioned, and acting as such, in and for the City of New Orleans, in the Parish of Orleans, in the State of Louisiana, do hereby certify and make known, that the foregoing deposition of

*John H. Syme-bower*

was taken before me, on the *eightth* day of *October* A. D. eighteen hundred and fifty-*nine*, at the time and place in the caption hereof mentioned: That the examinations, responses, and statements ~~of each~~ of said deponents were reduced to writing by

*James B. Bradford, clerk of court*

and by the said deponent ~~personally~~ sworn to and subscribed in my presence at the time and place aforesaid.

*And I further certify that said commission was opened at my office aforesaid, on the 3<sup>d</sup> Oct. instant, and the taking of the deposition was continued from day to day until the 8<sup>th</sup> Oct. instant in consequence of the continued absence of the witnesses.*

IN TESTIMONY WHEREOF, I, CHARLES M. BRADFORD,

Second Justice of the Peace for the Parish of Orleans aforesaid,

do hereunto set my hand at the City of New Orleans, in the State of Louisiana, this *10th* day of *October*

A. D. eighteen hundred and fifty-*nine*.

*C. M. Bradford*

Second Justice of the Peace for the Parish of Orleans.

## COSTS:

Commissioner's Fees.....\$ *10.00*

Certificate .....

Constable's Fees, Notices and Subpoenas.....

Paid Postage.....

Paid by *Plaintiff* \$

*C. M. Bradford*  
Second Justice of the Peace for the Parish of Orleans.

State of Louisiana  
Parish of Orleans  
City of New Orleans.

I, J. D. Chalon,  
Clerk of the Fifth District Court of  
New Orleans, do hereby certify that  
said Court is a court of record, - that  
Charles M. Bradford, whose genuine  
signature appears to the foregoing cer-  
tificate, is now, and was at the date  
thereof the duly commissioned, sworn,  
& acting ~~Law~~ Second Justice of the  
Peace for the Parish aforesaid, and  
that full faith & credit are due  
to all his official acts as such.

In testimony whereof I have  
herein to set my hand and  
affixed the seal of this court  
this tenth day of October,  
A.D. 1859.

J. D. Chalon  
Clerk.



Filed this 23rd Nov/59

S. A. Lowe, Clerk

Augustine

In Office, 13

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