

Msdaury County Circuit Court
Circuit - Case File - CIV 1
Term April 1861

Box 6 File 76

JOHN H. WARE

Box 18 File 49

see also Box 6 File 77

vs
NOE LEE

SLANDER. 21 Dec 1860. DAMAGES \$10,000.00. LEE SLANDERED WARE BY SAYING, OLD MAN WARE
HAD FORCIBLE SEXUAL INTERCOURSE WITH CLARA, LEE'S NEGRO WOMAN, AND SHE IS WITH CHILD &
WARE IS THE FATHER OF IT. HE SAID WARE HABITUALLY ASSOCIATES WITH & HAS SEXUAL INTERCOURSE
WITH NEGRO WOMEN. LEE SAID WARE COMMITTED ADULTERY, BECAUSE HE HAS A WIFE LIVING.

Nov term 1863

Book B, PAGE 387 - IN FAVOR OF DEFENDANT

John H. Ware Plaintiff

Against
Kao Lee Defendant

In the Circuit Court - Rowan County

Plaintiff states that he is a true honest, just and faithful citizen of this County and State and as such has always behaved and conducted himself, and until the committing of the several grievances by the said defendant as hereinafter mentioned was always reputed esteemed, and accepted by and amongst all his neighbors and acquaintances to whom he was in any wise known, to be a person of good name, fame and credit to wit at the County aforesaid, and whereas also the said plaintiff hath not ever been guilty, or until the time of the committing of the grievances by the said defendant, as hereinafter mentioned been suspected to have been guilty of the offences and misconduct hereinafter mentioned to have been charged upon and imputed to him by the said defendant, By means of which said several premises the said plaintiff before the committing of the several grievances hereinafter mentioned, had deservedly obtained the good opinion and credit of all his neighbors, and other citizens of this State to whom he was in any wise known, to wit at the County aforesaid, Yet the said defendant well knowing the premises, but greatly envying the happy state and condition of the said plaintiff, and contriving and wickedly and maliciously intending to injure him in his good name fame and credit, and to bring him into public scandal, infamy and disgrace with and amongst all his neighbors, and other good and worthy citizens of this State and to cause it to be suspected, and believed, by those neighbors and citizens that the said plaintiff had been and was guilty

of the offences and misconduct herein after mentioned to have been charged upon and imputed to him by the said defendant and to vex harass and oppress him the said plaintiff on the the first day of December 1860 at the County of Nevada aforesaid in a certain discourse which the said defendant then and there had of and concerning the said plaintiff, in the presence and hearing of divers ^{good} citizens of this State and then and there in the presence and hearing of the said last mentioned citizens falsely and maliciously spoke and published of and concerning the said plaintiff, the false, scandalous, malicious and defamatory words following, That is to say he old man Ware (meaning the plaintiff) had forcibly sexual intercourse with "Clara" (meaning my negr woman) and she meaning Clara his (my) negr woman was with child by him (meaning the plaintiff) and he, meaning the plaintiff is the father of the child of which she the said negr woman is pregnant - meaning that the said plaintiff has had sexual intercourse with said negr woman.

1st

Plaintiff further states that on the 25th day of October in the year 1860 and on divers other days between the said 25th day of October 1860 and the 1st day of April in the year 1861 at the County aforesaid, the defendant spoke the following false and slanderous words concerning the plaintiff, that is to say Clara (meaning defendant's negr woman) is with child, and old Ware (meaning the plaintiff) is the father of it - then and thereby meaning that said plaintiff associates with and has sexual intercourse with negr women.

2nd

Plaintiff further states that on the 25th day of October and on divers other days between the said 25th day of October in the year 1860 and the 1st day of April in the year 1861, at the County aforesaid the defendant spoke the following false and slanderous words concerning the plaintiff; That is to say (Old Ware) meaning the plaintiff has gathered up (Clara) meaning the defendant's negr woman and forced her, then and thereby (meaning that the said plaintiff has had carnal knowledge and) sexual intercourse with said negr woman, and she

3rd

Clara meaning the defendants negro woman is with child, and
old ware meaning the plaintiff is the father of the said
child of which the said Clara is pregnant, then and there-
by meaning, that the said plaintiff habitually associates
with and has had sexual intercourse with negro women

By means of which false malicious and scandalous
words plaintiff says he is damaged to the amount of ten thou-
sand dollars, for which he prays judgment

John H. Ware in Pro pri

John H. Ware Jr Agent for Plaintiff makes oath and says the above
petition and the matters therein as stated, he believes to be true

John H. Ware Jr
Sworn to and subscribed before me this 5th day of April

1861

Geo. B. Prather Clerk

13th A

Final
~~1865~~ 18

Shookman

W

See See

Colony's Mist

Shookman \$1.00

(Return)

I ^{do} Thos McDuidy Sheriff of Adoway County Missouri
here by certify that I served the within writ & petition
by delivering a certified copy of the within writ & petition
to the within named Nae Lee son in Adoway County
Missouri on the 13th day of April 1865

Thos McDuidy Sheriff

State of Missouri,)
COUNTY OF NODAWAY.) ss

I, James B. Prather, Clerk of the Circuit Court, within and for said County, hereby certify that the within or foregoing is a full, true and perfect copy of the petition and affidavit in the case of
John A. Ware Plaintiff

against *Joe Lee* Defendant

as amply and fully as the same now remain on file in my Office.

In testimony whereof I hereto set my hand and affix the Seal of said Court at office in Maryville, this *10th* day of *April* 186*1*
James B. Prather Clerk.

STATE OF MISSOURI,)
COUNTY OF NODAWAY.) ss

The State of Missouri to the Sheriff of Nodaway County, GREETING:

We command you to Summon *Joe Lee*

that *he* be and appear before the Judge of our Nodaway Circuit Court, at the Court House, in Maryville, in said County, on the first day of the next term thereof, then and there to answer the complaint of *John A. Ware*

Or else fail not and have you then and there this writ

Witness, James B. Prather, Clerk of said Court, with the Seal thereof affixed at office, in Maryville, this *10th* day of *April* 186*1*
James B. Prather Clerk.

1st
and maliciously spoke and published of and concern-
-ing the said plaintiff, the false, scandalous, ma-
-licious ~~words~~ and defamatory words following, that
- is to say ^{old man} ^{Ward} (meaning the plaintiff), had forcibly,
sexual intercourse with Clara, (meaning my negro
woman) and she, meaning Clara, his (my) negro
woman was with child by him, (meaning the
-plaintiff) and "he," meaning the plaintiff, is the
father of the child of which ^{she} the said negro woman
is pregnant - meaning that the said plaintiff has had sexu-
-al intercourse with said negro woman.

2d
Plaintiff further states that on the 25th day
of October ~~and on divers other days~~ in the year 1860
and on divers other days between the said 25th day
of October 1860 and the 1st day of April in the year
1861 at the County aforesaid, the defendant spoke
the following false and slanderous words concerning
the plaintiff, that is to say Clara (meaning defen-
-dants negro woman) is with child, and old man
(meaning the plaintiff) is the father of it - thus and
thereby meaning that said plaintiff associates with
and has sexual intercourse with negro women -

3d
Plaintiff further states that on the 25th day of
October ~~and~~ and on divers other days between the
said 25th day of October in the year 1860, and the 1st
day of April in the year 1861, at the County aforesaid
the defendant spoke the following false and slander-
-ous words concerning the plaintiff; that is to say
he, meaning the plaintiff (Old man), meaning the plaintiff
has gathered up (Clara) meaning the defendants negro
woman and forced her, thus and thereby meaning
that the said plaintiff has had carnal knowledge
and sexual intercourse with said negro woman,
and she Clara meaning the defendants negro
woman is with child, and old man meaning
the plaintiff is the father of the said child of which
the said Clara is pregnant, thus and thereby mean-
-ing, that the said plaintiff habitually associates with
and has had sexual intercourse with negro women

By means of which false malicious and slanderous
words plaintiff says he is damaged to the amount of
ten thousand dollars, for which he prays Judgment

agent for John H. Ward, in Pro. pr.
John H. Ward, Plaintiff, makes oath and says the above petition
and the matters therein stated, he believes to be true -

Sworn to and subscribed before me this 5th day of
April 1861 - John H. Ward for
Geo B Barber Clerk

Final
18

John H. Ward

vs

Nov Lee

Petition

Filed April 5th 1861
Geo B Barton Clerk

John H. Ward
Pro Person

John, H. Ward Plaintiff }
against }
Noe Lee Defendant }

In the Nodaway Circuit Court

Plaintiff for amended petition states that defendant at the County of Nodaway in the State of Missouri on the 1st day of October 1860 falsely and maliciously spoke and published of and concerning the Plaintiff, who was then and still is a married person and having a wife living the following false, slanderous, defamatory and malicious words, that is to say (Old man Ward) meaning the plaintiff has forcibly had sexual intercourse with Clara (meaning said Lee's negro woman) and she (meaning Clara said negro woman) is with child by him (meaning the plaintiff) and he (meaning the plaintiff) is the father of the child of which she the said negro woman, and that plaintiff has had sexual intercourse with said negro woman and has been guilty of committing adultery with said negro woman.

By reason whereof Plaintiff says he has been damaged in the sum of ten thousand dollars, and for which he prays Judgment

second count

Plaintiff further states that defendant at the County of Nodaway in the State of Missouri on the 5th day of October 1860 falsely and maliciously spoke and published of and concerning the Plaintiff who was then and still is a married person, and having a wife living the false, slanderous, defamatory and malicious words, that is to say Clara (meaning defendant's negro woman) is with child, and old man Ward, meaning the Plaintiff is the father of it, meaning the child of which said Clara was then pregnant, then and then meaning

meaning that plaintiff has had sexual intercourse with
said negro woman, and has committed adultery with her
By reason whereof Plaintiff says that he has been damaged
in the sum of ten thousand dollars, and for which
he asks Judgment.

Third Count

Plaintiff further states that Defendant
at the County of Nodaway in the State of Missouri on the
1st day of October 1860 falsely and maliciously spoke and
published of and concerning the plaintiff, who was then
and still is a married person and having a wife living
the following false scandalous slanderous defamatory and
malicious words that is to say Old man Ward (meaning
the Plaintiff) has gathered up Clara (meaning the defend-
ants negro woman) and forced her, then and then
meaning that said plaintiff has had sexual intercourse
with said negro woman and she (Clara) meaning
the defendant ^{negro woman} is with child by him (meaning the plaintiff
is the father of it,) the child of which she the said Clara
is pregnant, then and then meaning and charging that
Plaintiff had had sexual intercourse with said negro and
had committed adultery with her, by reason whereof
Plaintiff says that he is damaged in the sum of ten
thousand dollars and for which he prays Judgment

Veris & Veris

Atty's for Plaintiff

John H. Ward makes oath and says he believes that the
 foregoing petition and the matters as therein stated are true

John H. Ward

Sworn to and subscribed before me this 30th day of April
1861—
Jas B. Barber Clerk

Dual No 18

John H. Ward

v
Geo Lee

Amended Petition

Filed April 31st 1861
J B Rankin
Clerk

Wm H. Bond
Att'y

John H. Ware, Plaintiff
Against
Mr Lee Defendant

In the Broadway Circuit
Court

Defendant denies that on the 1st day of October 1860, or at any other time, he "false and maliciously spoke and published of and concerning Plaintiff the false, slanderous, defamatory and malicious words, that is to say, 'Old Man Ware (meaning the Plaintiff) has forcibly had sexual intercourse with Clara (meaning said Lee's Negro woman) and she, meaning Clara said Negro woman, is with child by him (meaning the Plaintiff) and he, (meaning the Plaintiff) is the father of the child of which she, the said Negro woman, and that Plaintiff has had sexual intercourse with said Negro woman, and has been guilty of committing adultery with said Negro woman'." Defendant denies that he ever used of and concerning the Plaintiff the words charged in the said first Count of Plaintiff's petition or any words of similar import, or that he ever charged Plaintiff in the manner stated ~~to~~ with having committed adultery with said Negro woman Clara. Defendant denies that Plaintiff has been injured by any words used by him of and concerning Plaintiff in the sum of ten thousand dollars

or in any other sum

In answer to the charges in the second count of plaintiffs petition, Defendant denies that he did at the County of Norway on the 5th of October 1860, or at any other time or place, falsely and maliciously speak and publish of and concerning plaintiff the words ~~as~~ mentioned in said second count, that is to say: "Clara (meaning Defendant's negro woman) is with child, and old man ~~there~~, meaning the plaintiff, is the father of it." Defendant denies wholly the allegations ~~of~~ in said second count of plaintiffs petition, and denies that plaintiff has ~~been~~ been injured as stated.

Defendant also denies the allegations made in the third count of plaintiffs petition - denies that he did on the 1st day of October 1860 at the County of Norway, or at any other time or place, falsely and maliciously ~~speak~~ ^{speak} and published of and concerning plaintiff that "Old man ~~there~~ (meaning plaintiff) has gathered up Clara (meaning the Defendant's negro woman) and forced her ~~there~~ ^{there} and there ~~mean~~ ^{mean} ing that said plaintiff has had sexual intercourse with said negro woman" - denies that he ever stated that said negro woman, Clara, was with child by ~~the~~ plaintiff, denies that he ever stated that

or meant to state that plaintiff had had sexual intercourse with said Negro woman Clara, or that said Negro woman was with child by plaintiff, or that he, plaintiff, had committed adultery with said Negro woman - denies that he ever falsely, maliciously, or otherwise, used of and concerning plaintiff the language charged in said ^{third} count or words of such import; and he denies that plaintiff has been injured in the sum of ten thousand dollars or in any other sum by any words used by him

Jones & Thoroughman
Attys for deft

Joe Lee, the defendant, makes oath and says that he believes the foregoing answer and the matters therein as stated to be true

Joe Lee

Subscribed and sworn to by me
this 20th day of August 1861

James B. Prather clerk
By C. Neal D. C.

John H. Ware
New Lee Street 18

Answer

Filed this 20th day of
August 1861
for W. B. Parker's debt
By C. Bond, J. C.

State of Missouri
County of Madaway 3 D 5

The State of Missouri to
Joseph Baker Thos. J. McQuiddy
James H. Saunders William Emerson
Arch Graham & David J. Hull

We command you to be and appear
before the Judge of our Madaway Circuit
Court at the Court House in Mayville
in said Madaway County on the 5th
day of May 1862 to give evidence
in a controversy pending in said court
between John H. Ware ^{Plaintiff} and Noah
Lee Defendant. on the part of the
Defendant thereof fail not at
your peril

Witness John C. Lohman
Clerk of said Court with the
Seal thereof affixed at office
this 1st day of April 1862
John C. Lohman
Clerk

I served the within subpoena on the within named Jas H Saunders by reading the same to him on the first day of April 1862 in Hodaway County Missouri
I served the within subpoena on the within named William Emmerson by reading the same to him on the fourth day of April 1862 in Hodaway County Missouri
also on the within named Joseph Baker by reading the same to him in Hodaway County Missouri this the 16 day of April 1862
also on the within named David J Hall by reading the same to him in Hodaway County Mo this the 24 day of April 1862
the within named J J McQuiddy & Arch Graham not found in my County this the 30th day of April 1862 J B Beal Sheriff of Hodaway County Mo

John H. Ware

Arch Beal

Arch Lee

Deft - Spa

Joseph Baker

Jos. J. McQuiddy

Jas. H. Saunders

Arch Graham

William Emmerson

David J. Hall

Sheriff fee \$2.50

State of Missouri
County of Hallaway
The State of Missouri to Marion
Leonley Loggins Miller Charles
Patton & Henry Woodard

We command you to be and appear
before the Judge of our Hallaway
Circuit Court at the Court House
in Maryville in said Hallaway County
on the 5th day of May 1862 to give
evidence in a controversy pending in said
court between John H. Ware Plaintiff
and Noah Lee Defendant on the
part of the defendant Hereof fail
not at your peril

Witness John C. Terhune
Clerk of said Court with the
Seal thereof affixed at office
This 1st day of April 1862
John C. Terhune
Clerk

I served the within subpoena on the within named Charles Patton
by reading the same to him on the fourth day of April 1862 in
Wodaway County Missouri also in Wodaway County Missouri
on Sycargas Miller by reading the same to him this the
19th day of April 1862 also on the within named Henry Wood
ard by reading the same to him in Wodaway County Missouri
this the 23 day of April 1862

the within named Marion Conley not found in my County
this the 30th day of April 1862
G B Beal Sheriff
of Wodaway County Mo

John W. Ware

Mark Lee

D. G. - J. P.

Marion Conley

Sycargas Miller

Charles Patton

Henry Woodard

G. B. Beal

Sherriff per #175

State of Missouri
County of Madaway 3, S.S

The State of Missouri to
Thomas A. Brown James T. Smith
Jerry Smith & Barnard Thomas
We command you to be and appear
before the Judge of our Madaway County
Circuit-Court at the Court House
in Maryville in said County on the 5th
day of May 1862 to give evidence in
a controversy pending in said Court
between John H. Ware Plaintiff
and Nath Lou defendant on the part
of the Defendant Hereof fail not at
your peril

Witness John C. Terhune clerk
of said Court with Seal thereof affixed
at office this 1st day of April 1862
John C. Terhune
Clerk

I served the within subpoena on the within named Jerry
Smith on the Third of April 1862 by reading the same to
him ^{in Wadaway County Mo} also on the within named James I Smith by reading the
same to him in Wadaway County Missouri this the 22 day of April 1862
the within named Barnard Thomas not found in my County
this the 30th day of April 1862

J H Beal Sheriff
of Wadaway County Mo

I served the within subpoena on Thomas A Brown within named
by reading the same to him in Wadaway County Mo this the 30th of April
1862

J H Beal Sheriff of Wadaway County Mo
Per A S Bickett Dpt

John H Ware

W P

Arch Lee

D J Lee

Thos. A Brown

James I Smith

Jerry Smith

Barnard Thomas

Sheriff fee \$ 1.75

Sherriff Wadaway Co. Mo.

State of Missouri }
County of Woodaway } SS

The State of Missouri to James S See
Mary Jenens Martin Hoffinger Marion Woodard
Samuel Martin & William Onea

We Command you to be and appear before the judge
of our Woodaway Circuit Court at the Court House in
Marionville in said Woodaway County on the 5 day of May
1862 to give evidence in a Controversy pending in said Court
between John H Ware

Plaintiff and Nash See Defen
dant on the part of the defendant
peril

Whereof fail not at your
Witness John C Terhune Clerk of
said Court with the seal thereof
affixed at office this April 1st 1862.
John C Terhune Clerk

I served the within subpoena on the within named James S. See and
Mary Jenkins by reading the same to them this the 4th day of
April 1862 in Rodaway County Mo I H. Beal Sheriff
of Rodaway County Mo

John H. Moore
As

Frank See

Wm. A. A.

Geo S See

Mary Jenkins

Samuel Martin

William Gless

Martin Hoffinger

Marion Woodard

Murphy for \$3.00

I served the within subpoena on the within named James
Martin by reading the same to him in Rodaway County Mo
also on William Gless by reading the same to him in Rodaway
County Mo also on Marion Woodard within Rodaway in Rodaw
ay County Mo by his acknowledging same this the 23rd day of June
1862
also on Martin Hoffinger within Rodaway by reading the
same to him in Rodaway County Mo this the 3rd day of
May 1862
of Rodaway County Mo

State of Missouri }
County of Hadaway } S.S.

The State of Missouri to
Andrew Stephenson Edward
Stephenson son Edward S. Stephenson
and Jacob T. Jenens. We command
you to be and appear before the Judge
of our Hadaway Circuit Court at the
Court House in Maryville in said
Hadaway County on the 5th day of
May 1862 to give evidence in a
controversy pending in said Court between
John H. Ware Plaintiff and
Hoah Lee Defendant on the part
of the defendant Hereof seal not at
your peril

Witness John C. Terhune Clerk
of said Court with the seal
thereof affixed at office this 1st day
of April 1862, John C. Terhune
Clerk

I served the within subpoena on the within named Jacob
F. Jenkins by reading the same to him on the Fourth day of
April 1862. in Modaway County Missouri
also on the within named Edward S. Stephenson and
Edward Stephenson Sr by reading the same to them this
the 5 day of April A D 1862. in Modaway County Missouri
also on the within named Andrew Stephenson by reading
the same to him in Modaway County Mo. this the
12 day of April A D 1862

J. K. Beal Sheriff
of Modaway County Missouri

John H. Ware
vs
Sarah Lee

Exhib - A

Andrew Stephenson
Edward S. Stephenson
Edward Stephenson
Jacob F. Jenkins

March 1862

State of Missouri
County of Adair

The State of Missouri
to Jas. B. Prather Stephen Monahan
William D. Smith and Isaac N. Prather
We command you to be and appear
before the Judge of our Adair Circuit
Court at the Court House in Maryville
in said Adair County on the 5th day
May 1862 to give evidence in a con-
troversy pending in said Court between
John H. Ware Plaintiff against and
Noah Lee Defendant on the part of
the defendant Hereof fail not at your
peril

Witness John C. Terhune clerk
of said Court with the seal thereof
affixed at office this 1st day of
April 1862 John C. Terhune clerk

I served the within Subpoena on the within named Jas B Prather by his acknowledging
in Madaway County Missouri
this the first day April A D 1862. Also on Stephen Morehouse by reading
the same to him on the first day of April 1862. in Madaway County mo
also on the within named Isaac N Prather by his acknow-
ledging service this the 5 day of April A D 1862 in Madaway County mo
also on the within named Mr W Smith in Madaway County Missouri by
reading the same to him this the 15 day of April 1862.

J H Beal Sheriff of Madaway County Missouri

John H. Ware
Nash Lee

Jas B Prather
Stephen Morehouse
William W Smith
Isaac N Prather

Sheriff fee \$2.00

STATE OF MISSOURI, }
County of Nodaway. } SS

The State of Missouri to

vs *John St Davis Schantz*

vs *John M. St. Louis, Esq. vs. R. B. Bellini & Mary Thompson*

we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the *11th* day of
May, 186*2* to give evidence in a controversy pending in said Court
between *Wm. H. Gray* Plaintiff and

Wm. H. Gray Defendant on the part of
Plaintiff hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *seventeenth* day of

April 186*2*
John C. Terhune, Clerk.

John H. Ware

Neah Lee

John H. Deane

Charles de lairie

M. H. Griffith

E. B. Hyflin &

Along Thompson

Sherriff J. A. \$250

Sherriff Rodaway to

I served the within Subpoena in Rodaway County Missouri on E B Hoeflin within named by reading the same to him also on John H. Davis and M H Griffith within named by their own acknowledging the same served all on the 19 day of April 1862 also on Charles S. Care within named by reading the same to him in Rodaway County Missouri this the 21 day of April 1862 also on Along Thompson within named by reading the same to him in Rodaway County Mo on the 29 day of April 1862
J. H. Deane
Sherriff of Rodaway County Mo

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to *James H. Carter* vs *John Carter*

Mary, James H. Carter, Seneca State vs John Carter
we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the *Tenth* day of

between *Mary*, 186*2* to give evidence in a controversy pending in said Court
John H. Carter Plaintiff and
John H. Carter Defendant on the part of

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *Seventh* day of

186*2*;

John C. Terhune, Clerk.

I served the within Subpoena in Tradaway County Missouri on the within named Jesse Hastingall Simon Drake and John Oster by reading the same to them this the 23 day of April 1862 also on James Bailey by reading the same to him in Tradaway County Missouri this the 24 day of April 1862

J. J. Beal Sheriff of Tradaway County Mo

John H. Ward

See

off Subpoena

Jesse Hastingall

Simon Drake

John Oster

James Bailey

Sherriff fee \$ 2.00



MISSOURI HO STATE

STATE OF MISSOURI, }
County of Nodaway. } SS

The State of Missouri to

Shanklin vs. David Meyer Mrs. ^{working} Catharine & Mrs. Queen

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the *21st* day of

May, 186*2* to give evidence in a controversy pending in said Court between *Rock Lee* Plaintiff and *Samuel J. J. Parmitly* Defendant on the part of

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *20th* day of

186*2*.

John C. Terhune, Clerk.

Served the within subpoena in Wodaway County Missouri on
the within named Alexander Gould John Shanklin &
Virgil Wger Mrs Colvin this the 22 day of
April 1862
also on the within named William Owen by reading
the same to him in Wodaway County Missouri this the
23 day of April 1862

J. H. Beal Sheriff
of Wodaway County, Miss

John G. Moore

Frank Love

Wm. A. Speer

Wm. C. Butler

John Shanklin

Virgil Wger

Wm. S. Spindler

William Owen

Sherriff fee \$2.50

Sherriff Wodaway Co



STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

Neal Jacob Amersbach & Adam Terhune vs *John Terhune*

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the *15th* day of

May, 186*2* to give evidence in a controversy pending in said Court between *John M. G. Moore* Plaintiff and *John Terhune* Defendant on the part of

Plaintiff

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal thereof affixed, at office, this *seventeenth* day of

April 186*2*.
John C. Terhune, Clerk.

served the within subpoena on the within named Adam Terhune by reading the same to him in Rodaway County Missouri this the 17 day of April 1862
 also on the within named Henry Neal by reading the same to him in Rodaway County Missouri this the 21 day of April 1862
 also on John Jackson within named by reading the same to him in Rodaway County Missouri this the 21 day of April 1862
 J. H. Beal Sheriff
 of Rodaway County Mo

John H. Grant

Asst. Secy

Wm. H. Beal

John Jackson

Henry Neal

Adam Terhune

Henry H. Postaway
 Esq

Recd the within subpoena on John H. Grant
 within named by reading the same to him
 in Rodaway County Mo this the 17 day of
 April 1862
 J. H. Beal Sheriff
 of Rodaway County Mo

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to *Richard W. Hambley George*
Hambley B. Hambley. P. Hambley & Thos. Parker
we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the *21st 1862* day of
May, 1862, to give evidence in a controversy pending in said Court
between *Frank Lee* Plaintiff and
John W. Marc Defendant on the part of
Plainly hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal
thereof affixed, at office, this *seventeenth* day of

April 1862.
John C. Terhune, Clerk.

I served the within Subpoena in Rodaway County
Missouri on the within named Peter Kanski, B Van
Sickle and Thomas Parker this the 23 day of
April 1862 by reading the same to them
also on Sebes Manley and George Manley within
named by reading the same to them in Rodaway County
Missouri this the 24 day of April 1862
J H Beal Sheriff
of Rodaway County Mo

John W. Moore
Cash Rec
P. M. Jan
Doubtless Bramley
George Manley
B Van Sickle
P Kanski &
Thos. Parker
Sheriff fee \$2.50
Henry Rodaway Co



STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to John Howard, Nathaniel Coffman,
Andrew Coffman, W. C. Walker, Lewis Coffman, Alexander Gray, Charles Croft
vs
Pray, John H. Mars

we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the _____ day of _____

1862, to give evidence in a controversy pending in said Court
between _____ Plaintiff and
_____ Defendant on the part of

_____ hereof fail not at your peril.
Plaintiff

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal
thereof affixed, at office, this _____ day of _____

1862.
Pray
John C. Terhune, Clerk.

Served the Wiffian Subpoena in Rodaug County
me by reading the same to the within named
John Blumes Matthias Coffman Lewis Coff
man Alexander Gray Charles Croft & Andrew
McCollister this the 5 day of May 1862

J. H. Beal Sheriff
of Rodaug County Mo

Geo. N. Mear

Mark Lee

PLP - 1862

John Blumes

John Blumes

Matthias Coffman

~~Lewis Coffman~~

Lewis Coffman

Alexander Gray

Charles Croft

Andrew McCollister

Shewitt for \$300

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to ~~Henry~~ *James Britton*

Abraham Wood, papered cellis, J. P. Corcoran, Menborer

we command to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the *August* day of

between *May*, 186*2* to give evidence in a controversy pending in said Court Plaintiff and *John Harris* Defendant on the part of

Frank Lee Plaintiff
hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *3-4* day of

May 186*2*,
John C. Terhune, Clerk.

Served the within subpoena in Rodaway County
mo by reading the same to the within named
Hereham West James Elliot & P. Coover
the within named Mrs Coover & James
Whitten not found this the 5 day of May 1862

J. G. Neal Sheriff
of Rodaway County Mo

the within named James Whitten not
found this the 5 day of May 1862

J. G. Neal Sheriff
of Rodaway County Mo

Geo. W. Mann

or

Max. Lee

Plt. Spear

William Mann

Henry Coover

James Whitten

Abraham West

James, Ellis

J. P. Coover

Mrs. J. P. Coover

Sherriff fee \$2.00



STATE OF MISSOURI, }
County of Nodaway. } SS

The State of Missouri to

Geo. T. Allen and Gabriel Barnett

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the *15th* day of

May, 186*2* to give evidence in a controversy pending in said Court

between *Wm. Fisher the Plaintiff* and *Wm. Lee the Defendant*

Defendant on the part of

Witness hereof fail not at your peril.

WITNESS, JOHN C. TERBUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *15th* day of

May 186*2*

John C. Terburg, Clerk.

Served the within subpoena in Madison
County Mo by reading the same to the within
in presence of St Albin Jacob Wimsouth
and James Burnett this the 6 day
of May 1862

Y^{rs} Obedt
G. H. Beal
Sheriff of Madison County Mo

John H. Ward

or
Mr. Dea

Wm. W. W. W.

~~J. H. Ward~~

~~W. W. W.~~

~~W. W. W.~~

~~W. W. W.~~

~~W. W. W.~~

Jacob Wimsouth

St Albin

James Burnett

Sherriff for \$150

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

for the

Wm. Lewis Powell

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the

21st of

day of

May, 1862 to give evidence in a controversy pending in said Court between

John H. Ware

Plaintiff and

See above

Defendant on the part of

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this

3-4

day of

May

1862.

John C. Terhune, Clerk.

I served the within subpoena in Rodaway
Co. County Nw on the within named Mill
-iam P. Myatt this the 5th day of May
1862
of Rodaway County Nw

Sherrill Rodaway

Sherrill Rodaway

J. W. Grace
Sherrill Rodaway
Sherrill Rodaway
Sherrill Rodaway



STATE OF MISSOURI, }
County of Nodaway. } SS

The State of Missouri to

Samuel S

Kennedy

vs

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the

5th

day of

between *Mary*

, 186*2* to give evidence in a controversy pending in said Court

Plaintiff and

McCabe

Defendant on the part of

Defendant

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this

5th

day of

Mary

186*2*.

John C. Terhune Clerk.

I served the within subpoena by reading
the same to Samuel P. Kennedy within
Morgan in Rodaway County Mo
this the 5th day of May 1862

J. H. Beal
Sheriff of Rodaway County Mo

9th March
1862

Recd of MISSISSIPPI TO STATES

By Lt. James

Samuel P. Kennedy

Sherriff fee \$2.50

Sherriff of Rodaway



STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

William Wood Johnson Plaintiff
Robert Darnay & A. J. Jenkins Defendant

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the _____ day of _____

May, 1862 to give evidence in a controversy pending in said Court between _____ Plaintiff and _____ Defendant on the part of _____

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this _____ day of _____

May 1862
John C. Terhune, Clerk.

Served the within Subpoena in Rodaw
of County mo by reading the same to the
within named John Jackson William
Hatchum & J Jenkins the within named
Oratus Downing not found this the 6
day of May 1862. J G Bess Sheriff
of Rodaway County mo

J. G. Bess

Rec'd

Sept 6 1862

John Jackson

Wm Hatchum

Oratus Downing

J. S. Jenkins

Sherriff Rodaw \$175-

Sherriff Rodaway

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

J. J. Hall *vs* *James Comstock*

W. H. Stoddy Adams, Seaburn, Edwards & Applegate *vs* *James Smith*
we command you to be and appear, before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the _____ day of _____

May 1862 to give evidence in a controversy pending in said Court
between _____ Plaintiff and
John C. Terhune Defendant on the part of

John C. Terhune hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal
hereof affixed, at office, this _____ day of _____

1862

John C. Terhune, Clerk.

Arrest the within Suspecta in Rodaway
County Mo by reading the same to the
within named D J Hall Mr Commissioner
to B Hardisty Edward Stephenson & James
Smith this the 6 day of May 1862
G. J. Beal Sheriff of

Arrest the within Suspecta in Rodaway
County Mo by reading the same to Adm
Terkum this the 6 day of May of 1862
Per Henry Barrance

J. H. Moore

See list

W. H. Spoe

D. J. Hall

Commissioner

H. R. Standish

A. Turkum

Edw. Stephenson

James Smith

Must pay \$300

Henry Rodaway

In the roadway Circuit Court.

John A. Ware, Plaintiff
Against
Abe Lee, Defendant

Plaintiff by way of amended Petition in this cause by leave of court first had and obtained, states that, ^{defendant} at the county of roadway in the State of Missouri on the first ^{and on every day between that time of the commencement of this suit} day of October 1860, falsely and maliciously spoke and published of and concerning the Plaintiff in a certain conversation then and then heard concerning his defendant negro woman Clara, and her being with child, and who was the father of it, ~~the~~ following false, scandalous, slanderous, malicious and defamatory words, in answer to questions propounded to him, as follows - Old man Ware, (meaning the Plaintiff) is the father of Clara's child, so the negro says - Clara is with child and she Clara, says old man Ware is the father of it - "That Clara was pregnant," and she Clara had said that Mr. Ware (meaning Plaintiff) had come over in the day time and had fore ~~her~~ and that Mr. Ware, would be the father of said child. That said Clara was in the family way, and that old man Ware, (meaning Plaintiff, would be the father of the child, and that Clara said

So, that he knew nothing about it himself, but
so the nigger told it.

That he knew nothing himself about who was
the father of Clara's child, but the nigger
said old man Ware forced her, and would be
the father of it. That was all he could tell
about it.

That said negr woman Clara was with
Child, and that she Clara said old man Ware,
meaning Plaintiff, was the father of it.

That said Clara said that Mr. Ware had got
her with Child.

That said Clara told me that old man Ware,
meaning Plaintiff had gone to My (Defendants) house
and got her ^{said} negr woman with Child.

Thereby then and there falsely, scandalously, and
maliciously, charging, uttering and publishing said
false and slanderous words as coming from
his said negr woman Clara, with the intent
to shield himself from the responsibility of uttering
said slanderous words, and with the malicious intent
and design of deforming and injuring Plaintiff by
covert and indirect means, charges and iminations, and
thereby ~~charging~~ charging and intencing to charge by frequen-
tly and maliciously repeating said slanderous words,
the Plaintiff, who was then and then a
married man, and has a wife then living, with
committing adultery with said negr woman

Colorado, and foris her by committing a rape upon
her person.

By reason whereof Plaintiff says that he has
been damaged in the sum of Ten Thousand
dollars, and for which amount he prays
judgment

Amos Morris Grubb
Atty for Plaintiff

John H. Ware Plaintiff, makes oath
and says he believes that the foregoing
Petition and the matters therein stated
are true

John H. Ware

sworn to and subscribed before me this
6th day of May 1862

John C. Turhine
Clerk

18

In the Charltonay Circuit Court

John A. Ware
against)

vs
Lee

Amended Return

Filed May 6 1882
John E. Stebbins
Clerk

James Morris & Sons

John H. Ware, Plaintiff
Against
Ade Lee Defendant

In the Madaway County Circuit Court.
Defendant for answer to Plaintiffs Amended Petition
herein, Expressly Denies That at the County of Madaway
and State of Missouri; on the first day of October 1860
and on divers days between that time, and the commencement
of this suit, Falsely and Maliciously spoke and published
of and concerning the Plaintiff in certain conversations then
and there had concerning his Defendants Negro Woman Clara
and her being with child, and who was the Father of it,
The following false, scandalous, slanderous, malicious, &
defamatory words, in answer to questions propounded to
him, as follows, old man Ware (meaning the Plaintiff) is
the Father of Clara's child so the Negro says, Clara
is with child and she Clara says, old man Ware is the Father
of it, that Clara was pregnant, and she Clara had said that
Mr Ware meaning Plaintiff had come over in the day time
and had forced her, and that Mr Ware would be the
Father of said child, that said Clara was in the family
way, and that old man Ware meaning Plaintiff would be
the Father of the child, and that Clara said so, that
he knew nothing about it himself, but so the Negro
told it, that he knew nothing himself about who was
the father of Clara's child, but the Negro said old
man Ware forced her and would be the father of
it, that was all he could tell about it, that said
negro woman Clara was with child and that

She Clara said, old man Ware meaning Plaintiff
was the Father of it. That said Clara said that Mrs.
Ware had got her with Child, That said Clara told
me that old man Ware meaning Plaintiff had gone
to my Dependents House, and got her said Negro
Woman with Child. Dependunt Expressly Denies
that he then and there, falsely, Scandalously, and
Maliciously Charged uttered and published said false
and Slanderous Words, as coming from ^{his} said Negro Woman, Clara
with the intent to shield himself from the responsibility
of uttering said Slanderous words, and with the malicious
intent and design of defaming and injuring Plaintiff by
Covert and Indirect means, Charges and Insinuations and
thereby charging and intending to charge by frequently
and maliciously repeating said Slanderous Words that
Plaintiff who was then and there a married man and
had a wife then living, with committing adultery with
said Negro Woman, Clara, and forcing her by Coercion
a Rape upon her person. Dependunt further
answering Plaintiffs' petition herein, ~~Denies~~ that he at the
time alledged in Plaintiffs' Petition, ~~or~~ at any other
time spoke and uttered the words, ^{or any of them} as alledged and
charged in Plaintiffs' Petition Denies using towards
Plaintiff at any time any words or Language maliciously
or with intent to defame or injure the Character or
Reputation of the said Plaintiff or to injure or
defame Plaintiff in any way whatever -
Dependant Denies, that Plaintiff has been Damaged
in the sum of Ten thousand Dollars or in any
other sum whatever by Dependunt, Dependunt
having therefore fully answered Plaintiffs' Petition

Prays to be discharged with his costs in
his behalf Expended -

Jones & Heron
Attys for Defendant,

Noe Lee, Defendant, makes oath and says the above
and foregoing answer, and the matters as therein stated
he believes to be true - c/o Noah Lee

Sworn to before me on this the 28th day
of July A.D. 1862 -

John C. Terhune Clerk

No 18

Redaway Co. Co. Pa. 1862

John A. Mc

W. H. H. H.

See Lee

Andrew

Nov. 21 1862

Friday July 25th

1862 John W. H. H. H.

1862

James V. H. H. H.

John H. Wan }
vs } In Circuit Court Maryland
Noo Lee } County

And now comes the Plaintiff and moves
the Court to quash ~~and~~ or amend the
Sub bill issued in the above cause, ^{so far as the witnesses, and grand} for the
following causes -

- 1st Because that in said cause the
Witnesses claimed in more cases than
One, on the same days -
- 2^d Because the Witnesses claimed attul
-ances in a cause not on the ~~docket~~.
- 3^d Other causes
None in proper form

Chas 10 10

no

John N. Mans

or

James Lee

Proton to great

at
the bill

of
J. L. Moore 5 1862
John G. Johnson
Clerk

Man

att

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

Charles Walter James Secy

Just D. Sumner, My Sumner, Edward J. Stephens, & William Owens
we command you to be and appear before the Judge of our Nodaway Circuit Court at the

Court House in Maryville, in said Nodaway County, on the _____ day of _____

November, 1863, to give evidence in a controversy pending in said Court between *John M. Place* Plaintiff and *John M. Place* Defendant on the part of

Defendant hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this _____ day of _____

October 1863.

John C. Terhune, Clerk.

John H. Ware

Noah Lee

deft: Spa

Charles Patton

James de Leece,

Jacob F. Jennings X

Mary Jennings

Edward S. Stephens

William Overis.

Sheriff fee \$2.50

I served the within summons by reading
to Charles Patton James de Leece
Jacob F. Jennings Mary Jennings Edward S
Stephenson Will Swinford Sheriff
of Nodaway County Mo

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

James W. Smith, Perry B. Smith

John W. Davis, William W. Davis, Samuel Chapman, Mary Westland
we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the _____ day of _____

November, 1863 to give evidence in a controversy pending in said Court
between *John W. Davis* Plaintiff and *John W. Davis* Defendant on the part of

Defendant,

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with his seal

thereof affixed, at office, this _____ day of _____

October 1863.

John C. Terhune, Clerk.

I served the within by reading
James I Smith J C Smith John
Davis William H Davis Samuel
- Koffinger & Henry Woodard
done on the 26th day oct 1863
Wm Swinford Sheriff
of Kodaaway Co Mo

John H. Ware

vs

Stoak Lee
deft & ad

James I. Smith X

John C. Smith

John H. Davis X

William H. Davis X

Samuel Koffinger

& Henry Woodard X

Sheriff fee \$9.00

STATE OF MISSOURI, } ss
County of Nodaway.

The State of Missouri to

David D. Hall

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the _____ day of

November, 1863 to give evidence in a controversy pending in said Court between *John W. Place* Plaintiff and *Abraham Lee* Defendant on the part of

defendant

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal thereof affixed, at office, this _____ day of

October

1863.

John C. Terhune, Clerk.

~~Should the within suggest the~~
~~same as the within named~~
The within name J. T. Hall
is a fraud

Will Severford
Sheriff of Woodbury Co Mo

John G. Brown
As Sec
Frank Deane
Charles Deane
David O. Hall
Severford



State of Missouri
 County of Woodaway 3⁰⁰

The following is a true Tax Bill of the costs
 adjudged against John H. Ware in favor of Noah Lee
 in the case of John H. Ware against Noah
 Lee. at the May Term of the Circuit Court of
 Woodaway County Mo. for the year 1862 Viz—

Clerks fees Testames Docketing & Index case ord post Docket ³⁰ 8.00
 Swearing & entering Jury ⁷⁵ order leave to file am & Pet's ⁵⁰ 1.25
 Judg for costs ⁵⁰ Taxing costs ²⁵ Issuing 18 Spd ⁹⁰⁰ 9.75
 Swearing 35 Witnesses 5^c each 2.95

Sheriffs fees Beals

Serving 70 Subpoenas 50^c each 35.00

Returning 7 Non Ests ¹⁷⁵ Calling 71 Mt ^{3.50} Calling Cust ¹⁰ 5.40

Summoning Jury ⁷⁵ Calling same ²⁵ 1.00

Witnesses fees Henry Woodard 30 M 20 2.50

J J Hall 24 M 20 ²²⁰ Ambrose Lealvin 40 M 20 ³⁰⁰ 5.20

Charles Patten 30 M 20 ²⁵⁰ Jas Bailey 30 M 20 ²⁵⁰ 5.00

Gull Jacob Berman 30 M 20 ²⁵⁰ Jas L Lee 24 M 20 ²²⁰ 4.70

Samuel Martin 24 M 20 ²²⁰ Charles Levas 38 M 20 ²⁹⁰ 5.10

S Heflin 12 M 20 ¹⁶⁰ G. R. Hardesty 24 M 20 ²²⁰ 3.80

Joseph Baker 14 M 10 ¹²⁰ Jacob F Jennings 24 M 20 ²²⁰ 3.40

P Wansickel 30 M 20 ²⁵⁰ B. Wansickel 28 M 20 ²⁴⁰ 4.90

Jesse Massengale 30 M 20 ²⁵⁰ W H Griffith 14 M 20 ¹⁷⁰ 4.20

Jas Lealvin 38 M 20 ²⁹⁰ James F Ulm 24 M 10 ¹⁷⁰ 4.60

M^{rs} Owens 28 M 20 ²⁴⁰ John M Humes 32 M 20 ²⁶⁰ 5.00

Abram Mast 24 M 20 ²²⁰ Thos Madley 32 M 20 ²⁶⁰ 4.80

Virgil Myer 32 M 20 ²⁶⁰ Geo Shanklin 20 M 20 ²⁰⁰ 4.60

James Braddy (Page Co) 4 M 20 4.00

Gas Ellis 24 ^m 2	²²⁰	G. M. Nash (Page Co) 40 ^m 2D	⁴⁰⁰	6.20
W. M. Braddy (Page Co) 40 ^m 2D				4.00
J. T. Jones 24 ^m 2D	²²⁰	John Oaster 36 ^m 2D	²⁸⁰	5.00
Geo Carpenter 28 ^m 2D	²⁴⁰	Mildred Carpenter 28 ^m 2D	²⁴⁰	4.80
N M Husse 24 ^m 2D	²²⁰	Alex Gray 30 ^m 2D	²³⁰	4.70
J. C. Smith 36 ^m 2	²⁸⁰	Gas B. Prather 16 ^m 2D	¹⁸⁰	4.60
Mary J. Jennings 24 ^m 2D	²²⁰	Mrs (Hutchison) 1D	⁵⁰	2.70
Mr S Calvin 32 ^m 1D	²¹⁰	J. N Prather 16 ^m 2D	¹⁸⁰	3.90
John M Seaman sen 1 Day	⁵⁰	Wm Grigger 24 ^m 1D	¹⁷⁰	2.20
Hiram Markwell 14 ^m 2D	¹⁷⁰	Edward Stephenson 6 ^m 2D	¹³⁰	3.00
M Leoffman 34 ^m 2	²⁷⁰	Thos Parkey 30 ^m 2D	²⁵⁰	5.20
Le Leoffman 34 ^m 2	²⁷⁰	C. L. Leain 12 ^m 2D	¹⁶⁰	4.30
Gas Mayberry 36 ^m 2D	²⁸⁰	Gas Burnett 32 ^m 2D	²⁶⁰	5.40
Mrs Emerson 24 ^m 2D	²²⁰	Stephen Morhouse 24 ^m 2D	²²⁰	4.40
H Miles 40 ^m 2D	³⁰⁰	Gas W. Seaman 32 ^m 2D	²⁶⁰	5.60
H M McKingie 30 ^m 2D	²⁵⁰	W. V. Smith 24 ^m 2D	²²⁰	4.70
S. T. Kennedy 10 ^m 2D				1.50

Jury fees viz

A Ueland ⁵⁰	S Bran ⁵⁰	Joseph Ferris ⁵⁰	H B Davis ⁵⁰	2.00
R Leonway ⁵⁰	J W Morgan ⁵⁰	M Stingley ⁵⁰	H J Bickett ⁵⁰	2.00
S C Morlan ⁵⁰	W A. Daring ⁵⁰	H Alsberry ⁵⁰	L Michan ⁵⁰	2.00

Total amount, \$196.15

In Testimony whereof I John C Turburn
 clerk of said Court have hereunto set my
 hand and affixed my official seal at office
 in Maryville this 10th day of September
 AD 1862 John C. Turburn Clerk

Received on the within fee Bill Fifteen Dollars
& Twenty five Cents as costs for John C. Turbune
Clerk of Circuit Court this the 27th 1863

J. H. Beal Sheriff

of Wadaway Co Mo

Received of J. H. Beal Sheriff my fee in
full on the within fee Bill this the 27th
day of October 1863

John C. Turbune Clerk

~~the within Execution is Satisfied in full~~

the within fee Bill is Satisfied in full with
out offering the property Seized upon for Sale

J. H. Beal Sheriff
of Wadaway County Mo

demand for payment on the 16 day of September 1862
 received the within fee Bill this the 13 day of
 September 1862

J H Beal Sheriff
 of Nodaway County Mo
 Received on the within fee Bill Forty One dollars &
 forty cents (as my fee) this the _____ of January 1863
 J H Beal Sheriff

John M. Mann	244
J H Beal	14 75
Clarkson	41.40
Amidon	2.50
Henry Woodcock	2.20
J H Hall	3.00
Andrews	2.50
Charles Patton	2.50
James Bailey	2.50
Wm. J. Robertson	2.20
George L. Loper	2.20
Samuel Houston	2.50
Charles Jones	1.00
J. W. H. H.	2.20
W. R. Standley	1.20
Joseph Baker	2.20
George S. Pennington	2.50
J. P. Danavick	2.40
W. C. Danavick	2.50
W. C. Danavick	1.70
W. C. Danavick	2.90
W. C. Danavick	1.70
W. C. Danavick	2.40
W. C. Danavick	2.60
W. C. Danavick	2.20
W. C. Danavick	2.40

By virtue of the within writ or fee Bill I have levied upon
 all the right Title and Interest of the within named defen-
 dant John H. Ware Sr in and to the following described
 property lying and being in the County of Nodaway
 State of Missouri or so much thereof as will be sufficient
 to satisfy said writ or fee Bill with all costs to wit

Section 9 Township Range
 NW 1/4 of NE 1/4 of NE 1/4 of S 1/4 of T 3 R 35
 containing Two Hundred and Forty six acres more
 or less in Nodaway County Missouri this the
 9th day of October 1862

J H Beal Sheriff
 of Nodaway County Mo

The above described property was advertised to sell on
 the 3rd day of November 1862 their being no Court
 on said day the same was not offered for sale

Virgil Myer	2.60
John Shanklin	2.00
Gas Braddy (Page Co)	4.00
Gas Ellis +	2.20
G. M. Nash (Page Co) +	4.00
W. M. Braddy (Page Co)	4.00
J. J. Jones	2.20
John Oaster	2.80
George Carpenter	2.40
Mildred Carpenter	2.40
N. M. Hulse	2.20
Alexander Gray	2.50
J. O. Smith	2.80
Gas B. Prather	1.80
Mary Jane Jennings	2.20
Wm Hutchison	.50
Mrs S. Cairn	2.10
J. A. Prather	1.80
John M. Seaman	.50
Wm Lorigger	1.70
Hiram McKimell	1.70
Edward Stephenson sen	1.30
Thas Parkey	2.50
Nikias Koffman	2.70
Lewis Koffman	2.70
C. L. Cairn	1.60
Gas Mayberry	2.80
Gas Burnett	2.60
Wm Emerson	2.20
Stephen Morehouse	2.20
Henry Hiles	3.00
Gas M. Seaman	2.60
Ch. M. McKimie	2.50

5. continued

Wm V Smith	2.20
S. T. Kennedy	1.50
Jury fees viz	
Alex Beland	.50
S. Beam ^{.50} Joseph Ferris ^{.50}	1.00
H B Davis ^{.50} R Leonway ^{.50}	1.00
J W Morgan ^{.50} M Stingley ^{.50}	1.00
H. J. Bickett ^{.50} S C Moran ^{.50}	1.00
W A Dering ^{.50} H Alsberry ^{.50}	1.00
H L Micham ^{.50}	.50

Total Amount \$196.15

This fee Bill 75

\$196.90

To Sheriff of Nodaway
County Missouri

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to *Simon Hall, Sheriff Nodaway, vs*

Jessie Lee Stark, Henry Deal

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the 14 day of

November

1863

to give evidence in a controversy pending in said Court

between

John McNamee

Plaintiff and

Wash. Dees

Defendant on the part of

Shirley

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this

3rd

day of

November

1863.

John C. Terhune, Clerk.

John H. Ware

or

Josh Speer

Wm. W. W.

Solomon Shell

Amos Graham

Adam Terhune

George Nash

Henry Nash

Amount \$200
per

I served the within by reading the same
to Solomon Shell Amos Graham
and Adam Terhune Nov 3rd 1868
also on George Nash Nov 4th 1868

Wm. Swinford Sheriff
by William Tignor Deput

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

Joseph M. Alexander,

George W. Pratt, Plaintiff
vs
James H. Pratt, Defendant
we command you to be and appear before the Judge of our Nodaway Circuit Court at the
Court House in Maryville, in said Nodaway County, on the 4th day of

November, 1863, to give evidence in a controversy pending in said Court
between John H. Pratt Plaintiff and

Mathias Lee Defendant

Plaintiff

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this

4th day of

Nov 3

1863.

John C. Terhune, Clerk.

John M. Ware
or

Orbach & Sons
No 115 N. 3rd St

Joseph E. Alexander

George W. Shack,

Geoff Taylor,

H. H. Ware

John O. Ware &

Thomas J. Ware

Thompson & Sons

I served the within named parties
within named parties by mailing
the same to them on this 2nd day
of November 1863 in Andover Co Me
Will Sturford
Sheriff of Andover Co Me

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to *J. Terhune*

we command you to be and appear ^{for the writ} before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the *4th* day of

Nov, 1863 to give evidence in a controversy pending in said Court between *John H. Gray* Plaintiff and *John A. Lee* Defendant on the part of

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this *4th* day of

1863.

John C. Terhune, Clerk.

John H. Howe
vs

Wash Snow

Depts Apce

J. Stephens

Shropshire #57

I proved the within by reading
the same to within named
Adam Stephens in Rodaway Court
on the 2^d day of November 1863

Wm Crawford
Sheriff of Rodaway Co Mass

STATE OF MISSOURI, } SS
County of Nodaway.

The State of Missouri to

John Barber &

vs *Geor Simpson & Geo's Exors*

we command you to be and appear before the Judge of our Nodaway Circuit Court at the Court House in Maryville, in said Nodaway County, on the _____ day of _____

Nov, 1863 to give evidence in a controversy pending in said Court between _____ Plaintiff and _____ Defendant on the part of _____

John A. Moore

Defendant on the part of

vs

hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal

thereof affixed, at office, this _____ day of _____

Nov 1863.

John C. Terhune, Clerk.

I served the writs named
John Palmer & Jacob Amson & others
in the County of Adair, Mo
this 4th day of November 1863

Will Crawford
Sheriff of Adair
County Mo

P. H. More
vs

John Lee

Allys Ma

John Palmer &

Jacob Amson & others

Wm Emerson.

Sheriff fees \$1.00
-docket 25

The writs named Wm Emerson
not found this 4th day of November
AD 1863.

Will Crawford
Sheriff of Adair Co Mo

John H. Ware

vs
Noe Lee

1st. Plaintiff moves the court to instruct the jury, that if they believe from the evidence, that defendant spoke of and concerning Plaintiff, the words charged in said Petition, or the substance thereof - or substantially any charge as set forth therein, with the intent to shield himself from the responsibility of uttering the same, by saying that his negro Clara, had so said, and with the design of defaming and injuring Plaintiff thereby, then the law implies malice, and the jury must find for the Plaintiff -

2nd. If they believe from the evidence that defendant maliciously repeated said slanderous words, with the intent to defame said Plaintiff, and injure his reputation, then such fact may be considered by them in aggravation of damages -

3. That Plaintiff's answer denies that he ever spoke any of the words a charge in Plaintiff's Petition

Ques

4

That. The term neighbors does not merely mean those who live immediately around him, but also those with whom he associates and who are ^{well} acquainted with him -

John H Ware

vs

Noe Lee

Defendant asks the Court
to instruct the jury ~~that~~

1st If they believe from the evi-
-dence that the defendant spoke
the ~~word~~ words as charged in plain-
-tiff's petition or any ~~of~~ of them
they still cannot find for plain-
-tiff unless they ^{believe from the} ~~said word~~ evi-
-dence ~~shows~~ that such words
were spoken maliciously and
with the intention to injure
plaintiff

2nd If the jury believe from
the evidence that the words
spoken by defendant or the
substance of ~~the~~ ~~the~~ them
were that his, defendant's, negro
woman said that plaintiff
had got her with child and
that such words were used in
conversation with others without
any ~~any~~ intention to injure plaintiff
they will find for defendant

3rd If the jury should find for plaintiff they can only find such amount as they may believe from the evidence the plaintiff has been injured in his reputation, and in determining this ~~thing~~ the jury will take into consideration the general character of the plaintiff amongst his neighbors before and since the words used by the defendant were uttered

No. the long price for the 1. per done

Ad. Thompson }
} Tomorrow

Wm. Lambton

Washington Downing

Joseph de Beaufort

Samuel Proctorham

Staac Wallace

E. B. Arden

Leel Griffiths

Ed. S. Arden

Erastus Downing

Proctor & Reed

and the court further finding that the words of attachment issued
therein has been service on the 1st of Dec 27 twenty seven
To (62) Range 35, also North East South E pr 25 400 acres

described

Wm

Return to box No. 18

File No. 49

John H Ware
vs
Noe Lee,
