

Rodaway County Circuit Court  
Circuit - Civil  
Term - April 1861

Box 6 File 77

John H. Ware

v

Martin Noffsinger

Box 18 File 61

see also Box 6 File 76

SLANDER - DAMAGES \$10,000.00, 10 Sept 1860 - Noffsinger said that Noe Lee's slave  
Clara, was with child + "old man" John Ware was the father. Clara tells it so  
+ I (Noffsinger) believe it, "he is a damned sneaking old cuss + it is just like him."

Slave

John W. Ware Plaintiff  
against  
Martin Hoffinger Defendant

In the Circuit Court  
Nodaway 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 grievances ~~as~~ 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 <sup>and maliciously</sup> wickedly 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 acquaintances, 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 hereinafter 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 first day of December A.D. 1860 at the County ~~at the County~~ 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, Mr Lee's negro woman is with child, and (old man Ware) meaning

the plaintiff is the father of it (meaning the child of which she the said negro woman was then and then pregnant, meaning that said plaintiff had had sexual intercourse with said negro woman.

2<sup>d</sup> Plaintiff further states that on the first day of December in the year one thousand eight hundred and sixty and on divers other days between that, and the first day of April one thousand eight hundred and sixty-one, at the county aforesaid, and in the presence and hearing of divers persons, the defendant spoke the following false and slanderous words concerning the plaintiff, that is to say - Lees negro woman is in the family way (meaning that said negro woman was pregnant) and that old man War (meaning the plaintiff) was the father of the child of which she the said negro woman was then and then pregnant, at all events she the said negro woman tells it so, and I believe it, meaning said plaintiff has had sexual intercourse with Lees negro woman.

3<sup>d</sup> Plaintiff further states that on the 1<sup>st</sup> day of December in the year 1860, and on divers other days between that day and the 1<sup>st</sup> day of April in the year 1861, at the County aforesaid, and in the presence and hearing of divers persons, the defendant spoke the following false and slanderous words concerning the plaintiff, that is to say, (Old War) meaning the plaintiff has had sexual intercourse with Lees negro woman, and the result is (she) (meaning Lees negro woman) (is) with child, and he meaning the plaintiff is the father of it, meaning that said Lees negro woman plaintiff has had sexual intercourse with Lees negro woman and the result of said intercourse is she said negro woman is pregnant by him - By means of the speaking the aforesaid false, malicious, and slanderous words, plaintiff says he is damaged ten thousand dollars for which he prays Judgment.

John H. Ware in  
Pro pri personam

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

John H. Ware Jr  
I swore to and subscribed before me this 5<sup>th</sup> day of  
April 1861 -

Jas. B. Patten Clerk

~~Sept 19~~  
Dec 19

John H. Ware

vs

Martin Hoffmann

Petition

Filed April 5<sup>th</sup> 1861  
Jas. B. Watson Clerk

Ware vs  
Hoffmann

John H. Ward Plaintiff

Against

Marlin Koffinger Defendant

In the Circuit Court

Madison 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 herein after mentioned was always respected, esteemed, and accepted by and amongst all his neighbors and acquaintances to whom he was in any ~~way~~ <sup>wise</sup> 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 herein after 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,

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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 malicious 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 acquaintances 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 hereinafter 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 first day of December A.D. 1860 at the County 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 defendant plaintiff, the false scandalous, malicious and defamatory words following, That is to say Mr Lees negro woman is with Child and (old man ware) meaning the plaintiff is the father of it, (meaning the Child of which she the said negro woman was then and there pregnant, meaning that said plaintiff had had sexual intercourse with said negro woman,

Plaintiff further states that on the first day of December in the year One thousand eight hundred and sixty and on divers other days between that and the first day of April One thousand eight hundred and sixty one at the County aforesaid and in the presence and hearing of divers persons the defendant spoke the following false and slanderous words concerning the plaintiff, That is to say - Lees negro woman is in the family way (meaning that said negro woman was pregnant) and that Old Man Ware (meaning the plaintiff) was the father of the Child of which she the said negro woman was then and there pregnant, at all events she the said negro woman tells it so, and I believe it, meaning said plaintiff has had sexual intercourse with Lees negro woman -

Plaintiff further states that on the 1<sup>st</sup> day of December in the 1860 and on divers other days, between that day and the 1<sup>st</sup> day of April in the year 1861 at the County aforesaid, at the County aforesaid, and in the presence and hearing of divers persons, The defendant spoke the following false and slanderous words concerning the plaintiff, That is to say (Old Ware) meaning the plaintiff has had sexual intercourse with Lees negro woman, and the result is (she) (meaning Lees negro woman) (is) with Child, and he meaning the plaintiff is the father of it, meaning that said plaintiff has had sexual intercourse with Lees negro woman and the result of said intercourse is she said negro woman is pregnant by him. By means of the speaking the aforesaid malicious, and slanderous words plaintiff says he is damaged ten thousand Dollars for which he prays judgment  
John A Ware in Proprii persona

John A. Ware Plaintiff makes oath and says the above  
petition and the matters as therein stated he believes to be true

John A. Ware Jr

Sworn to and Subscribed before me this 3<sup>rd</sup> day of April 1861

Jas. B. Prather Clerk

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

Martin Hoffinger

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 9<sup>th</sup> day of April 1861

Jas. 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

Martin Hoffinger

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

Hereof I will not and have you then and there this 11<sup>th</sup> day

Witness, James B. Prather, Clerk of said Court, with the Seal thereof  
affixed at office, in Maryville, this 9<sup>th</sup> day of April 1861

Jas. B. Prather

Clerk.

~~John H. Ward~~ Equal 19  
John H. Ward

as  
Martin Koffinger

Copy & writ  
Sherriff of the \$1/02

Return

I J. M. G. Sheriff of Rodaway County Missouri do certify  
that I Executed the within Petition & writ by delivering a  
certified copy of the Petition & writ to the within named  
Martin Koffinger on the (8<sup>th</sup>) Eighth day of April 1861 done  
in Rodaway County Missouri J. J. M. G. Sheriff of Rodaway  
County Missouri



John H. Ward Plaintiff  
against  
Martin Hoffeinger Defendant

In the Nodaway Circuit Court

Plaintiff for amended Petition states that the Defendant at the County of Nodaway in the State of Missouri on the 1<sup>st</sup> day of October 1860 falsely and maliciously spoke and published of and concerning the plaintiff who then was and still is a married person, and having a wife living the following false, slanderous defamatory and malicious words that is to say, *Ses Negro woman is with child, and old man Ward (the Plaintiff meaning) is the father of it* thereby meaning that the child of which said Negro woman was pregnant was the child of Plaintiff, and that Plaintiff had had sexual intercourse with said Negro woman, and had been guilty of committing adultery with said Negro woman. By reason whereof Plaintiff says that he has been damaged in the sum of ten thousand dollars and for which amount he prays Judgment

Second Count

Plaintiff further states that Defendant at the County of Nodaway in the State of Missouri on the 5<sup>th</sup> 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 Clara, Ses negro woman is in the family way, and old man Ward (the plaintiff meaning) is the father of it (meaning the child of which said Clara was then pregnant) any how shu the Negro woman tells it so, thereby thas and thas mean- ing that the Plaintiff has had sexual intercourse with said Negro woman, and had been guilty of committing adultery with*

- her - By reason whereof Plaintiff says that he has been damaged  
in the sum of ten thousand dollars, and for which he  
Judgment is prayed

Third Count-

Plaintiff further states that defendant at the County  
of Wodaway in the State of Missouri on the 10 day of September  
1860 falsely and maliciously spoke and published of and concern-  
-ing the plaintiff who was then and still is a married person and  
having a wife living the following false scandalous, defamatory  
and malicious words, that is to say, Old man War (the Plaintiff  
meaning) has been running after Lee's Negro woman Clara, and  
she meaning said Negro woman is in the family way by him  
them and thereby meaning that said plaintiff had had sexual  
intercourse with said Negro woman, and the result of said in-  
tercourse was that she was pregnant by him (meaning the  
Plaintiff) at all events she the Negro woman tells it so and I  
(meaning the defendant) believe it, Thereby then and there  
meaning and charging that plaintiff had had sexual inter-  
course with said Negro woman, and had been guilty of committing  
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

W. H. P. P. P.

Atty for Plaintiff

John H. War the plaintiff makes oath and says he believes that  
the matters and things as stated in the foregoing petition are true  
John H. War

Sworn to and subscribed before me this 30 day of April 1861  
Jas B Roster Clerk

Trial No 17

John H. Ware  
vs  
Martin Hoffmann  
Amended Petition

Filed April 30<sup>th</sup> 1861  
J B Prater Clerk

Ware in prison  
for 10 years  
off city.

John H Ware Plaintiff  
Against  
Martin Hoffinger Defendant  
In the Holladay Circuit  
Court

Defendant for answer to  
to the first Count of Plaintiffs petition  
denies that at the County of Redaway in  
the State of Missouri on the 11<sup>th</sup> day of October  
1860, or at any other time or place, he  
falsely and maliciously spoke<sup>d</sup> and published  
of concerning the Plaintiff the words therein  
charged - Denies that at the time and  
place aforesaid or at any other time or place,  
he stated of and concerning Plaintiff that  
"Lee's Negro woman is with child, and old man  
Ware (the Plaintiff meaning) is the father of it  
thereby meaning that the child of which said  
Negro woman was pregnant was the child of  
Plaintiff, and that Plaintiff had sexual  
intercourse with said Negro woman, and  
had been guilty of committing adultery with  
said Negro woman". Defendant  
denies said allegation in toto - Denies  
that he ~~used~~ spoke of and concerning  
the Plaintiff the words, ~~so~~ or words of  
the purport charged as aforesaid, or that  
Plaintiff has been injured by any words  
spoken by him in any sum whatever

In answer to the second Count  
of Plaintiffs petition Defendant denies  
that at the County of Redaway in the State  
of Missouri on the 5<sup>th</sup> day of October 1860

or at any other time or place he ~~spoke~~  
spoke of and concerning plaintiff the  
words charged in said second Count, that  
is to say that "Clara, Lee's Negro woman  
is in the family way and old man Ware  
(the plaintiff meaning) is the father  
of it (meaning the child of which said Clara  
was then pregnant, any how she the  
Negro woman tells it so, thereby then & there  
meaning that the plaintiff has had sexual  
intercourse with said Negro woman, and  
had been guilty of committing adultery with  
her". Defendant denies that he ever  
used the language so charged or language  
of such purport of and ~~con~~ or concerning  
the plaintiff, and denies that plaintiff  
has been damaged by any such language  
used by him in the sum of ten  
thousand dollars or in any other  
sum.

For answer to the third  
Count of plaintiff's petition defendant  
denies that he did on the 10<sup>th</sup> day of  
September 1860, at the County of Madawasky,  
or at any other time or place, falsely  
and maliciously speak of and concerning  
the plaintiff any false, scandalous,  
defamatory or malicious words as stated  
in said third Count - denies that he  
spoke of and concerning plaintiff the  
following words, that is to say; "Old man  
Ware (the plaintiff meaning) has been  
running after Lee's Negro ~~woman~~ woman,  
Clara, and the meaning said Negro

woman, is in the family way by him —  
then and thereby meaning that said plaintiff had  
had sexual intercourse with said Negro woman,  
and the result of said intercourse ~~with said~~  
~~Negro woman~~ was that she was pregnant by him  
(meaning the plaintiff). At all events she, the Negro  
woman tells it so and I (meaning the defendant)  
believes it; thereby and then meaning and charging  
that plaintiff had had sexual intercourse with  
said Negro woman and had been guilty of committing  
adultery with her". Defendant denies that he  
ever used, of and concerning the plaintiff, the  
language aforesaid or words of such import — denies  
that he ever in any manner stated as a fact, directly  
or indirectly, that plaintiff had had sexual intercourse  
with said Negro woman Clara, or that said  
Negro woman was with child by him, and denies  
that plaintiff has been injured in the sum of ten  
thousand dollars or in any other sum by any  
statements made or words used or published  
by him, the defendant. *H*

Jones & Thoroughman  
attys for deft.

Martin Proffinger, the plaintiff, makes  
oath and says that he believes the foregoing  
and answer and the matters therein as stated  
are true

Christian Kopping

Subscribed and Sworn to before me  
this 20<sup>th</sup> day of August 1861

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

John H. Ware  
of  
Martin Hottelinger

Answer

Filed this 20<sup>th</sup> day of  
August 1861  
James B. Barber  
clerk  
by C. B. O. C.

State of Missouri }  
County of Adair } S.S.

The State of Missouri to  
Peter Vansickle & William Cens.  
William Krigger. = Thomas A. Brown  
of Eugene Carpenter & C. R. Hagerduty  
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 5<sup>th</sup> day of May 1862  
to give evidence in a controversy  
pending in said Court between  
John H. Ware Plaintiff and  
Martin Hoffinger Defendant  
on the part of the Defendant herof  
fail not at your peril.

Witness John C. Terhune Clerk  
of said Court with the Seal thereof  
affixed at office this 26<sup>th</sup> day of  
March A.D. 1862 John C. Terhune

*J. C. Terhune*



served the within Subpoena on Thomas A Brown within  
named by reading the same to him in Rodaway County  
Mo this the 30<sup>th</sup> of April 1862. J H Beal Sheriff

On A S Bickett Dpt  
of Rodaway County Mo

John H. Clark

Wesley H. Springer

John Spa

John Warwick

William C. and

Mrs. Conger

Thos. A. Brown

George Carpenter

J. H. B. Mardis

Sherriff fee \$3.00

J H Beal Sheriff  
of Rodaway County Mo

Sherriff of Rodaway Co Mo

I served the within Subpoena on the within named William  
Conger and George Carpenter by reading the same to them in  
Rodaway County Missouri this the 12 day of April 1862.  
also the within Subpoena on the within named J H Beal Sheriff by  
reading the same to him in Rodaway County Missouri this  
the 16 day of April 1862. also on the within named  
ed Peter Hancock and William C. Conger by reading the same to them  
in Rodaway County Missouri this the 23 day of April 1862.

State of Virginia  
County of Rockaway 3 18

The State of Virginia to  
Stephen Moore James William &  
Smith James B. Walker & James W.  
Walker, Me. Command your to be and  
appear before the Judge of our Rockaway  
County Circuit Court at the Court House  
in Manassas in said Rockaway County on  
the 5<sup>th</sup> day of May 1862 to give evidence  
in a controversy pending in said Court  
between John D. Craig Family  
and Martin H. Springer Defendant -  
Whereof said suit is your petiti.

Witness John L. Stephens Clerk  
of said Court the last Term of said at  
Office this 29<sup>th</sup> day of March A.D. 1862  
John L. Stephens Clerk

John H Ware  
D/S  
Martin Kaffoiger

~~And~~  
Dfts ~~W. H. H. H.~~  
Stephen Morgan  
William V Smith  
Jos B Prather  
Isaac N Prutter

Sheriff fee \$2.00

Sheriff Rodan Co

I served the within subpoena on the within named Stephen Morgan  
-pursue by reading the same to him also on James B Prather by me  
acknowledging service of the same in the first day of April 1862  
in Rodan County Missouri  
Also on the within named J B Prather in Rodan County Missouri  
by his acknowledging the same this the 5 day of April 1862  
Also on the within named W V Smith in Rodan County Missouri  
this the 15 day of April 1862  
by reading the same to him this the 15 day of April 1862  
J B Prather Sheriff of  
Rodan County Missouri

State of Missouri 2  
County of Adair 3 S.S.

The State of Missouri to  
James T. Smith Ambrose Lebovin Bernard  
Thomas & John H. Favens

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 3<sup>rd</sup> day of May 1862  
to give evidence in a controversy pending  
in said Court between John H. Ware  
Plaintiff: and Martin Paffinger 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 29<sup>th</sup> day of March  
AD 1862 John C. Terhune Clerk

I served the within subpoena in Wadaway County Missouri  
on the within named James S Smith and John H Furness by  
reading the same to them this the 22 day of April 1862

also on the within named Ambrose Colvin by reading  
the same to him in Wadaway County Mo this the 23  
day of April 1862

The within named Bernard Thomas not found in my County this the  
30<sup>th</sup> day of April 1862

John A. Gray  
U.S.  
Sheriff's Deputee  
J. H. - [unclear]  
James S. Smith  
Ambrose Colvin  
Bernard Thomas  
John H. Furness  
Bernard Thomas  
Sheriff's Deputee

Sheriff Wadaway Co Mo

State of Missouri  
County of Nodaway 3d

The State of Missouri to  
Harrington McKinzie William  
Emmerson R. R. Russell & Samuel  
Martin

We command you to <sup>be and</sup> appear before  
the Judge of our Nodaway Circuit  
Court at the Court House in Maryville  
in said Nodaway County on the 5<sup>th</sup> day  
of May 1862 to give evidence in a  
controversy pending in said Court  
between John H. Ware Plaintiff  
and Martin Koffinger defendant  
on the part of the defendant

Hereof fail not at your peril

Witness John C. Turhune Clerk  
of said Court with the Seal thereof  
affixed at office in Maryville  
this 1<sup>st</sup> day of April 1862  
John C. Turhune Clerk

I served the within Subpoena on the within named Hooring  
ton Mc Kingie and Samuel Martin by reading the same to  
them this the 5 day of April A D 1862 in Madaway County Missouri  
also on the within named William Emerson by reading  
the same to him in Madaway County Missouri this the  
15 day of April 1862

the within named R R Russell not found in my County Mo  
this the 30<sup>th</sup> day of April 1862

J H Beal Sheriff  
of Madaway County Mo

John H. Stone

Samuel Martin

Wm Emerson

Hoorington Mc Kingie

Wm Emerson

R. R. Russell

Samuel Martin

Sheriff fee \$1.75

Shirley W. Madaway & Co

State of Missouri  
County of Hodaway 3 D.S.

The State of Missouri to  
Being G. Fion James, W. Starnes  
James H. Saunders Edward Stephens  
& Washington A Griffith

We command you to be and appear  
before the Judge of our Hodaway Circuit  
Court at the Court House in Maryville  
in said Hodaway County on the 5<sup>th</sup> day  
of May 1862 to give evidence in  
a controversy pending in said court  
between John H Ware Plaintiff  
and Martin Koffinger 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 1<sup>st</sup>  
day of April 1862 John C Terhune  
Clerk



I served the within Subpoena on the within named  
Jonas M. Starnes James H. Saunders and Edward  
Stephenson by reading the same to them this the 5 day  
of April A.D. 1862 in Nodaway County Missouri  
also on the within named Bing G. Herd by reading the  
same to him in Nodaway County Missouri this the  
12 day of April 1862 also on Washington H. Griffith within named  
by reading the same to him in Nodaway County Missouri this the 16<sup>th</sup> day of April 1862

John H. Ware  
V.P.  
Martin A. Poffinger  
Deft. J. P.  
Bing G. Herd  
Jonas M. Starnes  
James H. Saunders  
Edward Stephenson  
& Washington H. Griffith

I. R. Beal Sheriff of  
Nodaway County Missouri  
Sheriff fees \$2.50

Sheriff Nodaway Co. Mo

State of Missouri's  
County of Howard 3 55

The State of Missouri to  
Thomas Wadley Stephen Jester  
John Trasper & Joseph Baker  
We command you to be and appear  
before the Judge of our Howard Circuit  
Court at the Court House in Maryville  
in said Howard County on the 5<sup>th</sup> day  
of May 1862 to give evidence in a contro-  
versy pending in said Court between  
John H Ware Plaintiff and Martin  
Kessinger 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 1<sup>st</sup> day of  
April 1862 John C. Terhune  
Clerk

I served the within Subpoena by reading the same to the within  
named Thomas Madley this the 7 day of April A.D. 1862  
in Wodaway County Missouri, also on the within named  
Joseph Baker by reading the same to him in Wodaway County  
Missouri this the 16<sup>th</sup> day of April 1862.

also on John Trasper within named by reading the same to him in  
Wodaway County Mo this the 25<sup>th</sup> day of April 1862.

the within named Stephen Jester not found in my County this the 30<sup>th</sup>  
day of April 1862.

John G. Mare

Marline Hoffmann

John A. Hays

Thos Madley

Stephen Jester

John Trasper

& Joseph Baker

Sherriff

J. H. Beal Sheriff  
of Wodaway County Mo

Sherriff Wodaway Co

STATE OF MISSOURI, } SS  
County of Nodaway.

The State of Missouri to

*Richard Carpenter & John James*

*George Carpenter*

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 5<sup>th</sup> day of

*May* 1866 to give evidence in a controversy pending in said Court between *John P. Moore* Plaintiff and

*Martha Hoffminger*

Defendant on the part of

*Samuel P.*

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* 1866

*John C. Terhune*, Clerk.

I served the within subpoena in Rodaway County  
Missouri on the within named Mildred Carpenter and  
John H. Harnes by reading the same to them this the 22<sup>d</sup>  
day of April 1862 also on the within named George  
Carpenter by reading the same to him this the 5<sup>th</sup> day of  
May 1862  
G. H. Beal Sheriff  
of Rodaway County Mo

John H. Harnes

VS

Martin Hoffinger

Plt vs Ana

George Carpenter  
Mildred Carpenter  
& John Harnes

Sheriff fee \$1.50

Sheriff of Rodaway Co

STATE OF MISSOURI, }  
County of Nodaway. } SS

The State of Missouri to

*Ernest Henry Piles & Son v. Brady*

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

between *May*

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

Plaintiff and

*John H. Moore* Defendant on the part of

*Stanley*

hereof fail not at your peril.

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

thereof affixed, at office, this

*26*

day of

1862.

*John C. Terhune*, Clerk.

Served the within subpoena on the within named Henry  
 Neal by reading the same to him in Rodaway County Mo  
 the 1<sup>st</sup> day of May 1862  
 also on the within named Charles Croft James  
 Bradley & Henry Giles by reading the same to  
 them in Rodaway County Mo this the 3<sup>rd</sup> day  
 of May 1862  
 J. H. Beal Sheriff  
 of Rodaway County Mo

Shuff of Rodaway Co

John W. Chase  
 Lewis  
 Martin & Henders  
 J. H. Beal  
 Henry Neal  
 Charles Croft  
 Henry Giles &  
 James Bradley  
 Shuff fee \$2.00



STATE OF MISSOURI, }  
County of Nodaway. } SS

The State of Missouri to

*E. B. McElhin* Just. Circuit Court & *George 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 \_\_\_\_\_ day of \_\_\_\_\_

*May*, 1862 to give evidence in a controversy pending in said Court between *Robert G. Ware* Plaintiff and *Martha Applegate* Defendant on the part of *Martha* hereof fail not at your peril.

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

thereof affixed, at office, this \_\_\_\_\_ day of \_\_\_\_\_

*April* 1862. *John C. Terhune*, Clerk.



served the within subpoena on the within named persons  
Thompson and E B Griffin by reading the same to  
them in Rodaway County New this the 2<sup>d</sup> day of  
April 1862 Per A. S. Rickett

also on Jacob Winsontaler within named by  
reading the same to him in Rodaway County New  
this the 1<sup>st</sup> day of May 1862 Per A. S. Rickett

also on M<sup>rs</sup> Griffith by reading the same  
to him in Rodaway County New this the  
5<sup>th</sup> day of May 1862 by J. Beal Sheriff  
of Rodaway County New

Sherrill of Rodaway Co

John W. Moore  
Martin W. Hanger  
J. W. Hanger  
M. W. Griffith  
E. B. Griffin  
Jacob Winsontaler  
Alonzo Thompson  
Sheriff for Rodaway



STATE OF MISSOURI, }  
County of Nodaway. } SS

The State of Missouri to

*Amos Drake John Carter & Edward Harris*

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

*May*, 186*2*, to give evidence in a controversy pending in said Court between *John C. Terhune* Plaintiff and

*Samuel Chapman* Defendant on the part of *Samuel Chapman* hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal thereof affixed, at office, this *26* day of

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

Served the within subpoena in Rodaway  
County Mo on the within named John  
Carter & Charles S Cain by reading the  
same to them this the 5 day of May 1862

Y 53 Beal Sheriff

Per A S Bickett Dpt  
of Rodaway County Mo

John H Ware

Martin Hoffmann

Dpt Spa

James Bailey

Simon Drake

John Carter &

Charles de Cain

Sheriff fee \$1.75

Sheriff of Rodaway Co

Served the within subpoena in Rodaway  
County Mo on the within named James the  
5 day of May 1862  
by reading the same to him the  
within named John the 5 day of May 1862  
Y 53 Beal Sheriff

STATE OF MISSOURI, }  
County of Nodaway. } SS

The State of Missouri to

*See below Maryley B. Canavickle & John Canavickle*

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 5<sup>th</sup> day of

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

between Johny St. Grace Defendant on the part of Martin Hoffmann Plaintiff and Clark Defendant on the part of

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

thereof affixed, at office, this 26<sup>th</sup> day of

April 1862,

John C. Terhune, Clerk.

Served the within subpoena in Rodaway  
County Mo by reading the same to the within  
named James Burnett Gibbons  
Manly B Mansieck & Peter Mansieck  
this the 5 day of May 1862 y<sup>e</sup> Beal Sheriff  
of Rodaway County Mo

John G. Mace  
18

Marion J. Longman

W. H. S. S. S.

James Burnett  
Gibbons Manly

B. Mansieck &

Peter Mansieck

Sheriff's Fee \$2.00

Shirley's Rodaway Co



STATE OF MISSOURI, } SS  
County of Nodaway.

The State of Missouri to

*George Cook* vs. *Leavern & Ebenezer Leavern*  
*vs. Brackley*

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 *fifth* day of

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

*Warding Hoopfinger* Defendant on the part of  
*Family* hereof fail not at your peril.

WITNESS, JOHN C. TERHUNE, Clerk of said Court, with the seal thereof affixed, at office, this *26* day of

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

Served the within subpoena in the within named  
J P Coover by reading the same to him in road  
away County Mo this the 28<sup>th</sup> day of April 1862  
Miss J P Coover within named not found  
this the 3<sup>rd</sup> of May 1862

Geo. S. Bickett Apt  
J. B. Beal Sheriff

Geo. S. Bickett  
of Howard County Mo

John. H. Ware  
Martin H. Springer

Wm. J. Fox

Wm. Bradley  
George A. Smith

J. P. Coover &  
Wm. J. Coover

Amount due \$175-

Shugart, Howard Co

Served the within subpoena in the within named  
J P Coover by reading the same to him in road  
away County Mo this the 28<sup>th</sup> day of April 1862  
Miss J P Coover within named not found  
this the 3<sup>rd</sup> of May 1862

STATE OF MISSOURI, } SS  
County of Nodaway.

The State of Missouri to

*Thomas Banks* *John St. Louis & Isaac Hancock*

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

*Martha Chapman*  
*David*

hereof fail not at your peril.

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

1862.  
*John C. Terhune*, Clerk.



serve a tho within Pulaskia in Proctoring Lou  
nty Mo on the within named George  
- Manly by reading the same to him also  
on the within named John H Davis by read  
ing the same to him also on Thomas Parkley  
& Jesse Marrisonale by reading the same to  
them this the 5 day of May 1842  
J. B. Beal Sheriff  
of Proctoring County Mo

John B. Ware  
N.S.

Martin Hoffmeyer

J. H. Spear

George Manly

Thos Parkley

John H Davis

Jesse Marrisonale

Shrill for \$200

Shrill of McLanney Co

STATE OF MISSOURI, }  
County of Nodaway.

The State of Missouri to James Bailey, Geo Ellis

James Mabry, John Amey and Henry Stiles

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 \_\_\_\_\_

W. Hoffminger  
John A. Ware hereof fail not at your peril.

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

thereof affixed, at office, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ 1862.  
\_\_\_\_\_ Clerk.

Served the within subpoena in Rodaway  
County Mo. by reading the same to the within  
named James Bailey James Ellis  
James Maberry John Furness & Henry Heiles  
this the 5<sup>th</sup> day of May 1862 J. B. Al Sheriff  
of Rodaway County Mo

W. Lane

cc

W. C. Hoffminger  
J. J. Spencer

James Bailey

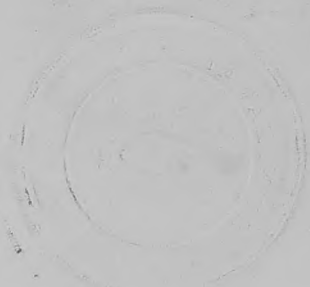
James Ellis

James Maberry

John Furness

Henry Heiles

Sherriff fee \$2.25



STATE OF MISSOURI, } SS  
County of Nodaway.

The State of Missouri to Charles Lewis Gengerbach

*James Brady and William Brady* <sup>for Plaintiff</sup> *vs* *William Brady & McCallister*  
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 \_\_\_\_\_

between \_\_\_\_\_, 1862 to give evidence in a controversy pending in said Court  
*James* Plaintiff and  
*William A. Trace* Defendant on the part of

*Wm A. Springer* Plaintiff  
hereof fail not at your peril.

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

1862  
*John C. Terhune*, Clerk.

Served the within subpoena in Rodanog County  
to me by reading the same to the within named  
Charles Drop George Wash James Braddy  
William Braddy & Andrew McCollister  
this the 5 day of May 1862 J H Bed Sheriff  
of Rodanog County Mo

From  
J H Bed  
Charles Drop  
George Wash  
James Braddy  
Wm Braddy  
Andrew McCollister  
Money for \$225



STATE OF MISSOURI, }  
County of Nodaway. SS

*Wm's Commers* The State of Missouri to *Shadrach Mack Matthews*  
*vs* *Asst. Sur. Lewis Koppinger* *vs* *Henry Stiles West Gray*  
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 *Wm's Commers* Plaintiff and  
*Asst. Sur. Lewis Koppinger* 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

186*2*.

day of

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

Served the within subpoena in road away County Mo  
by reading the same to the within named Abraham  
West Matthias Coffman Lewis Coffman  
Henry Giles Alexander Gray & William  
Emmerson This the 5 day of May 1862  
J. B. Beal Sheriff  
of Road away County Mo

John A. Mann

W. H. Springer

J. A. Stephens

Abraham West

Matthias Coffman

Lewis Coffman

Henry Giles

Alex Gray

Wm Emmerson

Sherriff fee \$5.00



In the Nodaway Circuit Court

John H. Ward Plaintiff

against

Martin Hoffinger 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 Nodaway in the State of Missouri on the 1<sup>st</sup> day of October 1866 and on divers days and times between that day and the commencing of this suit, falsely and maliciously spoke and published of and concerning the Plaintiff in certain conversations then and there held concerning our Negro woman named Clara, the property of our Noe Lee and concerning her being with child, and giving birth to a white child the false slanderous, and defamatory words to wit - There is a prospect of an increase in Mr Lee's family colored family, (meaning Noe Lee and the woman (meaning Clara) said Noe Lee Negro woman, says it is ~~daddy Wards~~ <sup>the said Clara</sup> will be a white one, and she also says it is daddy Wards meaning the Plaintiff - and I believe it, look how he has been ~~uttering~~ <sup>propitiously</sup> claims and my ears, he is a damned sneaking old leech, and it is just like <sup>she</sup> says she Clara, Noe Lee Negro woman, is in the family way, and daddy Ward, meaning the Plaintiff <sup>is</sup> will be the father of said child so the neighbors ~~say~~ <sup>mean</sup> Negro woman said he did not know any thing about it himself.



That he did not know anything about it himself but that said Negro woman (Clara meaning) says that she is in the family way and old man Wan meaning (the Plaintiff meaning) will be the father of it -

Thence then and thence falsely scandalously and maliciously charging uttering and publishing said false and slanderous words as coming from 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 thence charging and intending to charge by frequently and maliciously repeating said slanderous words, the Plaintiff who was then and then a married man and had a wife living with committing <sup>Adultery</sup> with said Negro woman Clara -

By reason whereof Plaintiff says he has been damaged in the sum of ten thousand dollars and for which amount he prays Judgment  
John H. Wan

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

John H. Wan  
Sworn to and subscribed before me this 24th day  
of May 1862  
John C. Terhune  
clerk

John H. Ware

v

Martin Hoffmann

Quincus Potter

J. Lee May 6 1862

John C. Terhune  
clerk

Ware

Return to box No. 18

File No. 61

John H. Ware  
vs  
Martin Hoffinger,

~~Return to box No.~~

~~File No.~~