Precipes for Writs of Error 1840s 69/13

These are precipes
without parent cases.

The State of Missouri

To the Judge of the Circuit Court for the County of Clay Greeting: Whereas it hath been suggested to us by Charles Murray that in the records and proceedings and also in the rendition of the Judgment in a certain cause lately pending before you wherein Joel Tunkam was plaintiff and Charles Murray was defendant in an action of Debt manifest error hath occured and we being willing that such errors if any there be should be corrected. do Command you that the records and proceedings of the said cause you send certified as fully and amply as the same now remains before you to our Supreme Court of said State to be held at the town of Lexington in the County of Lafayette within and for the second Judicial district on the third Monday of April next. So that our Judges of our said Supreme Court on inspecting the same may proceed to do therein that which to law doth appertain and to them seem meet and proper. And have you then and there this writ—

Witness William Spratt Clerk of our said Court with his official seal hereto affixed at office in Lexington this 25th day of February A.D. 1842

William Spratt Clerk

9

Supreme Court
April Term 1842

Joel Turnham
vs Writ of Error
Charles Murray

To Judge of Clay circuit
Court

Liberty Mo Feby. 24th 1842

Dear Spratt

Enclosed you will find a case for the supreme court, taken up by appeal — I will send you some more cases in a few days. In the mean time, send me a writ, of error, in the following case: directed to S. Tillery clerk of the Circuit Court here —

In the Circuit Court Clay County

Joel Turnham
against
Charles Murray } Ott.

Send this writ immediately for Defendant. Your fr'd.
Wm. T. Wood

Joel Turner
V.S. Precipe
Charles Murray

Apr. Sponda Oberh. Sup. Cant
Lee wyth
Mispen

Filed Helmary
25th 1842
Wm Spratt clk

State of Missouri }
County of Linn } Circuit Court
April Term
1842

William Sevear
ats } Tres vi et armis
James Sevear

The Clerk of the Supreme Court at Lexington will Set a Writ of Error issue to the Linn Circuit Court, in the above entitled Cause, judgment was rendered at the April Term 1842

Wm. G. Slack
atty Pltff in Error

William Sevan
ats } Trespass
} Vi et armis
James Sevan

Precipe

Filed April 26th
1842
Wm Spratt clerk

Fulton Mo 3rd June 1843 —

H. L. Brown

Dear Sir

Will you be so good as to make out and send over by the first Mail a writ of error in the following Case to wit, William Cason plaintiff, against Tate Nolley & Cook and M. T. & T. B. Dyer defendants, in the Callaway Circuit Court Judgement was rendered at the last April term against Cason the original plaintiff and he now wishes his writ of error in order that it may be tried in the Supreme Court. the writ will therefore be in favor of Cason

Yours &c

James K Sheley

William Cason
vs } Precipe
Tate, Nolly & Cook
&
M J & J B. Dyer

Filed 10 June 1843.
H. L. Boon clk

Palmyra June 19th 1843.

Mr. H L Boone

Sir I want a writ of Error in the suit of William B Bebee alias W. B Bebee against James H Patterson alias J H Patterson by petition in Pltt in the Marion Circuit Court in which Judgment was given for the Defendant Patterson at the September term of said Court AD 1842 Please send me a writ of Error for Bebee the Pltff as I have no way of sending the fee for the writ and being a stranger to you I will refer you to James L Minor

Yours with respect
Stanton Buckner

Mr. H L Boone
Clerk of the S Court
Jefferson City

PALMYRA MO.
JUL 3

PAID

H L Boone Esqr
Clerk of The Supreme Court
Jefferson City

Tiles July 10. 1843.
H. L. Boone etc.

H. B. Bebee
w/ Precipe
J. H. Patterson

Columbia December 11th 1843

Mr H L Boone

Sir

You will please issue your writ of error to the Clerk of the Boone Circuit to send up the record & papers in the case of Nathaniel W Wilson & Walter W Wilson against Westley Burks. The writ is applied for by the plaintiffs If you have ~~an~~ not opportunity of transmitting by hand immediately forward by mail

With much respect We are yours &c

Turner & Stone
Attys for Plaintiffs

Wilson vs Burks.

Pre.

Filed 16. Dec 1843.

H L Boon Clk

Mr H L Boone Clerk
of the Supreme Court
Jefferson City
Mo

In the Barry Circuit Court
May Term A.D. 1846.
Judgment for defts

Jonas G. Lock Plff
vs
A. J. Smith
D. G. Short } defts

} Petition in debt

The Clerk of the Supreme Court will please issue a writ of Error in the above entitled Cause to the Barry Circuit Court returnable to the next Term of Supreme Court & oblige

H. B. Bouton
Atty for Plff

Cassville
May 13th 1846.

P. S. Will H. L. Boone Esqr do me the favour to request my friend Geo. W. Miller Esqr to assign errors for me.

H. B. Bouton
formerly of Platte Co.

Iman G. Lock

A. J. Smith &
D. G. Short
Praecipe

Filed 10th of June 1866

Jun 16. 1846

H. Boon Esq.

My Dear Sir, Will you be good enough to send me a writ of error in the Case of the State vs William Carter in the Franklin Cir Court returnable to the next term of the Supr. Court — Case State of Missouri vs William Carter in Franklin Cir Court on Indictment for stealing a mule —

Please attend to this matter immediately, & you will much oblige

Your friend

Chas. Jones

In haste, please excuse

Wm Carter
vs
The State

Precipe

Union Mo
June 17th

Paid 5

H. Boon Esqr Clk Supr
Court
Jefferson Cty
Mo

Filed June 20. 1846
H. L. Boon Clk

St. Louis July 11th 1846

Dear Sir:

The case of Robt. Campbell &c. vs. The St. Louis Perpet. Ins. Co. garnishee of the Bank of Mineral Point was among the list of cases affirmed. If the judgt. is such that an execution is to issue from the Court below please send down the necessary transcript as soon as convenient: or if the execution is to issue from the Supreme Court, & the term of the judgt. authorises exon. to issue, please send it down to the Sheriff at the earliest convenience &

oblige Yours Respectfully

Nathl. Holmes
for Hudson & Holmes
Attys. for Plff.

P.S. Also please issue a writ of error to the St. Louis Criminal Court in the case of the State vs. Mary Ann McManus. A being a State case, unless you can tax the cost & wait the collection, you may look to me for the writ-fee & will see it paid.

Yrs A.H.
Criminal Atty.

State
vs
McManus

Precipe

Filed July 29. 1846
H. L. Boon clk

St Louis Dec 28th 1846

Dr Sir I shall be in St Charles on Wednesday next. There was an action of Ejectment tried in the St Charles Circuit Court about two years ago in which Louis Clamorgan was plaintiff & John Siegler was defendant & judgment was for the defendant. On behalf of the plaintiff I wish to bring a writ of Error to the St Charles Circuit Court in said Cause will you issue a writ of Error as soon as you receive this in said Cause I shall have other cases at Jefferson in January next, & wish to have a trial in this as well as the other causes at that Term. Your expenses fee I will pay you when I come up, and if any accident should prevent my attending your January Term I will be down to send it Please direct the writ of Error to me at St Charles in an Envelope, and I will take it out of the Post office & hand it to the Clerk of the Circuit Court there, I shall give notice that I have brought the writ of Error on Wednesday next, in hopes that it will be issued by that time

Very Respectfully
Yours &c
G A Bird

Name of Defendant
John Siegler

Louis Clamorgan
vs Precipe
John Seigle

Filed Dec 30. 1846
H. L Boon clk

St Louis Feb 20th 1847

Dear Sir.

Pleas send me a writ of error to the court of Common Pleas in a case the style of which is Daniel M Frazier to the use of Francis J Chenowith vs James E Yeatman the Plaintiff below being also Plaintiff in error.

yours respectfully &c
J A Beatty

Dan'l M Frazier
use of &c

vs } Precipe

James E Yeatman

Filed July 25. 1847.
H. L. Boon clk

Potosi March 1st 1847

To the clerk of the Supreme court of Mo.,

Sir;

We are the Attorneys of Christopher Grider in an action of Ejectment lately decided in the circuit court of Washington County wherein Joseph A. Rozier was plaintiff and the said Grider was defendant. Mr Grider feels himself aggrieved by the judgement of the circuit court and wishes to carry the case to the Supreme court by writ of Error. We wish you to issue a writ of Error to the clerk of Washington Co and enclose the same to us by mail at this place. Mr Grider is a very responsible man and will be able to pay any cost that may be adjudged against him. Your issuing fee we would send, if there was any opportunity. We will however endeavour to send it when the record goes up.

Yours with respect

Scott & Johnson

Christopher Grider

vs.

Joseph A Rozier

Precipe

Filed March 18. 1847.

H. L. Boon clk

Spencer Calmes
vs
Francis Talbot
& others.

In Chancery

Pettis circuit Court

The clerk of the Supreme Court will please issue a writ of Error to the clerk of the Pettis circuit court in the above cause - returnable to the next term - and forward it to us at the place

Boonville Mo
June 7th 1847

Stuart & Miller
attys for the plff

The fee - we will pay when we come down

Stuart & Miller

Spencer Calmees
vs
Francis Talbot & others

Precipe.

Filed June 10. 1847.
H. L. Boon clk

17800
13600
4
54.400

1700800
1360.000
4
54.40

Chart Supreme Court
Jefferson city
Mo

St Louis Nov 19th 1847

Dr Sir

Will you please to issue a writ of Error as Clerk of the Supreme Court out of your Court to the Clerk of the St Charles Circuit Court Mo commanding the Clerk of said Circuit to certify to the Supreme Court the Record Proceedings in a case there determined in which Louis Clamorgan is plaintiff & John Siegler is defendant in both Courts You issued a writ in this case before at my instance returnable to your last Term the writ did not reach me in time to give the legal notice I sent you your fee for for the writ by your townsman Mr Minor.

I expect this will reach you the 21, & wish you to issue the writ as soon as you can, which will probably be the 22d instant. Please enclose it in an envelope & direct to me at this place by Mail Notice of the writ of Error will be served on the defendant Siegler the 22d or 23d & the Clerk of the Circuit Court will have the Record made out so as to make his return as soon as he gets the writ — I expect this home to be at your Court early in July & pay you your fees If I should fail in this I will send you your fee

Respectfully Yours &c

G P Bird

Louis Clamorgan
vs
John Seigler

Precipe.

Filed June 23. 1847.
H. L. Boon clk

Saml M McElroy
ats
Jas N B. Dodson adm.
of the Estate of Edwin Swink

In the Pulaski Circuit Court — Action of Ejectment

The clerk of the Supreme Court will issue a Mil of Error in the above Case to the Clerk of the Circuit Court Pulaski County at the instance of Dept McElroy

J H McBride Atty
for Dept

H L. Boon Esq
Clerk Sup Court
Jefferson City
Mo

Sam. M. McElroy

vs. Precipe

James A. B. Dodson
admr of
Edwin Swink

Filed Oct. 1. 1847.
A. L. Bonsall

State of Missouri } ss
County of Macon }

John Henderson } Bill for
vs. } Divorce
Mary S. Henderson }

To the Supreme Court of Missouri

Your Petitioner John Henderson Complainant in the above Cause wouldd represent that this Cause was heard in the Macon Circuit Court at the November Term AD 1848. and a decree dismissing the bill rendered against him, to which he excepted, and moved to set the same aside, and for a decree in his favor, which was overruled by the Court as Chancelor, to which several opinions of the Chancelor the Complainant by his Solicitor excepted and filed there his bill of exceptions, which he prays may be reviewed by this honorable Court, and for that purpose he prays that a Writ of Error may immediately issue directed to the Clerk of the Macon Circuit Court, in the ordinary manner for which he will ever pray &c.

John Henderson
By A. L. Gilstrap his Solicitor

Paid 5

Huntsville Mo
Nov 14th 46

To the Clerk of the Supreme
Court Missouri
Jefferson City
Mo

John Henderson
vs
Mary S. Henderson

Precipe

Filed Nov. 18. 1848.
H. L. Boon clk.

Francis Talbot et al

vs

Sarah Calmes, widow & admx of Spencer Calmes deceased and others

} In the Supreme Court on appeal from Pettis Circuit Court.

Fee bill of costs in the Supreme Court to be paid by said Sarah Calmes, admx. as aforesaid & others.

Wm E Duncan's costs as Clerk of said Sup. Court.

| | |
|---|---|
| Argument & submission .50 appearance .20 | .70 |
| docketting case .50 appearance .20 motion | .70 |
| & order .50, sci fa. 1.00 continuance order .50 | 2.00 |
| continuance order .50 appearance .20 | .70 |
| trial & judgment 1.00, execution .25 | 1.25 |
| motions .50 opinion .25 papers .40 | 1.15 |
| certified judgment .75 | .75 |
| | 7.25 |
| R B Jackson Marshal | .30 |
| Total | $7.55 |

Attest

Wm E Duncan, Clerk
of Sup. Court of Mo

To the Sheriff of Pettis County
Missouri

Francis Talbot et al

vs } Fee Bill

Calvin admr et al

---

Costs

Wm E Dunscomb 7.25

R B Jackson .30

raw $7.55

paid

Co Pettis County