

Madaway County Circuit Court  
Circuit - Case File - Civil

Box 15 File 56

July 1871

Box 35 File 35

Ferry H. Talbott

v

James A. Forrest

Debt \$177.00 account  
for plaint. F's services as a  
physician 1867-1869

Def counter sues for account  
due him for \$79.33, labor,  
lard, butter, vinegar, bacon etc

Jury finds for plaint F

Account listing includes medicines  
treatment & ailments - includes blisters,  
cholera, neuralgia

Perry G. Saltor

Plaintiff

against

James A. Forrest

Defendant

In the circuit court of  
Hodaway county Mo July term 1871  
Plaintiff for his cause of action against  
said defendant states that on the 23<sup>rd</sup>  
day of February 1871 the defendant  
became indebted to plaintiff in the  
sum of one hundred and seventy  
seven & 7/10 dollars on an account here-  
with filed and marked exhibit "A" for the  
work and labor and ~~and~~ diligence journeys  
and attendance of the said plaintiff by the  
said plaintiff before that time performed  
and bestowed as a Physician for the said  
defendant and at his special instance and  
request in and about the healing and  
curing of the said defendant and other  
persons members of defendant's family of  
various maladies and diseases under which  
the said persons respectively labored and for  
divers medicines and other chattels before that  
time provided administered and delivered in  
that behalf and for divers prescriptions  
made and delivered by plaintiff to defendant  
and at his like instance and request and  
which said sum of money the said

plaintiff owes was then due and  
payable to plaintiff by defendant but  
that said defendant has neglected and  
refused to pay said sum of money  
or any part thereof wherefore plaintiff  
prays judgment for the sum of  
one hundred and seventy seven & <sup>74</sup>/<sub>100</sub> dollars  
with six per cent interest from the  
23<sup>rd</sup> day of February 1871

Dawson & Edwards  
Attys for P<sup>ty</sup>



Bony H. S. Clark

MS

James A. Stewart

Darwin Edmund  
Altopia PA



1864/3 at Jan 23<sup>d</sup> 1866.

James A Forrest

Dr in acct with

Dr P H Talbot

1867			\$
Jan	8	To medicine and prescription self sciatica	1.50
Feb	5	To medicine & pres for son Jas in Bronchitis	2.50
"	11	To visit medicine & pres for son Jas Bronchitis & Pneumonia	3.50
"	12	To medicine and prescription for son Jas Cough	2.50
"	15	To visit med <sup>o</sup> pres <sup>o</sup> for son	3.50
"	16	To Blisters with pres for son	1.50
"	18	To visit medicine & pres for son	3.50
"	20	To visit medicine & pres for son	3.50
"	22	To medicine and prescription for son	2.50
Aug	26	To 2 drs Colicid. 4 drs quinine for tired girl by self	1.00
Sept	5	To about 25 grs Quinine of lady	1.00
"	16	To medicine and prescription for lady in sore throat	2.50
Oct	9	To 10 ft of pure by Stewart	— 50
"	30	To one quarter of Beef @ 6 <sup>cts</sup> per lb. weight about 100 <sup>lbs</sup>	6.00
Decr	8	To 20 grs Quinine of son for lady	1.00
1868			
Jan	27	To Spicacuanæ Expectant with pres by Jas for lady	2.00
"	"	To visit in the night medicine & pres for lady's cure lungs & nervous prostration	3.50
"	29	To medicine and pres for lady & son Jas	2.50
May	1	To med <sup>o</sup> pres <sup>o</sup> for lady in case of Neuralgia of lady	2.50
June	16	To med <sup>o</sup> pres <sup>o</sup> for lady Weakness &c of lady	2.30
July	2	To med <sup>o</sup> pres <sup>o</sup> for lady " "	2.50
Acct Carried Forward.			\$ 52.00

Acmt Brod Ford,

\$ 119.00

1869

Sept	12	To 3ij Spts Nitro Dul.	25
"	13	To visit med pres for self (fever)	3.50
"	14	To visit med pres for self	3.50
"	"	To medicine & pres for lady in Stranguary	2.50
"	16	To medicine & pres for self	2.50
"	25	To 10 grains Quinine & Ios	25
Oct	6	To med pres for lady	2.50
"	15	To ʒij Sulph Quinine & Ios.	1.00
Decr	12	To Med pres for lady in Neuralgia	2.50
"	13	To visit med pres for lady (Erysipelas)	3.50
"	16	To visit med pres <sup>350</sup> lancisg Abscess for lady. ring.	4.50
1870	June 29	To medicine & pres for lady (at Maryville by Ios)	2.50
Aug	19	To visit med pres for Sen Chloera Morbus	3.50
"	"	To 10 acis gras. <sup>350</sup> 300	
Dec	13	To visit med pres for lady Cong Lung.	3.50
"	28	To visit med pres for lady " "	3.50
1871	Jan 2	To med pres for lady Stranguary by Ios & Ios.	2.50
"	8	To med pres for lady " "	2.50
"	19	To med pres for lady " & lungs.	2.50
"	30	To Med pres for lady " "	2.50

Acmt <sup>gras 300</sup> \$ 168.50

Feb	13	To medicine & prescription for lady in Inflammation Pelvis.	2.50
"	23	To med & pres for lady in Stranguary (by Ios & Ios.)	2.50
			\$ 173.50
To Venison, pork, flour &c. as per his acct.			4.27
			\$ 177.77

177 27  
79 33  
-----  
1898 44  
80665

John S. Torrey  
in Capt. Witt  
29th Feb 1871

Field June 29<sup>th</sup> 1871  
Henry Grove Clerk

52.06  
42.27  
-----  
47.79



# SUMMONS.

State of Missouri, }  
County of Wodaway } ss. In the Circuit Court.

The State of Missouri to the Sheriff of Wodaway County greeting:

**Do** Command you to **Summon** James A. Forrest

if he be found in your county to appear before our Circuit Court to be holden within and for the County of Wodaway, at the Court House in the Town of Marionville, in said County, on the first day of the next term thereof to be begun and held on the third Monday in July next, A. D. 1871, then and there, before the Judge of our said Court, to answer the petition of

Perry H. Talbot

(a certified copy of which said petition is hereunto annexed). And have you then and there this writ, with the return of your action thereupon.

WITNESS my hand as Clerk of our said Court, and the seal thereof. Done at office in Marionville, in the county aforesaid, on the 29<sup>th</sup> day of June A. D. 1871.

Henry Graves  
Clerk.

By \_\_\_\_\_  
Deputy Clerk.

SHERIFF'S RETURN.

Executed the within writ in the County of Madaway on the 1<sup>st</sup>

day of July, A. D. 1871, by delivering a copy

of the same to the within named Defendant -  
James A. Forrest.

Fee \$

J. K. May  
Sheriff Madaway County, Mo.  
Deputy.

By

The Winchell, Ebert & Marsh, Printing Co., Hannibal, Mo.

No. ....  
**SUMMONS.**

Madaway Circuit Court,

July Term, 1871.

Young W. Ballant  
vs.

James A. Forrest

Copy of writ and writ

for fees & charges

Returns

# Subpoena. --- Nodaway Circuit Court.

STATE OF MISSOURI, )

COUNTY OF NODAWAY. } ss.

THE STATE OF MISSOURI,

To *Dr. W. M. Carver* and *Dr. J. M. Deam*

**YOU ARE HEREBY COMMANDED**, That, setting aside all manner of excuse and delay, you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on *Saturday* the *2<sup>d</sup>* day of *December* 187*1*, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein *W. H. Talbott* is Plaintiff, and *Jos. A. Forrest* is Defendant, on the part of said *Defendant*; and this you shall in no wise omit. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

**Witness** my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on this *13<sup>th</sup>* day of *November*, A. D. 187*1*.

*Henry Brown* Clerk.



SUBPENA.

NODAWAY CIRCUIT COURT.

December Term, 1871,

vs. J. M. Year

vs.

Jas A Forrest

Defts WITNESSES.

Day of Trial

25<sup>th</sup> Dec. M. P. Carter

14<sup>th</sup> Dec J. M. Dean

Also for Wray & Co

Served the within sup-a in Nodaway County (mo) this the 14<sup>th</sup> day of November 1871 by reading the within subpoena to the within named J. M. Year and on the 25<sup>th</sup> day Nov-1871 on the within named H. M. Carter

J. N. Wray Sheriff  
Nodaway County (mo)  
By J. P. Terrance Deputy

In the Rodaway County  
Circuit Court  
Perry H. Talbot Plaintiff  
Against  
James A. Forrest Defendant

Defendant denies that on  
the 23<sup>d</sup> day of February or at any other time  
he was indebted to plaintiff in the sum of  
one hundred and seventy seven &  $\frac{23}{100}$  Dollars  
or in any other sum. Defendant  
denies that he received any part of the  
medicine, services, and attention mentioned  
in the account filed with the petition  
herein for himself and his family, and  
also any part of the goods mentioned  
in said account. But denies that such  
medicine, services and attention, and  
such goods were reasonably worth the  
amounts charged therefor, and denies  
that the medicines, attention and services  
and the goods mentioned in said  
account were reasonably worth  
the price and sum charged therefor  
in said account, and avers that a  
reasonable and just price and  
compensation therefor would be  
much less than that stated in  
said account. Defendant for further

answer states that at the bringing of this suit plaintiff was indebted to defendant in the sum of seventy nine  $\frac{33}{100}$  Dollars. for work and labor rendered, and for goods sold and delivered, by Defendant to plaintiff at plaintiffs special instance and request. The particulars of which more fully appear by the following account —

Prize W. Talbot

In Account with

James A. Turner Dr

1866. Oct 12 <sup>th</sup>	To 1/2 days Carpenter work	1.50
16 <sup>th</sup>	" 1/2 " " "	1.50
17 <sup>th</sup>	" 1 " " "	3.00
18 <sup>th</sup>	" 1 " " "	3.00
19 <sup>th</sup>	" 1 " " "	3.00
20 <sup>th</sup>	" 1 " " "	3.00
22 <sup>nd</sup>	" 1 " " "	3.00
30 <sup>th</sup>	" 60 lbs Beef @ 8 cts	4.80
31 <sup>st</sup>	" 1/2 days Carpenter Work	1.50
"	" 19 3/4 bu corn @ 35 cts	6.74
Nov 1 <sup>st</sup>	" 1 Days Carpenter work	3.00
2 <sup>nd</sup>	" 1 " " "	3.00
3 <sup>rd</sup>	" 1 " " "	3.00
5 <sup>th</sup>	" 1 " " "	3.00
19 <sup>th</sup>	" 1/2 " " "	1.50



1867.	30 <sup>th</sup>	To 1 Days Carpenter work	3.00
		To 10 Trus cut & hauled off	10.00
1868.	Jan'y	To 5 lb lard @ 20	1.00
	Mar	To 3 lb butter @ 40	1.20
	Oct	To 1 1/2 days work for Jas Turner Thrushy	1.80
1869	Jan'y	To 5 qts Currant berries @ 10 cts	.50
	July 29 <sup>th</sup>	" 1/4 Bu New potatoes	.25
	Aug 3 <sup>d</sup>	" 1 Gal vinegar for Oly	.40
	Oct	" 1/2 " " for hat	.20
		" 3 lbs lard @ 20	.60
	" 15"	" 1 Days work team & hand (James)	4.50
	Dec 14"	To 18 lbs Bacon @ 18 cts	3.24
1870	July 26 <sup>th</sup> + 31 <sup>st</sup>	To 1 1/2 Days work harvesting for James	3.00
	" "	To 21 lbs (2 sides) meat @ 18 <sup>c</sup>	3.78
	" 30 <sup>th</sup>	To 10 1/2 lbs (1 Shoulder) @ 14 <sup>c</sup>	1.47
	" 26 <sup>th</sup>	To 3 pts vinegar	.15

Total \$79.33

Which said sum of seventy nine & <sup>33</sup>/<sub>100</sub> Dollars is still due and unpaid to defendant and the said plaintiff though often requested so to do has refused and does still refuse to pay to this defendant and for which sum with interest thereon from the 23<sup>rd</sup> day of Feb'y 1871 - defendant asks judgement.

Palmer Jackson  
Defendants Attorneys

Henry M. Talbot

James A. Simcox

Defendants Answer

Filed Oct 29 / 1873  
Henry Munnell

Palmer Jackson  
Attys for Defts

Perry H. Talbott, Plaintiff  
vs.  
James N. Forrest, Defendant.

In the Circuit Court of Stoddard  
County, Missouri.

Comes now the plaintiff in the above  
entitled cause, and moves the court  
to strike out the parts of defendant's  
answer, designated as follows. —

" Defendant denies that on the 23<sup>d</sup> day of  
February, or at any other time, he was indebted  
to plaintiff in the sum of one hundred  
and seventy-seven &  $\frac{77}{100}$  dollars, or in any other  
sum. Defendant denies that he received  
any part of the medicine, services and  
attention mentioned in the account filed  
with the petition herein for himself and  
his family, and also any portion of the  
goods mentioned in said account;  
and denies that the medicines, attention  
and services and the goods mentioned  
in said account were reasonably worth  
the price and sum charged therefor  
in said account, and avers that a  
reasonable and just price and compen-  
sation therefor would be much less than



that stated in said account,"

And assigns the following reasons therefor; -

First, - Defendant's answer above specified is inconsistent with the other parts of said answer in this; that in the above portion defendant denies the indebtedness mentioned in plaintiff's petition, and in the other part of said answer pleads set-off to said indebtedness.

Second: - In that part of said answer above quoted defendant denies the indebtedness sued for in plaintiff's petition and then denies that said indebtedness is as great as therein alleged, thereby both denying and admitting plaintiff's cause of action.

Third: - In that part of defendant's answer above quoted, defendant denies that the indebtedness in plaintiff's petition alleged, ought to be as great as therein claimed, but does not state how much said indebtedness really is, or wherein it is unreasonable.

Farewell:- The above quoted parts of defendant's answer, are inconsistent with the residue thereof, — are vague and uncertain and contradictory, and tender no issue in law or in fact.

Perry H. Talbot,  
by Dawson & Edwards  
Attys for Plffs

7. 29  
Miss H. Talbot

Ms.

James N. Faust

Proctor of Miss M.  
Stieff and party of  
Lepidoptera's answer.

Friday December 5<sup>th</sup> 1871

Henry James Talbot

Sumner & Company  
Agents for Miss



# Subpoena. --- Nodaway Circuit Court.

STATE OF MISSOURI, }

COUNTY OF NODAWAY.

} ss.

THE STATE OF MISSOURI,

To Wm. L. Green, et. Mulhearn

**YOU ARE HEREBY COMMANDED**, That, setting aside all manner of excuse and delay, you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on Wm. L. Green the 31<sup>st</sup> day of January 1872, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein Wm. L. Green is Plaintiff, and Geo. A. Arnold is Defendant, on the part of said defendant; and this you shall in no wise omit. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

**Witness** my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on this 31<sup>st</sup> day of Jan, A. D. 1872.

Henry Gray Clerk.

Wm. L. Green et. al.

S U R P E N A.

NODAWAY CIRCUIT COURT.

*Dec 11* Term, 1874,

Day of Trial 31

*P. H. Salsford*

*vs*

*J. S. Wray*

WITNESSES.

*Thos C. Ellis*

*J. A. Mulholland*

Republican Print, Maryville, Mo.

*also see Wray's case*

Served the within sup'd in Nodaway County and  
this the 31<sup>st</sup> day of Jan 1872 by reading the within  
sup'd to the within named Thos. C. Ellis and on  
the 1<sup>st</sup> day Feb 1872 on the within named  
J. A. Mulholland

J. S. Wray Sheriff  
Nodaway Co, Mo,  
By *J. P. Torrance* Deputy

SUBPENA.

STATE OF MISSOURI, )

COUNTY OF NODAWAY. }  
ss

THE STATE OF MISSOURI,

To *James J. Quinn*

YOU ARE HEREBY COMMANDED,

That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on

*Monday* the *21<sup>st</sup>* day of *March* 187*2*, then and there to testify and the truth to speak, in a certain

matter of controversy now pending in our said Court, wherein *Samy N. Albert* is

Plaintiff, and *James J. Quinn* is

Defendant, on the part of said *Plaintiff*; and this you shall in no wise omit. And the person or officer serving this

Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *4<sup>th</sup>* day of *March*, A. D. 187*2*

*Henry Green*  
Clerk.



SUBPENA.

NODAWAY CIRCUIT COURT.

March Term, 1872.

Day of Trial March 21 1872

Emily M. Ballant  
vs

James T. Harriot

WITNESSES.

Thomas J. Sumner

John H. Hays ct

Republican Print, Morayville, Mo.

I do hereby certify that I have served the within subpoena upon the family (Mrs) also the Sunday of March 1872 by reading the same to the within named Thomas J. Sumner

J. T. Waring Clerk  
Reading to wit,  
By W. J. Lawrence Deputy

SUBPENA.

STATE OF MISSOURI, )

COUNTY OF NODAWAY. } ss

THE STATE OF MISSOURI,

To *Dr. Spencer E. Ellis, and Dr. S. Mulholland*

YOU ARE HEREBY COMMANDED,

That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on

*Thursday* the *21<sup>st</sup>* day of *March* 187*2*, then and there to testify and the truth to speak, in a certain

matter of controversy now pending in our said Court, wherein *Henry H. Collett is*

Plaintiff, and *Jamco & Co are*

Defendant, on the part of said *Dr. Spurbank*; and this you shall in no wise omit. And the person or officer serving this

Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *11<sup>th</sup>* day of *March*, A. D. 187*2*.

*Henry H. Collett*  
Clerk.

S U B P E N A

NODAWAY CIRCUIT COURT.

March Term, 1872

Day of Trial May 21<sup>st</sup> 1872

Benj. M. Ballant

vs

James S. Forrest

Depts WITNESSES.

Dr. G. L. Ellis's Suit

vs Dr. Mulholland

Republican Print, Maryville, Mo.

Wm. M. Young 75-26

Served the within Subpoenas  
in Nodaway County Mo, by reading  
the same to the within named  
Dr. Mulholland on the 14<sup>th</sup> day  
of March 1872, Return the within subp.  
Not served on the within named  
S. G. Ellis

J. N. Wray Sheriff  
By J. P. Lawrence Dep't



SUBPENA.

STATE OF MISSOURI, )

COUNTY OF NODAWAY. } ss

THE STATE OF MISSOURI,

To *Dr. J. M. Deam, Dr. Wm. Carver, Secy Dr. J. Mulholland*

YOU ARE HEREBY COMMANDED,

That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on *Monday* the *21<sup>st</sup>* day of *March* 1872, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein *Samy W. Saltath* is

Plaintiff, and

*James A. Roberts* is

Defendant, on the part of said

*Defendant*; and this you shall in no wise omit. And the person or officer serving this

Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *5<sup>th</sup>* day of *March*, A. D. 1872

*Henry Grant*  
Clerk.

S U R P E N A .

NODAWAY CIRCUIT COURT.

March Term, 1872

Day of Trial

March 21<sup>st</sup> 1872

Being 26. Sabbath

and

James A. Forrest

Plaintiff

WITNESSES.

Wm. J. McLean

Geo. W. McCarver

Dr. D. Northland

Republican Party, Maryville, Mo.

Attest My Hand this 15<sup>th</sup> day of March 1872

Tested the within signed in testimony to  
My name this 21<sup>st</sup> day of March 1872  
By signing the same to the within named  
John, W. Peare, James A. Northland and  
on the 15<sup>th</sup> day of March 1872 on the  
Within named Wm. McCarver

J. W. Wang Sheriff.

By J. L. Johnson Deft

Perry H. Talbot Plaintiff

vs.

James H. Faust Defendant

In the Circuit Court of  
Madison County, Missouri.

Plaintiff has application to the  
courtesy of defendant filed in the above entitled  
cause;—

Demands that a reasonable or just price  
for the medicines, service and attention and the  
goods mentioned in plaintiff's petition and  
account, would be much less, or any less  
than that stated therein.

And for further reply, plaintiff demands  
that at the bringing of this suit, or  
at any other time, plaintiff was indebted  
to defendant in the sum of seventy-nine  
dollars and thirty-three cents, or any part  
thereof, for work or labor, or for goods sold  
or delivered by defendant to plaintiff, at  
plaintiff's special instance or request, or in  
any manner whatever. — Demands that the  
particulars of such alleged indebtedness appear  
by the account set forth in defendant's  
answer. — Demands that plaintiff is indebted  
to defendant for one half day's Carpenter work  
done on the 12<sup>th</sup> of October 1866, or at any other  
time in the sum of one dollar and fifty cents.

or any part thereof. — Denies that defendant performed such work, or any part thereof.

Denies that plaintiff is indebted to defendant for one half-day's carpenter work done on the 16<sup>th</sup> day of October 1866, or at any other time, in the sum of one dollar and fifty cents, or any part thereof. — Denies that defendant performed such work or any part thereof. Denies that plaintiff is indebted to defendant for Carpenter work done on the 17<sup>th</sup> or 18<sup>th</sup>, or 19<sup>th</sup> or 20<sup>th</sup> or 22<sup>d</sup> days of October 1866, or on any of said days in the sum of three dollars, or any sum for every one, or any one of said days.

Denies that defendant did or performed Carpenter-work for plaintiff on any of said days, or at any other time.

Denies that plaintiff is indebted to defendant for sixty pounds of beef or any beef, in the sum of four dollars and eighty cents, or in any sum, sold to plaintiff by defendant on the 20<sup>th</sup> day of October 1866, or at any other time. — Denies that defendant ever sold or delivered said beef or any part thereof to plaintiff.

Denies that plaintiff is indebted to defendant for one half-day's carpenter work, in the sum of one dollar and fifty cents or in any sum, done by defendant for plaintiff on the 21<sup>st</sup> day of October 1866



or at any other time, — Denies that defend-  
ant ever did or performed such work  
or any part thereof for plaintiff.

Denies that plaintiff is indebted to defend-  
ant for nine bushels and three fourth bushels  
of corn, <sup>or for any corn</sup> in this sum of six dollars and seventy  
four cents, or in any sum, sold to plain-  
tiff by defendant on the 31<sup>st</sup> day of October 1866  
or at any other time — Denies that defend-  
ant ever sold or delivered said corn or  
any part thereof to plaintiff.

Denies that plaintiff is indebted to  
defendant for carpenter work done by de-  
fendant for plaintiff on the 1<sup>st</sup> or 2<sup>d</sup> or 3<sup>d</sup>  
or 5<sup>th</sup> or 19<sup>th</sup> or 20<sup>th</sup> day of November 1866,  
or for any work done on any one of said  
days or at any other time, in this sum of  
three dollars, or in any other sum for any  
one or any one of said days, or any part  
thereof. — Denies that defendant on any  
one of said days, last aforesaid, or at  
any other time, did or performed for plaintiff  
any carpenter work, or any work whatever.

Denies that plaintiff is indebted to de-  
fendant for ten trees, or any trees, cut  
or hauled off in this year 1867 or at any  
other time, in this sum of ten dollars  
or any other sum. — Denies that  
plaintiff ever cut or hauled off said trees

in any other.

Denies that plaintiff is indebted to defendant in the sum of one dollar, or in any sum, for five pounds, or any quantity, of butter, sold or delivered by defendant to plaintiff, in January 1868, or at any other time. — Denies that defendant ever sold or delivered to plaintiff said butter or any part thereof.

Denies that plaintiff is indebted to defendant in the sum of one dollar and twenty cents, or any other sum, for three pounds, or any quantity of butter, sold or delivered by defendant to plaintiff in March 1868 or at any other time. — Denies that defendant ever sold or delivered said butter, or any part thereof, to plaintiff.

Denies that plaintiff is indebted to defendant in the sum of one dollar and fifty cents, or in any sum, for one and one half days' work of James Fawcett, in threshing, done in October 1868, or at any other time. — Denies that said James Fawcett ever did said threshing, or any threshing, for plaintiff. — Denies that plaintiff is indebted to defendant in the sum of fifty cents, or in any sum, for five quarts or any other quantity, of gooseberries, sold or delivered by defendant to plaintiff, in

January 1869 or at any other time.

Tennis that plaintiff is indebted to defendant in the sum of twenty five cents, or in any other sum, for one bushel of bushel of potatoes, or any potatoes, sold or delivered by defendant to plaintiff on the 29<sup>th</sup> day of July 1869, or at any other time — Tennis that said defendant ever sold or delivered to plaintiff said potatoes or any portion thereof. — Tennis that plaintiff is indebted to defendant in the sum of forty cents, <sup>or in any sum</sup> per one gallon of vinegar sold or delivered by defendant to plaintiff "per cly" on the 2<sup>d</sup> day of August 1869, or for one half gallon of vinegar, or any vinegar, at twenty cents or at any other price, sold or delivered by defendant to plaintiff on — day of October 1869, "per pot" — Tennis that defendant at either of the dates last aforesaid, or at any other time, sold or delivered to plaintiff said vinegar or any part thereof, Tennis that plaintiff is indebted to defendant in the sum of sixty cents, or in any sum, for three pounds, or any other quantity of lard, sold or delivered by defendant to plaintiff. — Tennis that defendant ever sold or delivered said lard or any part thereof to plaintiff.

Tennis that plaintiff is indebted to de —



defendant in the sum of four dollars and fifty cents, or in any sum for one day's work with team and hand (James), or for any work, done on the 14<sup>th</sup> day of Oct 1869 by defendant for plaintiff.

Denies that defendant ever did, or performed said work, or any part thereof for plaintiff.

Denies that plaintiff is indebted to defendant in the sum of three dollars and twenty-four cents, or in any other sum, for eighteen pounds, or any quantity, of beef bacon, sold or delivered by defendant to plaintiff, on the 14<sup>th</sup> day of December 1869, or at any other time. Denies that defendant ever sold or delivered to plaintiff said bacon, or any part thereof.

Denies that plaintiff is indebted to defendant in the sum of three dollars, or in any other sum, for one day and a half's harvesting for James —, done on the 26<sup>th</sup> and 31<sup>st</sup> days of July 1870, or on either of said days, or at any other time. — Denies that defendant ever did or performed said work or any part thereof for plaintiff.

Denies that plaintiff is indebted to defendant in the sum of three dollars and seventy-eight cents, or in any sum, for



Twenty one pounds (2 sides) of meat, or for any meat, sold or delivered by defendant to plaintiff, on the 26<sup>th</sup> day of July 1870, or at any other time, denies that defendant ever sold or delivered to plaintiff said meat or any part thereof.

Plaintiff denies that he is indebted to defendant in the sum of one dollar and forty seven cents, or in any sum, for ten and one half pounds (1 shoulder), or any shoulder, or meat, - sold or delivered by defendant to plaintiff on the 20<sup>th</sup> day of July 1870, or at any other time, - denies that defendant ever sold or delivered to plaintiff said shoulder, or any part thereof,

Denies that plaintiff is indebted to defendant in the sum of fifteen cents, or in any sum, for three pounds, or any quantity, of mutton, sold or delivered by defendant to plaintiff, on the 26<sup>th</sup> day of July 1870, or at any other time.

Denies that that the sum of ten pounds, six shillings, seven pence and thirty three cents, or any part thereof, is still due or unpaid to defendant - denies that plaintiff was ever requested to pay said sum or any part thereof, -

July 11, 1870  
by J. M. Lubbock  
for defendant

7, 79  
July 21, 1879

Mr.

James H. French

Memorandum

Filed Feb 19, 1892

Henry Brown, Clerk  
of Henry Sweet & Co

Samuel DeLoach  
JMS in 1879

SUBPENA.

STATE OF MISSOURI, }  
COUNTY OF NODAWAY } ss

THE STATE OF MISSOURI,

To *James and James and Samuel M. Sumner*

**YOU ARE HEREBY COMMANDED,** That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on *Thursday* the *11* day of *July* 187*2*, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein *Samuel M. Galbreath vs*

*James M. Howard vs* Plaintiff, and

Defendant, on the part of said *Plaintiff*; and this you shall in no wise omit. And the person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *12* day of *June*, A. D. 187*2*,

*Henry Brown* Clerk.

SUBPENA

NODAWAY CIRCUIT COURT.

July Term, 1872  
Day of Trial July 11<sup>th</sup> 1872

Perry W. Talbott  
Do

James A. Forest  
Depts WITNESSES.

17 Thomas J. Dunning  
17 Samuel M. Dunning

J. J. Gray 1872

Republican Print, Maryville, Mo.

Serve the within Subpoenas  
in Nodaway County Mo, by reading  
the same to the within named  
Thomas J Dunning and Samuel M Dunning  
on the 17<sup>th</sup> day of June 1872

J. J. Gray Sheriff

By W. A. Stewart J. C.



# Subpoena. --- Nodaway Circuit Court.

STATE OF MISSOURI, }  
COUNTY OF NODAWAY. } ss.

The State of Missouri,

To Dr. H. M. Garner, Dr. Thomas G. Ellis, Dr. David Paul  
Holland and Dr. John M. Dean

YOU ARE HEREBY COMMANDED, That, setting aside all manner of excuse and delay, you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on Thursday the 11 day of July 1872, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein Benny Ho Plaintiff, Salbatt vs James A. Hoopes vs Defendant, on the part of said Defendant; and this you shall in no wise omit. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Witness my hand and the Seal of our said Court. Done at office in  
Maryville, in the County aforesaid, on this 29 day of

June A. D. 1872.

Henry Garner  
Clerk.

SUBPENA.

NODAWAY CIRCUIT COURT.

July Term, 1872.

Day of Trial

July 11<sup>th</sup> 1872

Henry H. Yarbatt  
vs

James A. Forrest

Deft's WITNESSES:

Dr. H. M. Casner

Dr. Thos. C. Ellis

Dr. David Mulholland

Dr. John W. Dean

Wm. H. May Secy

Served the within Subpoenas in Nodaway County Mo by reading the same to the within named Dr H M Casner on the third day of July 1872 - and to Dr Thos C Ellis and Dr David Mulholland ~~and~~ on the 5<sup>th</sup> day of July 1872 and to John W Dean on the 8<sup>th</sup> day of July 1872

J. N. Hoas Sheriff  
By W. A. Stewart Depty

Subpoena. --- Nodaway Circuit Court.

STATE OF MISSOURI, }  
COUNTY OF NODAWAY, } SS.

The State of Missouri,

To Dr J. N. Dean, Dr H. M. Barrn, Dr V. E. Ellis and  
Dr David Mulholland & George Rice Henry Jossane  
Shoo, Jossane

YOU ARE HEREBY COMMANDED, That, setting aside all manner of excuse and delay,  
you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in  
the town of Maryville, within and for said County of Nodaway, on *Thursday*  
the 14<sup>th</sup> day of *November* 187*2*, then and there to testify and the truth to speak,  
in a certain matter of controversy now pending in our said Court, wherein

*Henry H. Saltart* is Plaintiff  
*and James St. Forrest* is Defendant

on the part of said Defendant; and this you shall in no wise omit. And the person  
or officer serving this Writ is commanded to have the same at the time and place aforesaid, cer-  
tifying thereon his return.

Witness my hand and the Seal of our said Court. Done at office in  
Maryville, in the County aforesaid, on this *first* day of  
*October* A. D. 187*2*.

*Henry Brown* Clerk.

SUBPOENA.

NODAWAY CIRCUIT COURT.

November Term, 1872.

Day of Trial Nov- 14, 1872

P. M. Galbraith

vs

James S. Hornet

Defendant

WITNESSES:

J. M. Dean

J. M. Egan

J. C. Ellis's son

J. D. Mulholland

George Page

Henry Torrance

J. P. Torrance

J. P. Torrance

Nodaway Democrat Job Print.

Served the within sup'd in Nodaway Co Mo this the 2<sup>nd</sup> day of October 1872 by reading the same to the within named H. M. Carver and on the 8<sup>th</sup> day of October 1872 on the within named J. W. Dean J. C. Ellis & Daniel Mulholland and on the 18<sup>th</sup> day of Nov on the within named Geo. Page J. N. Wray Sheriff Nodaway Co Mo

By J. P. Torrance Deputy

Served the within sup'd in Nodaway County Missouri this the 19<sup>th</sup> day of Nov 1872 by reading to the within named H. E. Torrance and J. P. Torrance Deputy

J. N. Wray Sheriff  
Nodaway County Mo

By J. P. Torrance Deputy



# Subpoena. --- Nodaway Circuit Court.

STATE OF MISSOURI, }

} SS.

The State of Missouri,

COUNTY OF NODAWAY.

To *Thomas J. Gunn and S. W. Gunn*

YOU ARE HEREBY COMMANDED, That, setting aside all manner of excuse and delay, you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on *Monday* the *14* day of *November* 18*72*, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein *Henry A. Talbot vs* Plaintiff, *vs James A. Harret vs* Defendant, on the part of said *Plaintiff*; and this you shall in no wise omit. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Witness my hand and the Seal of our said Court. Done at office in Maryville, in the County aforesaid, on this *first* day of *November* A. D. 18*72*.

*Henry Brown* Clerk.

**SUBPENA.**

NODAWAY CIRCUIT COURT.

November Term, 1872.

DAY OF TRIAL. November 14 "

Henry M. Saltbitt

vs

James A. Forrest

DEFT'S WITNESSES:

Thomas J. Dumm  
S. M. Dumm

*Chas Lee Wray & Co*

Served the within sup. a in Nodaway Co Mo  
this the 8<sup>th</sup> day of October 1872 by reading the  
same to the within named <sup>vs</sup> Thomas J. Dumm  
S. M. Dumm

J. S. Wray Sheriff  
Nodaway Co Mo

By J. P. Lorraine Deputy

SUBPENA.

STATE OF MISSOURI, }  
COUNTY OF NODAWAY. } ss

THE STATE OF MISSOURI,

To *Henry S. Davis,*

**YOU ARE HERESY COMMANDED,** That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on *Thursday* the *14<sup>th</sup>* day of *Nov* 18*72*, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein

Plaintiff, and

*James S. Jones*

*Perry Mc Talbot*

Defendant, on the part of said *opprobriant*; and this you shall in no wise omit. And the person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *12<sup>th</sup>* day of *Nov*, A. D. 1872.

*Henry S. Davis*  
Clerk.



**S U B P E N A .**

**NODAWAY CIRCUIT COURT.**

November Term, 1872

Day of Trial

James A. Harris  
vs  
James A. Harris & Son

WITNESSES,

Henry & Davis

William Henry

James A. Harris

James A. Harris

Republican Print, Maryville, Mo.

fees for service paid by James A. Harris on the within subpoena



SUBPENA.

STATE OF MISSOURI, }  
COUNTY OF NODAWAY. } ss

THE STATE OF MISSOURI,

To *Dr. Wm. Beckwith et al vs J. M. Sumner*

**YOU ARE HEREBY COMMANDED,**

That, setting aside all manner of excuse and delay, you be and appear in proper person before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on Monday the 14 day of December 1872, then and there to testify and the truth to speak, in a certain matter of controversy now pending in our said Court, wherein James A. Hobart Plaintiff, and

Defendant, on the part of said Wm. Beckwith; and this you shall in no wise omit. And the person or officer serving this

Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this 14 day of December, A. D. 1872.

Clerk.

*Wm. Beckwith*  
*vs*  
*J. M. Sumner*  
*et al*



S U B P E N A .

NODAWAY CIRCUIT COURT.

Assessors Term, 1872

Day of Trial Monday Oct 14/72

vs Wm. C. Ye. Latham

James A. Howard

WITNESSES.

Dr J. M. Seabrook &  
Wm. J. M. Sumner

Assees Mary Lee

Republican Print, Maryville, Mo.

I certify the within subscribers  
in Nodaway County, Mo. by reading  
the same to the within named  
Dr J. M. Seabrook & Dr J. M. Sumner  
and this the 14th day of November 1872

J. S. Gray Clerk  
By Wm. C. Ye. Latham



SUBPENA.

STATE OF MISSOURI,

COUNTY OF NODAWAY.

388

THE STATE OF MISSOURI,

To *Joseph B. Sumner*

**YOU ARE HEREBY COMMANDED**, That, setting aside all manner of excuse and delay, you be and appear in proper per-

son before the Judge of our Circuit Court, at the Court House, in the town of Maryville, within and for said County of Nodaway, on

*Monday* the *19* day of *November* 1872, then and there to testify and the truth to speak, in a certain

matter of controversy now pending in our said Court, wherein *Henry W. Saltbatt* is

Plaintiff, and

*James A. Brown*

Defendant, on the part of said *Plaintiff*; and this you shall in no wise omit. And the person or officer serving this

Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the Seal of our said Court.

Done at office in Maryville, in the County aforesaid, on

this *18*<sup>th</sup> day of *November*, A. D. 1872.

*Henry Brown*  
Clerk.

S U B P E N A .

NODAWAY CIRCUIT COURT.

Term, 1872

Day of Trial

May 1st 1872

Jessie A. Barrett

WITNESSES.

Joseph A. Quinn

Served the within subpoena in nodaway  
County Missouri, this the 18th day  
of May 1872, by reading the same  
to the said Jess A. Barrett  
J. Quinn

J. N. Wray Sheriff

Notary Public

By J. P. Gorman Deputy

John Wray 50 ct

Republican Print, Maryville, Mo.



Are the sum paid for the Trinity  
the sum of one hundred and  
five dollars \$105.00

L. S. Stout  
Treasurer

No. Return to box No. 35'

File No. 35'

Madaway Circuit COURT,

Perry H. Talbot

**VS.**

James A. Forrest.

Civil Action.

1871

Lawson & Edwards

Johnston & Jackson

} for Plff.

Johnston & Jackson

} for Deft.

**ATTORNEYS: Exercise care and return promptly.**