Box 62 Fle 22

Platte County Circuit Court
Circuit Court

Beaumont, Thomas

vs

Bryant, William K.
Fall, John C.
Duvall, William

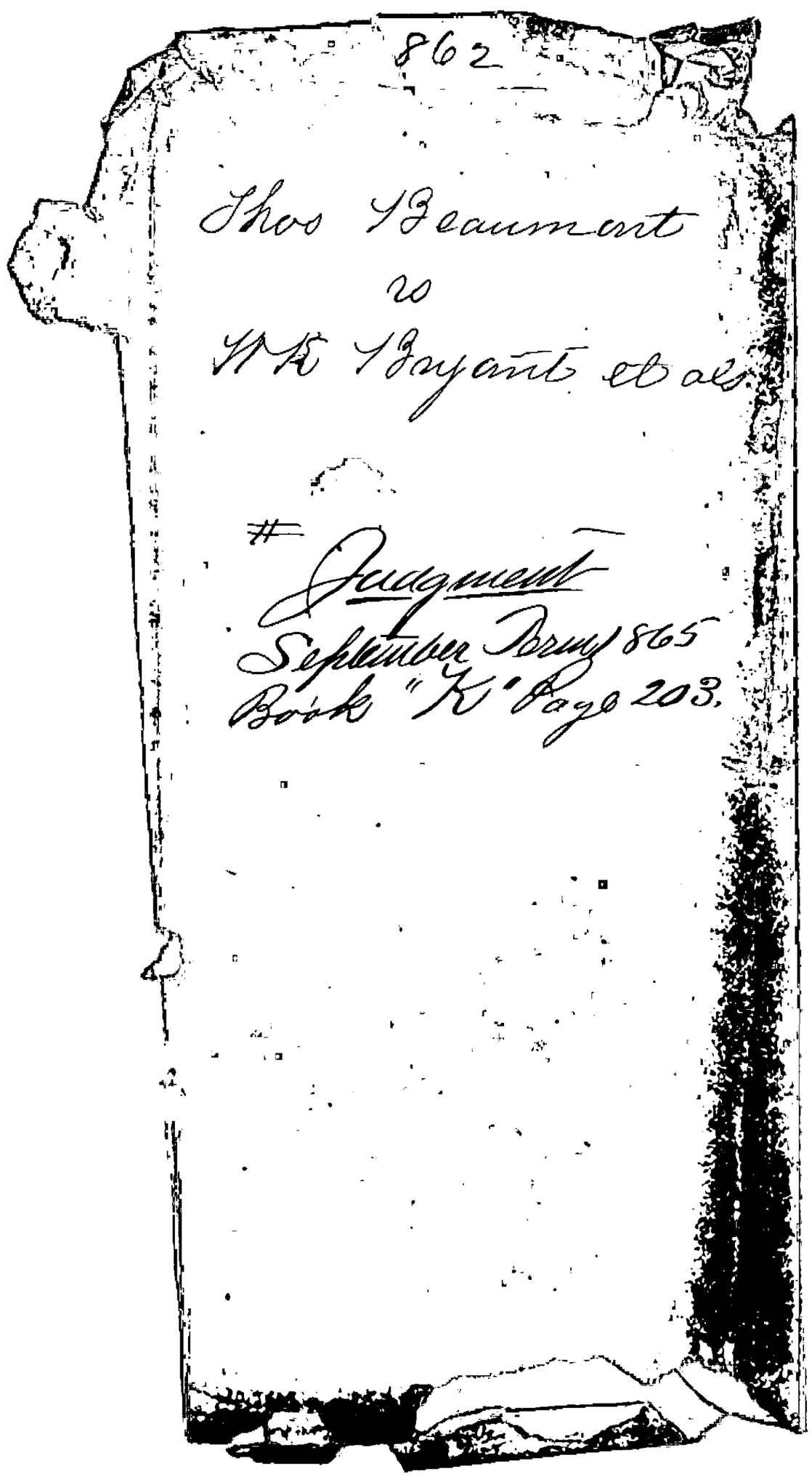
Unlawful Detainer

-Re: Possession of slaves: Mary, age 22 (value, $1,000)
Ann, age 5 (value, $400)
William, age 2 (value $300)
Eliner, age 8mos (value $200)

-Case began before Weston Court of Common Pleas; moved by change of venue to Platte Co. Circuit Court

-Includes depositions taken in Lexington, MO

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862

Thos Beaumont

vs

Wm Bryant et als

#

Judgment

September Term 1865

Book "K" Page 203.

State of Missouri,
COUNTY OF PLATTE, } SCT.

The State of Missouri,

To the ~~Marshal of the Weston Court of Common Pleas, in Platte county~~ Sheriff of Gayette County—GREETING:

You are hereby commanded to summon William H. Bryant,
John C. Hall, and Williams Durrall,

that they be and appear before the Judge of our Weston Court of Common Pleas, on the first day of the term thereof, to be holden at the Court Room in the City of Weston and county aforesaid, on Monday, the 10th day of June 186/
and there to answer unto the petition of Thomas Beaumont,

Wherein fail not, and have you then there this writ.

Witness, J. A. PRICE, Clerk of the Court of Common Pleas, with the Seal thereof affixed, at Weston, on this 13th day of May A. D. 186/

James A. Price, Clerk.

By A. S. Vogdes, D. C.

In the Western Court of Common Pleas,
in Platte County, Missouri, in Vacation,
Saturday, May 11th A.D. 1861.

Thomas Beaumont, Plaintiff,

vs.

William H. Bryant, John C. Gall, and
William Duvall, Defendants.

Now at this day comes the said Plaintiff, by his attorney, and files his petition and affidavit, setting forth that the said Defendants have in their possession a Negro Woman, named Mary, of Copper Color, aged about twenty-two years, of the value of One Thousand Dollars; a Negro Girl, named Ann, of Black color, aged five years, of the value of Four hundred Dollars; William, a Negro Boy, aged two years, worth Three hundred Dollars; and a Mulatto infant, named Elinor aged about Eight Months, and worth Two hundred Dollars, all of said Negroes the property of said Plaintiff: To the possession of which Plaintiff now is, and has been, lawfully entitled; that the same was not seized under any process execution, or attachment against the property of said Plaintiff; that the same are unlawfully detained from him by the said Defendants, and the Plaintiff will be in danger of losing the same unless they be taken out of the possession of the said Defendants.

or otherwise secured; These are therefore to Command you, the Marshal of the Western Court of Common Pleas, to take the property aforesaid, out of the possession of the said Defendants, and deliver the same to the said plaintiff, Wherein fail not, and have you there and then this writ.

Witness: James A. Price, Clerk of the Western Court of Common Pleas, with the Seal thereof hereto affixed, at office in Weston, this 11 th. day of May, A.D. 1861.

James A. Price, Clerk,
By James L. Marsh, D.C.

In the Western Court of Common Pleas,
for Platte County, Missouri, June Term,
A.D. 1861.

Thomas Beaumont, Plaintiff,
vs. Petition.
William H. Bryant,
John C. Hall, and
William Duvall, Defendants.

The plaintiff states he is the owner of, and entitled to the possession of the following personal property, a Negro woman, named Mary, of Cosper Color, aged about twenty-two years, and worth One thousand Dollars; a Negro Girl, named Ann, of Black Color, aged four years, worth Four hundred dollars, William, a Negro boy, light Mulatto, aged (2) two years, worth three hundred dollars, and a Mulatto infant child, named Eleiner - aged about eight Months, and worth two hundred dollars, and of the joint value of Fifteen Hundred dollars, and that the defendants wrongfully detain the said property from the plaintiff, and he therefore asks a judgment for the recovery of the said property, and Five hundred and fifty dollars damages for the detention thereof.

Doniphan & Lawson,
Attys for Pltff.

Thomas Beaumont, Plaintiff, makes oath says - he believes the foregoing petition, and the matters and things therein stated are true.

Thos. Beaumont,

Sworn to and Subscribed before me, on this 11th. day of May A. D. 1861,

James A. Price, Clerk,

By James L. Marsh, D.C.

Thomas Beaumont, Plaintiff,

vs. Aff. Inn W. C. C. P.

Wm. H. Bryant,
Inn C. Gall &
Wm Dowell. Defendants.

Thomas Beaumont,

Plaintiff in above entitled cause, being duly sworn, on oath says - that he is the owner of, and is lawfully entitled to the profession of the following described personal property, Viz;

A Negro Woman, named Mary, of Copper color, aged about Twenty two years, & worth One thousand dollars; A Negro Girl, named Ann, of dark color, nearly Black, aged five years & worth four hundred dollars; William, a light Mulatto, aged Two years, worth three hundred dollars; and a Mulatto infant, named Ellinor, aged Eight Months, & worth two hundred dollars;

That the said property is wrongfully detained by the defendants, That it is actually worth Nineteen hundred Dollars; that it has not been seized by virtue of any process, Execution, or attachment against the property of the plaintiff; and the plaintiff will be in danger of losing the said property unless it be taken out of the profession of the defendants, or otherwise secured; and that the property was wrongfully taken, and his cause of action accrued with in One year.

Thos. Beaumont.

Sworn to and Subscribed before me, this
11th. day of May, A.D. 1861.
James A. Price, Clerk.

State of Missouri,
County of Platte, } ss:
I, James A. Price,
Clerk of the Weston Court Common
Pleas, in for said County, hereby
Certify the within and foregoing to be a
true and correct ~~co~~ Counterpart of the
original Petition, Affidavit and writ
filed in said Court,
In Testimony Whereof,
I hereunto set my hand and the Seal
of said Court, at Weston this 18th
day of May, A.D. 1861.
James A. Price, Clerk,
By A. S. Vogdy, D.C.

I G M Jaegus Sheriff of Lafayette County Missouri
Certify that I Executed the within writ on the within
named William Duvall by delivering to him a
copy of the within writ & Petition and I afterwards
Executed the within writ on the within named
John C Fall by delivering to him a copy of the within
writ & all done on the 20th day of May A D 1861 in
Lafayette County Missouri and I further Certify
that the within named William H Bryan
cannot be found by me in Lafayette County Mo

G M Jaegus Sheriff
By J A Price Deputy

Fee $2.50
Postage 09
2.59

Return Executed
George W Mayfield
Sheriff
By W. S. Wyatt, D.S.

Felix Mosby
Clerk
By Bell, Deputy

Thomas Beaumont
no 3
Bryant &c &c

Plaintiff moves the court to suppress the depositions filed herein on the 29th of August 1861 by defts for the reason that the same are irrelevant & illegal

Plaintiff moves the court to strike out all the parts of the depositions filed herein that express opinions of witnesses that relate conversations between any & all persons unless the plaintiff was present, that give hearsay & understanding & all part that are illegal & irrelevant to the issue

Dan Sloan & Duncan
attys for Pltff

Thos Beaumont

CS Motion to
Supp depos

Bryant xaes

Filed in open Court
21st July 1862
J. A. Parks Clerk
E. G. Merriot DC

Filed May 28th 1863
Geo W Belt. Clerk
By A. D. Fogan. D.C.

Thomas Beaumont Plaintiff
against
William R Bryant
John C Hall and
William Duvall, Defendants

State of Missouri
County of Platte

In the Piston Court of
Common Pleas

To the Piston Court of Common Pleas
in Said County & State

Your Petitioners. John C.
Hall & William Duvall defendants in the
above entitled Cause - Would & State
that they have not been able that
they Cannot have a fair and impartial trial
in the above entitled Suit for Reasons
following - Viz. That the said Plaintiff
Thomas Beaumont has an undue in-
fluence over the inhabitants of the
Townships of Marshall & Weston in said
County and prays that a change of venue
may be awarded to the Platte Circuit Court
as the Law has in such Cases made and
provided

This affiant Wm Duvall for self & Co Defendant
makes oath & states that the above Petition & the matters
therein as stated by them is true &

that he has just Cause to believe that
Thi Reynolds Cannot have a fair trial
on account of the Cause alleged in this
Petition.

Wm Reynolds

State of Missouri
County of Lafayette } ss

Subscribed & Sworn to before me a Notary Public within & for the County aforesaid this 3rd day of October AD 1862

In testimony whereof I have hereunto set my hand and Notarial Seal this day & year Last above written

Jno E Ryland
Notary Public

Filed in open Court
Nov 10th 1862
J. S. Price Clk
C Ellmaid D.C.

Recognizance

W. Reynolds
Thos Reynolds
Wm Reynolds
Saml Reynolds

The State of Missouri to the Sheriff of Lafayette County Greeting

We command you that you take the bodies of Thos Reynolds Wm Reynolds & Saml Reynolds if they may be found in your County and them safely keep so that you have their bodies before the Judge of our Circuit Court within & for the County of Lafayette at the Court House in Lexington on the first day of the next term thereof to answer the State of Missouri of a plea of Treason against the peace & dignity of the State of Missouri

Witness the Hon Thos A Reynolds Judge of our said Court & the Seal thereof at office in Lexington this 3rd day of October AD 1862

C Ellmaid Clk

State of Missouri }
County of Platte }

Pleas at a Term of the Weston Court of Common Pleas, within the County of Platte and the State of Missouri, begun and held in the Court house in the City of Weston, on Monday the 9th Day of June A.D. 1862 The Hon. Sol F. McCurdy being sole Judge thereof, When and where, and at term subsequent thereto the following proceedings were then and there had,

Be it remembered that on the 11th Day of May A.D. 1861 There was filed in the Office of the Clerk of our said Court a certain petition, wherein Thomas Beaumont is Plaintiff and William K Bryant, John C Fall and William Duvall are Defendants, which said petition is in words and figures as follows, to wit,

Petition

In the Weston Court of Common Pleas for Platte County Missouri, June Term A.D. 1861.

Thomas Beaumont Plaintiff

Vs

William K Bryant, John C Fall and William Duvall, Defendants,

The Plaintiff states he is the owner of and entitled to the possession of the following personal property, A negro woman named Mary, of copper color, aged about twenty two years, and worth about one thousand dollars, A negro girl named Ann, of black color, aged five years, worth four hundred dollars, William, a negro boy, light mulatto, aged two years, worth three hundred dollars, and a mulatto infant child named Eliza, aged

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about eight months and worth about two hundred Dollars And of the joint value of Nineteen hundred dollars. And that the defendants wrongfully detain the said property from the plaintiff. and he therefore asks a Judgement for the recovery of the said property, and two hundred and fifty dollars damages for the detention thereof.

Dunlap & Lawson
Attys for Plff

Thomas Beaumont plaintiff makes oath and says he believes the foregoing petition and the matters and things therein stated are true

Thos Beaumont

Sworn to and subscribed before me on this 11th Day of May AD 1861.

James A Price Clerk
By James L Marsh

Affidavit

Thomas Beaumont Plaintiff
vs
Sheriff Dn W. C. E. D.
W K Bryant, John C Fall. & William Duvall Defendants

Thomas Beaumont plaintiff in above entitled cause. being duly sworn, on oath says that he is the owner of and is lawfully entitled to the possession of the following described personal property, viz. A negro woman named Mary. of copper color. Age about twenty two years. and worth one thousand dollars. A negro girl named Ann. of dark color. nearly black. Age five years. & worth four hundred dollars. William a light mulatto. aged two years. worth three hundred dollars, and a mulatto infant named Ellanor, age eight months & worth two hundred dollars, That the said property is wrongfully detained by the defendants. That it is actually worth Nineteen hundred dollars, That it has not been seized by virtue of any process. execution

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or all actionment against the property of the plaintiff and the plaintiff will be in danger of loosing the said property unless it be taken out of the possession of the defendants or otherwise secured, and that the property was wrongfully taken, and his cause of action accrued within one year.

Thos Beaumont

Sworn to and subscribed before me this 11th day of May A.D 1861

James A Price Clerk

Bond

Know all men by these presents that We Thomas Beaumont as principal & John Donaghoo and James A. Burns as securities are held and firmly bound unto William H. Bryant John C Fall and William Duvall in the full and just sum of Four Thousand Dollars for the payment of which well and truly to be made, we bind ourselves, our heirs executors and administrators jointly by these presents. Signed and Sealed by us this 11th day of May A.D 1861

The condition of this obligation is such, that whereas the above bound Thomas Beaumont has this day commenced a suit in the Weston Court of Common Pleas in which he is plaintiff and William H Bryant, John C Fall & William Duvall are defendants, in which he claims the possession of the following personal property to wit, Mary, Ann, William & Ellener, slaves value at Nineteen hundred dollars, and the said petition with a writ for the taking of said slaves is in the hands of the Marshal of the Weston Court of Common Pleas

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returnable to the June Term 1861. And the said Marshal is about to take and deliver the said slaves to plaintiff. Now if the said plaintiff shall prosecute his action with effect and without delay and shall return the said property to the Defendants. if the return thereof be adjudged and in default of said return shall pay the Assessed value of the said property and shall pay all the damages for the taking and detention of the said property & for all costs that may accrue in the action. then this bond shall be void. Otherwise remain in full force

In testimony whereof we have hereto set our hands & Seals

Approved this 11th Day of May 1861

G W Hoon Marshal,

Thos Beaumont (Seal)
Jno Doniphan (Seal)
James N Burnes (Seal)

Order of Delivery

In the Nisi Prius Court of Common Pleas in Platte County Missouri in vacation Saturday May 11th A D 1861

Thomas Beaumont plaintiff
Vs
William K Bryant. John C. Hall and William Duvall
Defendants

Now at this day comes the said plaintiff by his attorney and files his petition and affidavit setting forth that the said Defts have in their possession. A negro woman named Mary. of copper color, aged about twenty two years. Of the value of one thousand Dollars. A Negro girl named Ann of Black color. aged five years. of the value of four hundred dollars. William a negro boy aged two years, worth three hundred dollars. and a mulatto infant named Ellanor aged about eight months and worth two hundred dollars all of said the property of said plaintiff. to the possession of which

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plaintiff now is and has been lawfully entitled. that the same was not seized under any process, execution or attachment against the property of said plaintiff. that the same are unlawfully detained from him by the said defendants. and the plaintiff will be in danger of loosing the same unless they be taken out of the possession of the said defendants or otherwise secured. These are therefore to command you the Marshal of the Weston Court of Common Pleas. to take the property aforesaid out of the possession of the said defendants and deliver the same to the said plaintiff.

Wherein fail not and have you then and there this writ

Witness James A Brice Clerk of the Weston Court of Common Pleas. with the seal thereof hereto affixed at Office in Weston this 11th Day of May A.D 1861

James A Brice Clerk

By James L Marsh D.C.

Seal

Return

I executed the within writ by taking into possession the Negros mentioned herein from the Defendants Wm O Bryant and delivering the same to said plaintiff Thomas Beaumont, in Weston Township Platte County Missouri on this 11th day of May 1861

G W Hood Marshal of the Weston Court of Common Pleas

Plaintiffs Receipt for property

I receive possession of the within described Negros from G W Hood Marshal of the Weston Court of Common Pleas on this May 11th 1861

Thos Beaumont

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Summons

State of Missouri } ss
County of Platte }

The State of Missouri; to the Marshal of the Weston Court of Common Pleas, in Platte County - Greeting.

You are hereby commanded to summon, William N Bryant, John C Fall and William Duvall, That they be and appear before the Judge of our Weston Court of Common Pleas, on the first day of the Term thereof, to be holden at the Court room in the City of Weston and County aforesaid on Monday the 10th day of June 1861 and there to answer unto the petition of Thomas Beaumont, Wherein fail not, and have you then there this writ,

Witness James A Price Clerk of the Weston Court of Common Pleas with the seal thereof affixed at Weston on this 11th day of May A D 1861

James A Price Clerk
By James L Marsh D C

Seal

Return

Served this writ by delivering to the within named Defendant William N Bryant a true copy of the within writ and petition, in Weston Township, Platte County Missouri on this 11th Day of May 1861

G W Hood Marshal of the Weston Court of Common Pleas,

And afterwards the following was entered of Record,

Record

June Term Monday 21st July 1862

Thomas Beaumont Plff

Vs

7.

William D. Bryant et als Defts

Now here comes the plaintiff by his attorney and files his motion to suppress the deposition filed in this cause 29th August 1861

June term Wednesday 23rd July AD 1862

Thomas Beaumont Plff

Vs

William D Bryant et als Defts

Now here the appearance of defendants Fall and Duvall is entered by Joseph E Merryman Esqr and defendants have leave to file answer within thirty days of the next term of this Court. to which time this cause is continued,

Thomas Beaumont Plff

Vs

William D Bryant et als Defts

Now here the motion to suppress depositions is continued to the next term of this court

And afterwards to wit at the October Term of our said Court begun and held at the place and before the Judge aforesaid on Monday the 13th day of October AD 1862 when and where the following proceedings were had.

And afterwards the following was entered of Record

Record

October term Monday 10th November AD 1862

Thomas Beaumont Plff

Vs

William D Bryant et als Defts

Now here comes the Defendants John B Fall and Milligan Duvall by their Attorney and files their ~~Defendants to the Plaintiffs amended petition~~ separate Answer herein

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Said separate Answer is in words and figures as follows to-wit

Separate answer of Fall & Duvall

In the Weston Court of Common Pleas. September Term 1861

Thomas Beaumont Plaintiff

against

William O Bryant and John C Fall and William Duvall Defendants

These Defendants John C Fall & William Duvall for their separate answer to plaintiffs petition, deny that plaintiff is the owner of or that he is entitled to the possession of the Negro woman Mary and the girl and the boy William and the mulatto child as mentioned and described in plaintiffs petition or either of them- these defendants deny that said negros are worth the several sums as stated in said petition. and they deny that joint value of said Negros is Nineteen hundred dollars as alleged in said petition

These defendants further deny that they are either of them wrongfully or otherwise detain the possession of said Negros or either of them from plaintiff. and they deny that plaintiff is damaged in the sum two hundred and fifty dollars or in any other sum whatever by reason of any unlawful detention from plaintiff

These defendants for further ~~deny~~ answer to plaintiffs petition, state. that they are informed and believe that their co defendant William O Bryant did as Sheriff of Platte County Missouri have possession of said Negros levied upon by him as the property of one Charles Carpenter, under and by virtue of a certain execution issued by the Clerk of the Circuit Court for Lafayette County Missouri in favor of these Defendants and against said Charles Carpenter. And these defendants allege

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that all the said Negroes mentioned and described in said petition are the property of said Charles Carpenter and that Plaintiff only claims said negroes by collusion with said Charles Carpenter to defraud these defendants and other Creditors of said Charles Carpenter and to hinder them in the collection of their said debt, That plaintiff never purchased said Negroes from said Carpenter in good faith & never paid any valuable consideration therefor, but merely claims said Negroes to defraud these defendants & other Creditors of said Carpenter as aforesaid,

These defendants having fully answered to be here discharged with their costs

Spratt & Merryman
Attys for Defts

This defendant William Duvall for himself & as agent for his co defendants. makes oath and says the above answer & the matters therein as stated he believes to be true

Wm Duvall

Subscribed and sworn to before the undersigned Clerk of the Lafayette Circuit Court within and for the County of Lafayette, State of Missouri this 3rd day of September A.D 1861

In testimony whereof I have hereunto set my hand and the seal of said Court at office the day and year aforesaid

Jno P Bowman Clerk

(Seal)

Recd

Thomas Beaumont Plff

vs

William A Bryant et als Defts

Now here come the defendants by their attorneys and file their application for a change of venue herein

and afterwards the following was entered of Record

Record October Term Tuesday 17th November A.D 1852

Thomas Beaumont Pltff

vs

William O Bryant et als Defts

Now here comes the defendant Bryant by his attorney, and files his separate answer herein,

Said answer is in words and figures as follows to wit

separate answer of Deft Bryant

County of Platte } ss
State of Missouri }

In the Western District of Common Pleas Oct Term 1852

Thomas Beaumont Pltff

vs

William O Bryant. Defendant and others

William O Bryant for a separate answer states. That at the November Term 1850. There was rendered in the Circuit Court of Lafayette County Missouri a Judgement in a certain cause therein pending in favor of John C Fall & William Duvall and against Charles Carpenter for the sum of Sixteen hundred & twenty one dollars & forty three cents together with costs of suit- on which Judgement an execution was issued & shortly thereafter placed in his hands then the acting Sheriff of Platte County Missouri, that by virtue of the same and at the instance and request of the said Fall & Duvall he levied the same upon & seized as sheriff aforesaid the slaves set forth and described in plaintiffs said petition,

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That shortly after such seizure & levy he as Sheriff aforesaid received written notice from the said plaintiff claiming the slaves aforesaid - whereupon the said Hall & Duvall being notified of such claim by plaintiff and a day fixed for the trial of the right property — whereupon a jury of twelve good and lawful men was empannelled & duly sworn try the issue aforesaid - after hearing the evidence fully considered of the same, brought in the following verdict. We the jury find the slaves to be the property of the Claimant Thos Beaumont. Whereupon the said plaintiff in said execution Tenderen to him a Bond payable to me as Sheriff aforesaid, with good security residents of Platte County Missouri, conditioned to indemnify him against all damages and costs which he may sustain in consequence of the seizure and sale of the property mentioned aforesaid & on which the execution aforesaid was levied to pay and satisfy to any person claiming title to such property, all damages which such person or persons may sustain in consequence of such seizure & sale,

That he Returned said Bond together with the execution, was by him as Sheriff aforesaid Returned and filed in the office of the Clerk of the Circuit Court of LaFayette County in the State of Missouri.

That by Reason of the due execution and Return of such Bond as aforesaid defendant states that the plaintiff is Barred of his right of action against him & Remains Judgement

J H & J Sprath J C Merryman
attys for defendants

James G Sprath agent for defendant makes oath and states that the above answer and the matters as therein stated, as true, as he is informed & believes.

J G Sprath

'13 Sworn & subscribed to before me this 11th Day of November 1862

J A Price Clerk
by C Hesicut D.C.

And afterwards the following was entered of Record,

Record October Term Wednesday 12th November 1862

Thomas Beaumont Plff

vs

William O'Bryan et als Defts

Now here at this time, on the application of the defendants by their attorney, a change of venue is awarded to the Platte Circuit Court, It is therefore ordered by the Court, that the Clerk of this court, immediately make out a full, true and perfect Transcript of the Record and proceedings had in this cause and transmit the same duly certified to the Clerk of the Circuit Court of Platte County accompanied with all papers filed in this cause, and not forming a part of the Record, the defendants first paying all costs,

Fees Statement of Fees accrued in said Cause.

Clerk James A Price	$16,15	
Court McCurdy	2,00	
Marshal Hood	5,90	
Sheriff Jacques	2,59	
This Transcript	4,30	
Certificate & Seal	,30	$32,14

These costs were paid by Defts Jno C Fall & William Orrell

State of Missouri

County of Platte

I James A Price Clerk of the Weston Court of Common Pleas within Platte County Missouri do hereby certify that the forgoing is a true and correct statement of the costs in the aggregate accrued in this cause as the same appears on the Fee book in my said office

Jas A. Price Clerk

E. E. Herivel DC

Index

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State of Missouri }
County of Platte }

I James A Price Clerk of the Weston Court of Common Pleas within Platte County Missouri do hereby certify that the above and foregoing thirteen pages is a full true and perfect transcript of the Record and proceedings had in the foregoing entitled cause as appears by the Record in my said Office

In testimony whereof I hereunto subscribe my name and affix the

seal of said Court at office in the City of Newton
This 1st Day of April A.D 1863
Jas A. Prices Clerk
E Atwood Dc

Transcript

Beaumont

vs

Bryant et als

LIGHT

TEXT

1

2

3 This 11th day of May A.D. 1861
James A Price
by Alex. Latimer

Alex Latimer Plaintiff
vs
Wm. H. Bennett Defendant
In Detinue

The Plaintiff complains of the Defendant in this action for that the Plaintiff on the 1st day of May A.D. 1861 at Clay County aforesaid was lawfully possessed of the following described property to wit One Negro girl named Fanny of dark color nearly black, aged five years, and two hundred Dollars, William a Negro boy about eight years of age and of dark color and of the value of Three hundred Dollars. That the said property is wrongfully detained by the defendant, that the value of said property exceeds the sum of One hundred Dollars. That it has not been seized by virtue of any process, Execution or attachment against the property of the Plaintiff

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Bonds

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Marshall
Nelson

8 Platte county Missouri on the 11th
day of May 1861.
[illegible] 14th [illegible] of the
Weston [illegible]

[illegible] to wit on the 11th
day of May [illegible] 1861 [illegible]
[illegible]
[illegible]
in words and figures as follows [illegible]

Summons State of Missouri
County of Platte set
The State of Missouri, to the
Sheriff of [illegible]
[illegible] Platte County, Greeting
You are hereby commanded to summon
William [illegible] Bryant [illegible]
and William Duvall [illegible]
to be and appear before the Judge of
our Weston Court of Common Pleas, on
the first day of the term thereof, to be
holden at the Court Room in the City
of Weston and County aforesaid on
Monday the 10th day of June 1861
and there to answer unto the petition
of Thomas Beaumont, wherein fail not
and have you then there this writ.
Witness J. A. Price Clerk of the

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Court of Common Pleas holden
the Tenth Tuesday in August at
Weston on the 11th day of May
(Seal) A.D. 1861

Present Francis Fisher Esq
Judge of said Court

upon which writ the following
Return was endorsed

Served this writ by delivering to the
within named defendant Wallace
K. Bryant a true copy of the writ and
and detaching in Weston aforesaid Marks
County aforesaid on this 11th day of May
1861 C. W. Frost. Deputy of the
Weston County Common Pleas

Return

And afterwards to wit at the
June Term A.D 1862 of our said
Court, began and held at the
place aforesaid on Monday the
9th day of June A.D. 1862. the Hon Sol
P. McCurdy, being then sole Judge
thereof, when and where, the fol
lowing proceedings were had

And afterwards the following was
entered of Record

10 June Term Monday 21st July 1862

Record

Thomas Hammond

vs

William Hayes Sarah Hayes Eliza
Hayes William H. Hayes Sarah Hayes
Jr and Charles Hayes Infants
under 21 yrs of age

and afterwards the following was
entered of Record

June Term Wednesday 23rd July 1862

Record

Thomas Hammond

vs

William Hayes Sarah Hayes Eliza
Hayes William H. Hayes Jr and
Charles Hayes Infants under 21 yrs
of age by their father & next friend
Jesse Hayes & Jesse Hayes Jr
& Charles Hayes Infants under
21 yrs of age by their father &
next friend Jesse Hayes

And now to wit, to wit, on this day came the
plaintiff by Wesley Thompson their Attorney and the
defendants Sarah Hayes Eliza Hayes and
William Hayes Jr by their Attorney
within thirty days of the next Term
of this Court, to which time, this cause
is continued

Plea no further proceedings

vs

William Hayes Sarah Hayes Eliza
Hayes William H. Hayes Jr & Charles
Hayes Infants under 21 yrs of age
by their father & next friend Jesse
Hayes & Jesse Hayes Jr & Charles
Hayes Infants under 21 yrs of age
by their father & next friend Jesse
Hayes

And now to wit, to wit, on this day came the
plaintiff by Wesley Thompson their Attorney and the
defendants by their Attorney, and the
plaintiff says he will not further prosecute
his suit against the defendants, but
discontinues the same

It is therefore considered by the Court
that the defendants go hence without day
and recover against the plaintiff their
costs by them about their defence in this
behalf expended, and the plaintiff in mercy
&c

11

Record

12

costs

Wyatt & Alexander
Attys for Defts

This defendant William Dennis for himself and as agent for his co-defendant, maketh oath and saith the above answer is true & the matters therein contained are

14

Recorded

Recorded

Recorded

15

111

being the case of a freight railroad company
condemning a piece of land, or building across
the right of way of another railroad company
and damaging it, or destroying the use of
a part of it, or making it necessary to
build new or additional tracks or fences to
be the same as formerly, or altering
the grade, filling embankments or
cuts, or the like, some but not all of these
things to be the proper subject of damages
recoverable. Where there is a taking of
part of said tract, the land
and the value of the remainder right
after the taking must be considered
together with such damages as may accrue
to the remainder by reason of the use to
be made of the property taken, and all
damages, present and prospective, which
are the natural consequence of the taking
must be considered, such as injuries
resulting from the construction, use and
maintenance of the railroad, and to
such, however, all damages which may
thereon or thereon may accrue in con-
sequence of such taking and use.

If you find from the evidence, by the
preponderance of the evidence in this case
that the defendant railroad company
has taken a piece of land belonging to
the plaintiff, and has thereby damaged
the remainder of said tract of land
by the use to be made of the property
taken, you will find for the plaintiff
such sum as you believe from the evi-
dence will be the difference between the
fair cash value of said tract of land
immediately before the taking and the
fair cash value of the remainder immedi-
ately after the taking, and in addition
thereto any damages which may accrue
to the remainder by reason of the use to
be made of the property taken, and all
damages, present and prospective, which
are the natural consequence of such taking and use.

If you find for the plaintiff, you will find, together
with the Execution, such further sum as plaintiff

17

19

20

Services

Relations	1. 2.
Children	3.
Friend	4. 5.
Order of Del	6. 7
Relations	7
Clerman	8
Clerman	9
Record	10 11. 12 13
Services of Ex's	11. 12 13
" " B	15 16 17
Order of Women	18
Fees	18
Certificate	19

Received and
Examined
by
Chas. W. Clerk

Chas. W. Clerk
Geo. W. Clerk, Colum.
By Ang. D. Dog Agt
D.C.

Thomas Beaumont

v

William R Bryant
John C Hall &
William Duvall

Reff In Plea
Circuit Court Mo
Misdemeanor

Defendants

The above named Reff is hereby notified that depositions of witnesses, to be read as evidence on the part of defendants in the above cause, will be taken at the law office of Sawyer & Chrisman in the town of Lexington in the State of Missouri on 19th day of May AD 1865 between the hours of nine oclock in the forenoon and five oclock in the afternoon and if the taking is not completed on that day they will be continued from day to day between the same hours until completed.

Jo E Ingerman
Atty for def

Due acceptance of notice
on the within May 11 1865
Sampson & Lawson
attys for Pltff

Depositions of witnesses produced sworn and
Examined on the 19th day of May AD 1865
between the hours of Nine Oclock in the fore
noon and five Oclock in the afternoon of
that day, at the Law Office of Sawyer & Chris
man in the town of Lexington in the County
of Lafayette in the State of Missouri. before
me. a Notary Public within & for said Lafayette
County Missouri. in a certain Cause now
pending in the ~~Circuit Court of Common pleas~~
Circuit Court of Platte County in the State
of Missouri. between Thomas Beaumont as
Plaintiff and William M Bryant. John C
Tall and William Duvall as defendants
on the part of the defendants

Milton F Price of lawful age. being produced
sworn and Examined on the part of the defend
ants deposeth and saith. I am acquainted with
the defendants John C Tall & William Duvall. &
also with Charles Carpenter. I was in partnership
with said Carpenter in the Plow Factory and Foundry
business in Lexington Missouri. from about the 1st of
July AD 1858. up to some time in September 1861. I was
about said Factory most of the time. I am acquainted
with John F Carpenter son of said Charles Carpenter
The Firm of Carpenter & Price never employed said
John F Carpenter to do any work or business ~~for~~
for them. And I never heard of said Charles Carpen
ter employing him said John F Carpenter was about
said Plow Factory & foundry most of his time. He
would sometimes take hold & do little jobs: but his
work did not amount to much. He was standing
around most of his time doing nothing. By an agree
ment between said Charles Carpenter & Myself. said

Carpenter was to attend to the work about the Shop
and I was to attend to the out door business Collec
= ting &c The work about the Shop was not more than
any one man could attend to. Said Charles Carpenter
was to keep the Shop books and to enter all work
done in and about the Shop and plow factory
I was dissatisfied with the manner in which said
books were kept. and wanted to put them in the
hands of a competent book-keeper: but said Charles
Carpenter would not agree to that arrangement
and said he would leave the Concern if he was not
allowed to keep the books. I became dissatisfied
about the Keeping of said Books. From the fact that
I never could get either Charles Carpenter or his
Son John S Carpenter, to make out a balance sheet
to see how the business of the Factory stood.
Said Charles Carpenter also refused to let me take
said Shop books to have them squared and balanced
by a competent book keeper. I know of many
instances of said Carpenter & his son John Col
= lecting Money that should have been entered in
said Shop books. that never was so entered,
Money that they, said Charles Carpenter or John
had collected & receipted for. and never made
any entry of. I know that they at one time
received from the house of Hensley Rupell & Co
of Leavenworth City Kansas. the sum of three
Hundred Dollars or upwards. which they made
any entry of. I also know that said Charles
Carpenter acknowledged to have received the
sum of two hundred Dollars from George D
Hopkins of West Port Missouri. of which sum
he never made an entry in said books or
any where else. He (said Charles Carpenter)

received of Lomax & Jacobs of Wellington Mispou
= ri four fifty & sixty Dollars. that he never en
= tered in said books or other wise accounted for
on said books. Also he received of James Hall
of Chapel Hill Missouri. the Sum of thirty four
Dollars that he did not account for on said
books. Also he received of S. F. Warren of Weston
Missouri. the Sum of thirty three Dollars. that he
never accounted for on said books or any where
else. I also know of his doing work that never
was entered on said Shop books. and that said
Charles Carpenter afterwards tried to collect pay
for such work on his own individual account
And then and Number of other instances
besides those above specified. when said Charles
Carpenter and his said son John S. Carpenter had
collected Money on said Shop books. which
they never entered on said books. and never ac
counted for on said Shop books. My opinion
is that said John S Carpenter was a decided dis
advantage about said Shop. and no claim for
the services of said John S Carpenter was ever
made to me. and I never thought his services
were worth anything. said Charles Carpenter
was individually in debted to divers persons
in and about the Sum of Two thousand dol
= lars besides the Firm debts when he left
Lexington. The firm of Carpenter & Price was
in debted in about the Sum of two thousand
Dollars over and above the debts assumed by
me. when I bought out said Carpenter interest
in said partnership business. The amount of
the available accounts on said Shop books
cant exceed the Sum of Five hundred Dol

= Pars. and I think it will be less. I know of no
other property or effects that said Charles Carpen
= ter now owns in this or any other County, out
of which a debt could be made except it
be the negroes he ran off.

Further the deponent saith not.

Wm. L Price

Sworn to & subscribed before me, on the day, at
the place and between the hours, first above
half past above written

John E Ryland
Notary Public

Robert M Farland, of lawful age being produced
sworn and examined on the part of the depu
= dants deposeth and saith. "I am acquainted
with the defendants John C Fall & William
Duvall and with Charles Carpenter. I was in
partnership with said Carpenter in the Foundry
business in Lexington Missouri for nearly two
years Our partnership expired some time about
September 1860. I kept the books of said Foundry
business, when I was well and at home
and when I was absent or sick. Charles Car
penter or his son John L Carpenter or Milton
L Porter acted as book Keeper for the concern
Charles Carpenter. Milton L Porter & myself
composed the said Partnership in the Foundry
business, and by a covenant I was to keep the
books of said business. Charles Carpenter
wanted his son John L Carpenter to be the book
keeper of said Firm: but said Porter and my
= self objected to this. and I was to keep the
books, but during my absence said John L

Carpenter did keep said books during most of the time, said Charles Carpenter [redacted] John S Carpenter Collected Monies for work done by said Foundry which was never charged in the books said Foundry or credited to said Foundry work was often taken out said Foundry, and disposed of by some one. for which no account was made. said John S Carpenter was often about said Foundry. attending to matters and helping about work. but I always thought he was rather a damage to the business than a benefit. as he was often in my way. and in the way of the hands. I dont think his services about the Foundry were worth any thing. I was often sick during said Partnership, and during such spells. the Foundry business would suffer materially; the materials would become used up & never charged and no sufficient account given of the work or the Materials used. I think said John S Carpenter had the principal management of the business during my sickness. Said Price complained of the manner in which said business was conducted during my sickness or absence from the Foundry. John S. Carpenter was never employed by the Firm. as a book Keeper. or in any other capacity -

Robt McFarland

Sworn to & subscribed before me. on the day. at the place and between the hours in that behalf first above written

[redacted]

John E. Ryland
Notary Public

not being able to complete the Taking of said depositions by reason of the want of time. I adjourn the further taking of the same till tomorrow then to be continued at the same place and between the same hours mentioned in the aforesaid Caption.

John E. Ryland
Notary Public

Pursuant to the adjournment as above stated on the 20th day of May AD 1865. between the hours nine oclock in the forenoon and four oclock in the afternoon of that day at the Law Office of Sawyer & Chrisman, parties met to continue the taking of said depositions: but being unable to get the attendance of the witness I adjourned the further taking of said depositions until Monday the 22nd day of May AD 1865. then to be continued at the same place and between the same hours mentioned in the aforesaid Caption

John E. Ryland
Notary Public

Pursuant to the adjournment as above stated on the 22nd day of May AD 1865. between the hours of nine oclock in the forenoon and four oclock in the afternoon of that day, at the Law Office of Sawyer & Chrisman, parties met to continue the taking said depositions but being unable to get the attendance of the witnessey. I adjourned the further taking said depositions until tomorrow. then to

be continued at the same place and be-
tween the same hours mentioned in the
aforesaid Caption.



John E Ryland
Notary Public

Pursuant to the adjournment as above
stated on the 23rd day of May AD 1865. be-
tween the hours of Nine Oclock in the fore-
noon and five Oclock in the afternoon of
that day, at the Law Office of Sawyer & Chis-
man. parties met to continue the taking of
said depositions. but being unable to get
the attendance of the witnesses. I adjourn-
ed the further taking of said depositions. until
tomorrow then to be continued at the
same place and between the same
hours mentioned in the aforesaid Cap-
tion.



John E Ryland
Notary Public

Pursuant to the adjournment as above
stated. on the 24th day of May AD 1865
between the hours of Nine Oclock in
the forenoon and five oclock in the after-
noon of that day. at the Law Office of
Sawyer & Chisman, parties met to con-
tinue the taking of said depositions, but
being unable to get the attendance of the
witnesses. I adjourned the further
taking of said depositions until tomorrow
then to be continued at the same place &
between the same hours mentioned in
the aforesaid Caption.



John E Ryland
Notary Public

= Pursuant to the adjournment as above sta
ted. on the 25th day of May AD 1865. between
the hours of Nine oclock in the forenoon and
five oclock in the afternoon of that day
at the Law Office of Sawyer & Chrisman
parties met to continue the taking of dep
ositions, but being unable to get the attend
= dance of the witnesses. I adjourn
= ed the further taking of said depositions
until tomorrow. then to be continued
at the same place and between the
same hours mentioned in the aforesaid
caption.

John E Ryland
Notary Public

Pursuant to the adjournment as above
stated on the 26th day of May AD 1865
between the hours of Nine oclock in the
forenoon and five oclock in the afternoon
of that day. at the Law Office of Sawyer
& Chrisman. I continued the taking of
said depositions as follows viz

James Hicklin of lawful age being
produced. Sworn and examined on the
part of the defendants. deposeth and
saith. I know the defendants John C
Fall and William Duvall. and also
Charles Carpenter. I know the negro
woman Mary and her three children
that were claimed and held by said
Charles Carpenter. Three said negroes
were taken out to my house from Lex
ington on Saturday. the 17th day of
November 1860. being the Saturday before

the Circuit Court of said Lafayette County
I had them taken out to my house. They
staid there until the Monday evening following
= ing. being the 19th day of said November 1860
Mr Carpenter came after them himself
with a close hack. He reached my house
about dark or a little after dark. I live
about three miles from Lexington. I think
he (said Carpenter) could have left town
after dinner and have reached my
house by dark or at the time he did
said Charles Carpenter left my house about
one hour and a half after dark, and
brought said negro woman Mary and
her three children away with him.
I invited him to stay all night. but he
said he would get to town directly, and
left. I have not seen said Charles Carpen
ter, or said negroes since. I was in
Lexington the next day after he left my
house and did not see Carpenter or
the negroes either, in town
Further the deponent saith not.

(Jno) Hicklin

Subscribed and sworn to before me. on the day
and at the place and between the hours in
that behalf mentioned in the Adjournment
last above written John E Ryland
Notary Public

State of Missouri }
County of Lafayette } ss

I John E. Ryland a Notary Public within and for the County of Lafayette aforesaid in the State of Missouri do certify that in pursuance of the within notice. Came before me, at the Law Office of Sawyer & Glenniman in the town of Lexington in the State of Missouri Milton F Price. Robert McFarland and James Hicklin who were by me severally sworn to testify the whole truth of their knowledge touching the matter in Controversy aforesaid & that they were examined and their Examination reduced to writing and subscribed by them respectively, in my presence, on the days, between the hours and at the place in that behalf first aforesaid. and in the last adjournment mentioned. and their depositions are now herewith returned And I further certify that I said Milton F Price Robert McFarland, and James Hicklin are residents of said County of Lafayette in said State of Missouri. In testimony whereof I have hereunto set my hand and Notarial Seal this 26th day of May A.D. 1865

John E Ryland
Notary Public

Fee for taking deposition	5.00
Stamps (Revenue)	.50
Postage Stamps	1.42
	$5.92

Filed May 31. a.d 1865
Geo M Geo
Clerk

Beaumont
vs
Bryant & Sales

It is agreed that plaintiff's
may have a judgment for
the negroes claimed in the petition
and if at any time previous
to thirty days of the march
term if a notice is given
to plaintiff that defendants
desire the judgment to be set
aside it is to be done and
if no such notice is given
plaintiff & his defendants
attorneys are bindden,
sealed, and if notice is
given as above set forth
the case shall be reinstat-
ted & stand for trial
at the next term

Jo E Henryson
for Deft
Thos Beaumont

Beaumont
Ms 3 Regiment
Bryant Dale

Price Sibley 1865
Lieut M. Bell
By Barbara DC

Thomas Beaumont Plaintiff

Against

Wm K Bryant vals Defendants.

The Plaintiff moves the Court to suppress the Depositions of

Wm G. Duvall.

A. N. McFaddon

Robt McFarland.

James L Pointer

Milton H. Price

Jam. Hicklin

Balthaw Oswalt. taken and filed by the defendants in this Case.

Because the Jurat were not lawfully Certified by the Notary Public taking the Same

Because they are not properly and Identified

Because they are not subscribed by the witnesses

Because the Notary Public has not affixed his Seal of a Notary Public

Because the time and place of taking do not Conform to the Notice

Davidson & Benson

atty for Pltf

8 Fr.

Thomas Beaumont

Dr K Reynolds

Sub State Brokers

& Shipping Deposits

& Sundry Deposits