

Jefferson County Circuit Court
Case Files - Civil
September 1870, No. 23

Box 27 Folder 9

Ogle, George W.

vs.

Smith, Thomas O.

Debt, note

Debt \$454.80; C.C. Fletcher
garnishee on execution against
defendant

Wm Smith No 222d 1869

One day after date for value received
I promise to pay to Rev. W. Cole or
order the sum of Four hundred and
fifty four and ⁸⁸/₁₀₀ dollars in full
negotiable and payable with interest
from date at the rate of ten per
cent per annum
\$ 454.⁸⁸/₁₀₀

Wm Smith
maker

Witness
W. T. Colborn



J. O. Smith
203 N. 3rd
Geo. W. Agle

George W. Ogle, Plaintiff

v

Thomas O. Smith
Defendant

In the Jefferson
Circuit Court
September Term
1870.

Plaintiff states that defendant by his promissory note herewith filed dated the 22nd day of October 1869 promised for value received to pay Plaintiff one day after the date thereof the sum of four hundred and fifty four ⁸⁰/₁₀₀ dollars, which and the interest thereon are yet due Plaintiff and for which he asks judgment.

John H. Monro
Atty for Plaintiff.

George N. Apple

"

Thomas Smith

Relation or note.

Black July 26th 1870

Miss Dr. Henry at

My dear Mr. Apple.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you, that you summon

Thomas O. Smith

*if he be found in your County, that he be and appear before the Honorable
Judge of our Circuit Court, on the first day of the next term thereof, to be
begun and held at the town of Hillsboro, within and for the County of
Jefferson. On the 1st Monday after the fourth Monday
of Sept, next, then and there to answer unto*

George W. Ogle

*upon his original petition, a copy whereof is hereunto annexed
and accompanies this writ, and have you then there this writ.*

Witness, ELIAS F. HONEY, Clerk of our said
Circuit Court, with the seal thereof hereunto affixed,
at office in Hillsboro, this Twenty Sixth
day of July A. D. 1840

Elias F. Honey Clerk Circuit Court.
By *Lewis H. Ayford* Deputy.

23 17
RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1870

George W. Oglet

Plaintiff

AGAINST

Thomas O Smith

Defendant

(Orig)

Served the within writ
29th day of July
with a copy of return of

\$605.63

1879

The within was served on the 29th day of July A.D. 1870 by delivering a true copy of the within writ and petition to a white member of the family of the defendant Thomas O Smith at his usual place of abode at Jefferson County Mo. Said member was above the age of fifteen years.

fees \$1.00

Frederick Luchtmeier Sheriff
by Fred Vollmach Deputy

263, 264 338 401, 448,
Sept 12 1870
605.63 107

Henry Oglet, but no 60
with 100 10 1.10
to return 10 10
brought 505 and 50 85
263-
4.00

Mr Boyce 30 20
Carriage return 25
to return 30 and 7 45
to return 30 75
to return 20 20
to return 20 60
to return 20 20
to return 20 10
280

Luchtmeier Sept 1.00
Oglet, 100

Prothonotary Sam Hye 100

County of Jefferson, ~~St.~~

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

~~Witness,~~

day of *September* in the year of our Lord eighteen hundred and

the sum of *six hundred & five* at our Court, hath recovered against *100* dollars for

his costs in that behalf laid out and expended,

on the *17th* day of *September* *his debt as well*

These are, therefore, to command you, that of the Goods and Chattels, and Real Estate, of the said

John D. Smith you cause *next, to*

to be made the said Debt, Damages and Costs, and that you have the same before the Judge of said Court on the *first Monday* of *March*

satisfy the Debt, Damages and Costs aforesaid, and that you certify how you execute this writ, and have you then there this writ.

~~Witness,~~ ELIAS F. HONEY, Clerk of our said Circuit Court at Hillsboro, this said

A. D. eighteen hundred and *seventy*

19th day of *September* *John D. Smith* Clerk.

His Honor came to hand Sept 19/870 & I did on
 the same day ~~summon~~ at the County of Jefferson
 State of Missouri, summon C. C. Fletcher as garnisher
 by declaring to him that I did summon him
 to be and appear before the Jefferson Circuit Court
 the first Monday of March 1870 to answer such
 interrogatories as may be asked of him by Plain-
 tiff touching his indebtedness to the Defendant
 and by reading to him the within return.

Fred Suchtemayer Scheriff
 By Fred Vollmaier
 Deputy

fees \$ 1.00

No. _____
 TO THE CIRCUIT COURT OF
 JEFFERSON COUNTY
 Term, 1871
 C. C. Cole
 vs.
 C. C. Smith
 Judgment Sept 19th 1870
 Interest 1870
 Debt \$605
 Suchtemayer
 vs.
 Henry Co. &
 White Exposition
 \$609

The within execution in favor of George W. Agle and against Thomas O. Smith dated the 19th day of September 1870 came to hand this 19th day of September 1870 and there being within my County no other real or personal property of the said Thomas O. Smith whereon to levy to make the within debt and costs, I did on the same day, viz: the 19th day of September 1870 at the County of Jefferson, State of Missouri, by the direction of John L. Thomas attorney for the Plaintiff George W. Agle levy upon, seize and attach in the hands of C. C. Fletcher all the money due by him to said Thomas O. Smith and all money, goods, chattels, debts or evidences of debt in his hands belonging to said Thomas O. Smith, by then and then delivering to him the said C. C. Fletcher that I did levy upon, seize and attach in his hands all money due by him to said Thomas O. Smith and all money, goods, chattels, debts or evidences of debt in his hands ^{to satisfy the within execution} belonging to said Thomas O. Smith, and I did further then and then summon the said C. C. Fletcher as

a garnish herein, by then and there
declaring to him that I did summon
him to be and appear before the Circuit
Court of Jefferson County Mo. on the
first day of the next term thereof to be
held at Hillsboro in said County on
the first Monday of March 1871
then and there to answer to such
interrogatories as might be propounded
to him by the Plaintiff, George W. Ogle
touching his indebtedness to the said
Thomas O. Smith and by reading to him the within
No other property real or personal found
in my Co. whereon to levy to make said
debt and costs. & this execution is re-
turned unsatisfied.

Fred Luchtemayer Sheriff
by Fred Vollmar
Deputy Sheriff

Geo W Ogle
C O Smith

ALLEGATIONS AND INTERROGATORIES IN SUIT BY ATTACHMENT.

George M. Agle Plaintiff,
vs.

Mamie O. Smith Defendant.

In the _____
Term, 18____

According to the Form of the Statute In this behalf made and provided, the Sheriff of *Jefferson* County has summoned as Garnishee in the above case, the following named person, to wit:

and thereupon the Plaintiff comes and alleges that *C. C. Fletcher* said garnishee, has, and at the time he was summoned as such garnishee, had in his possession, custody and charge, divers lands, tenements, goods, chattels, moneys, credits and effects of the said Defendant, of the value of _____ Dollars; and also at the same time was, and now is, indebted to the said Defendant in a large sum of money, to wit:

seventy five Dollars.

AND THE PLAINTIFF EXHIBIT THE FOLLOWING INTERROGATORIES, to be answered by *C. C. Fletcher*, said garnishee, according to law, to wit:

1st. At the time you were summoned as garnishee, had you, or have you since that time had, or have you now, in your possession, custody or charge, any lands, tenements, goods, chattels, moneys, credits or effects, belonging to the Defendant _____

If yea, state what they were, or are, and their value; if lands or tenements, a full description of them; and if goods, chattels, moneys, credits or effects, how they came into your possession, custody or charge.

2d. At said time were you, or have you since become, or are you now, in anywise indebted to the Defendant _____ ?

If yea, state to what amount, in what manner the debt accrued, any instrument of writing by which it was evidenced, what has become of such instrument, and whether, to your knowledge, it was in the possession or under the control of the Defendant _____

or of his _____ agent at the time, or after you were summoned as garnishee.

3d. At said time were you, or have you since become, or are you now, bound in any contract to pay the Defendant _____ money, which is not yet due? If yea, state the nature of such contract, the amount thereof, and when the money to be paid under it was, or is to become due and payable.

Mamie O. Smith
for Plaintiff

Col

5

Heuer Smith

Antiochian &
Garrison

Filed Mar 21 1871
and Joyce etc

George Washington Ogle, - Plaintiff } In the
 vs. } Circuit Court
 Thomas O. Smith, - Defendant } Jefferson County
 Missouri

On Execution returnable
 to the March Term 1871

Charles C. Fletcher, summoned as a
 Garnishee in the above entitled Cause, on the
 19th day of September 1870, for Answer to the
 Interrogatories filed on the 20th day of March 1871
 in said Court against him, touching his indebted-
 ness to said Thomas O. Smith, the Defendant, states
 that, at the time of the service on him of the
 said garnishment, to wit, on the 19th day of September
 1870 - he did not have in his possession, or under
 his control, any property, money, or effects belong-
 ing to the said Defendant, -

But, in regard to the second interrogatory
 he states that, at the time of the service of
 the said Garnishment on him, he did owe
 the Defendant, Thomas O. Smith, the sum
 of fifty one dollars and forty seven cents,
 which money was then and is now due
 and is the same debt admitted by him in his Answer of this date in the case of
 the said Defendant, ^{Thos. L. Donnell vs. said Defendant.}

Shown to and subscribed Charles C. Fletcher
 before me this 20th Mar 1871 }
 W. S. Boyce Clerk, }
 By M. H. Hume Deft

In Circuit Court
Jefferson County

George W. Ogden
vs,
Thos. O. Smith

Answer of
L. O. Fletcher
Garnishes

Filed Mar 21 1871
m. J. Boyce cl

No. 3017

Jefferson Circuit Court.
Sept Term, 1870

Geo. W. Cagle
vs.

Wm. O. Smith

Judgment, 10 70 \$ 105.67

Date 18

Fee Book No. Page

Judge's Docket, Page

Plaintiff's Atty.

ATTORNEYS: Exercise care and return promptly.

C. F. Chamberlin & Co., Printers and Stationers, St. Louis.