

Jefferson County Circuit Court
Case Files - Civil
October 1886, NO. 44

Maguire, Hugh H.
Maguire, Frank E.
Maguire, Brothers

VS

Raymond, Charles

Appeal

Garnishee St. Louis, Iron Mountain
Southern Railway Co. appealed from
JP William L. Stone on \$7.75 account
for shoes

Box 38 Folder 31

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

(R. S., Vol. 1, Section 464.)

*Hugh Maguire & Frank
E. Maguire Comprising firm of**Maguire Brothers*

VS.

Pl'ffs.

BEFORE

William L. Stone

Justice of the Peace.

Charles Raymond Def't.*Vale*

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

SS.

This day personally appeared before me *Wm L Stone*, a Justice
of the Peace within and for the Township of *Vale* in the County aforesaid,

Hugh Maguire one of the
Plaintiff's, in the above entitled suit, and upon oath says, that the Plaintiff's,

Maguire Brothers

have a just demand against the Defendant,

Charles Raymond

and that the

amount which the affiant believe said Plaintiff's ought to recover, after allowing all just credits and
set offs, is *Seven* DOLLARS

and *75* Cents, due *August 15th 1886*

and that *plaintiffs* ^{as} has good reason to believe, and does believe that the defendant

*has absented himself from this usual place of
abode in this state so that the ordinary process
of law can not be served upon him.
and that defendant is about fraudulently to
convey or assign his property or effects so as
to hinder or delay his creditors.*

Sworn to and subscribed before me, this *26th* day

of

August

A. D. 18

*86**William L. Stone*

J. P.

W. H. Maguire

Affidavit in Attachment Suit.

No. _____

Mugnier Bros } Plffs

VS.

Charles Raymond } Def't

BEFORE

William L. Stone
Justice of the Peace.

Filed *August 26th* 18*86*

William L. Stone
Justice of the Peace.

PLAINTIFF'S BOND IN ATTACHMENT,--J. P.

H. H. & F. E. Maguire
comprising sum of
Maguire Brothers
vs.

(Rev. Stat., Page 64, Sec 404.)

In Attachment Suit Before

William L. Stone
 Justice of the Peace.

Chas. Raymond

We, H. H. Maguire

as Principal, and

as Securit....., owe and stand indebted to the State of Missouri in the sum of

Fifteen & 50/100

DOLLARS, upon this condition: That the Plaintiff in

the above entitled cause

Maguire Brothers

shall prosecute *their* action without delay and with effect; refund all sums of money that may

be adjudged to be refunded to the Defendant

Chas. Raymond

or found to have been received by the Plaintiff, and not justly due to him, and pay all damages and costs that may accrue to any Defendant or Garnishee by reason of the attachment, or any process or proceeding in the suit, or by reason of any judgment or process thereon.

WITNESS our hands and seals this

26th

day of

August, A. D. 188*6*

H. H. Maguire, Seal

F. E. Maguire, Seal

Seal

Approved this

26th

day of

August

188*6*

William L. Stone

Justice of the Peace.

BOND IN ATTACHMENT.

No.

Maguire

vs.

Raymond

Date *Aug 26th* 18 *86*.

Amount *1532*

WRIT OF ATTACHMENT--J. P.

(Revised Statutes 1879, page 74, Section 467.)

STATE OF MISSOURI,

ss.

County of

Jefferson

THE STATE OF MISSOURI, To the Constable of the Township

of

Valle

, in the County of

Jefferson

GREETING:--

You ARE HEREBY COMMANDED TO ATTACH

Charles Raymond

by all and singular

his

Goods, Chattels, Moneys, Effects and Credits, or so much thereof as shall be sufficient to satisfy the sum of

*Seven and**75*
100 DOLLARS,

with interest and costs of suit, in whose hands or possession the same may be found in your County, so that

he

be and appear before me,

William L. Stone

, a Justice of the Peace within and for said Township and County, at my

office in said Township, on the

7th

day of

September

, A. D. 18

86

at

10 o'clock

a M., to answer

to the complaint of

W. H. and F. E. Maguire

and that you summon the said

Charles Raymond,

to appear before me, the said Justice, at the time and place appointed, to answer the action of the Plaintiff; and that you summon as Garnishees all such persons found in your County, as may be directed by the plaintiff or his agent, to appear before the said Justice, at the time and place aforesaid, to answer such interrogatories as the Justice may propound. And have you then and there this writ.

WITNESS my hand this

26th

day of

August

, A. D. 18

*86.**William L. Stone*

Justice of the Peace.

CONSTABLE'S RETURN.

Executed this writ by

and by attaching the following described goods and chattels of the Defendant*

and by declaring to

on the day of

A. D. 18

as Garnishee to appear before the

within named Justice, at his office, on the return of this Writ, to answer such interrogatories as may be put to

by said Justice, and by

reading to this Writ of Attachment. And further executed this Writ on the

day of

18, by

All done in the County of

and State of Missouri.

Fee, \$

Constable of

Township.

*If the attached property cannot be described within this space, add an inventory and refer to it in the Return.

No.

Writ of Attachment.

A. H. and J. E. Maguire

VS.

Charles Raymond

ISSUED BY

William L. Stone J. P.

Valle Township,

Jefferson County, Mo

Return Day, September 7th, 1886

I hereby testify that I have not subscribed
in the 3d day of August 1856 at Seattle, Wells
Washington in Jefferson County, Washington
County to the Committee that I have I subscribe
them and I accept them as my way to go. I subscribe
in 4 minutes I subscribe in 4 minutes to
have. I subscribe in the name of John A. Smith
of the said Co. at Seattle, Washington.
I subscribe that I did I subscribe that I
subscribe in 4 minutes to appear before the
writing names of the, but I do not
the return day at the way office in
to receive such in the name of the
but to the day of the said I did
subscribe in their hands all of such and all

managers and trustees of South Kensington
to the B.C.T. no other chief officer as
President of said Soc. named in September
County the B.C.T. met named the
County of Jefferson

For this week
 making out a
 dinner and
 serving the dinner
 \$1.13
 6.57
 \$7.70

Summons to Garnishee,

Nb. Hand F. K. H. a. g. i. s. e.
vs.

BEFORE

William S. Stone

Justice of the Peace.

Charles Raymond, Defendant.

STATE OF MISSOURI, }
County of Jefferson, } ss.

The State of Missouri to

Sam'l Davis' Son & Son
Tim and Sauthin Buildway Co, GREETING:

You are hereby notified that I attach in your hands all the debts due by you to said

Charles

Raymond

, the Defendant, in the above entitled cause, and all Goods, Chattels,

Money, Property and Effects, and Evidences of Debt, belonging to the said Defendant, or so much thereof as shall be sufficient to satisfy the sum of

Seven

Dollars and

75

Cents, with interest and costs of suit; and you are hereby summoned as Garnishee, to appear before the said

Wm S

Stone

, Justice of the Peace of

Walla

Township, in Jefferson

County, State of Missouri, at his office in said Township, on the

7

day of

September

1886 at 10 o'clock in the forenoon, then and there to answer such interrogatories as may be exhibited against you touching your indebtedness to said Defendant, and your possession and control of Money, Property and Effects belonging to said Defendant

Given under my hand, at Jefferson county aforesaid, this

26

day of

August

1886

R. Washburne

Constable

Walla

Township.

Summons to
harnissee
to Saint Louis
Iron Mountain
and Southern
Railway Co

in case of
Magnum Bre
vs
Charles Raymond
Deft

before
W. F. Stone
J. S.

I hereby certify that I delivered to the
copy of the within summons to Geo. B. Ward
in the name of station agent of the said
Louis Iron Mountain and Southern Railway
at St. Louis station on 22nd December
in afternoon to said agent
no other chief officer or agent of
said ~~agent~~ ^{agent} named in letter in
to said this 22nd of August 1886
for making out a copy of same
from said
summons to same (see) as above
can take

Notice to Defendant in Attachment.

A. H. & C. Maguire

Plaintiff,

Charles Raymond

Defendant.

To Charles Raymond

Attachment before WILLIAM L. STONE, Justice of the Peace
for Valle Township, Jefferson County, Missouri.

Defendant in the above entitled cause:

Pursuant to the order of WILLIAM L. STONE, a Justice of the Peace within and for the Township of Valle, in the County

of Jefferson, I hereby notify you that a Writ of Attachment and Summons has been issued against you, and that your property

has been attached to satisfy the sum of *Seven* Dollars and *75* cents, the

demand of the plaintiff in the above entitled cause; and that, unless you appear before the said WILLIAM L. STONE, Justice as

aforesaid, on the *28th* day of *September*, 188*6*, at his office in the township and county

aforesaid, judgment will be rendered against you, and your property sold to pay the demand of the plaintiff.

DATED AT DE SOTO, Mo, this

7th

day

of *Sept*, 188*6*

A. H. & C. Maguire

Plaintiff.

I set up four advertisements of which
the within is a true copy at four Subbs
places in Jefferson
this day of September a D 1886

per }
wrote } Dr. Washburn
Constable

IN THE CASE OF

BEFORE

Maguire Bros

Plaintiffs

VS.

St. Louis, Iron Mountain & Southern Ry Co.

*Gamache of
Raymond*

Defendant.

W L Stone

Justice of the Peace.

NOW, comes the *Gamache* ~~Defendant~~ and appearing

specially for this purpose only, moves the Court to set
aside the judgment rendered herein by default and
dismiss this suit.

1st. Because the service in this case was in=
sufficient.

2d. Because the Court had no jurisdiction of case.

J P Porter

Attorney for Defendant.

Gamache

Filed Oct 1st 1886

William K Stone JP

Maguire Bros } Plaintiff.
 VS.
ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY CO.
Gamushie of Raymond DEFENDANT.
 State of *Missouri* } ss.
 County of *Jefferson* }
 Before *W. L. Stone*
 Justice of the Peace.

STATE OF MISSOURI.

County of *Jefferson* } ss.

Now, at this day, comes the *Gamushie* defendant, by its Agent, and moves the Court to grant an appeal from the judgment rendered in said cause, and states that the application for this appeal is not made for vexation or delay, but because he believes the appellant is injured by the judgment of the Justice.

Sworn to and subscribed before me, this *10th*
 day of *October* 188 *6*

Witness my hand and seal

*William L. Stone J.P.**W. L. Stone*

We, the undersigned, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, as principal, and *R. J. Lackland* *W. M. Thompson* as sureties, acknowledge ourselves indebted to *Maguire Bros* plaintiff in the above entitled cause, in the sum of *Twenty Five* Dollars, to be void upon this condition: Whereas, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY has appealed from the judgment of *W. L. Stone* a Justice of the Peace, in an action between *Maguire Bros* Plaintiff, and the ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, Defendant. Now, if said *Gamushie* Defendant will prosecute its appeal with due diligence to a decision, and on such appeal the judgment of the Justice be affirmed, or if, on the trial anew in the Circuit Court, judgment be given against appellant, and it shall satisfy such judgment, or if its said appeal shall be dismissed, and it shall pay the judgment of the Justice, together with the cost of appeal, this recognizance shall be void.

St. Louis Iron Mountain & Southern Railway Company.

By

R. M. Boyle
President.

[SEAL.]

R. J. Lackland

[SEAL.]

W. M. Thompson

[SEAL.]

Approved this

day of

*October*188 *6**William L. Stone*

Justice.



Attest
J. D. Burdick
App. Secy
10th

State of _____ } ss.
County of _____

vs.

St. Louis, Iron Mountain and Southern
Railway Co.

APPEAL BOND.

No judgment yet rendered.
Defendant is a minor.
debt and no security
has yet been obtained.

W. L. W. J. P.

State of Missouri }
County of Jefferson }

Before William L Stone
J.P. Valle Township.

H. H. and F. E. Maguire
composing the firm of Maguire
& Co. Plaintiffs

- or -

Charles Raymond, Deft.

Attachment,

August 26th, 1886. This is an action founded upon an open account for seven dollars and seventy-five cents (\$7.75), due August 15th, 1886. Plaintiffs having filed the necessary bond and affidavit, as required by statutes, a writ and summons are issued and delivered to R Washburn, constable of Valle Township, returnable September 7th 1886.

September 7th 1886, On this, the return day of writ in the above entitled cause, R Washburn constable of Valle Township, makes return of the writ, certifying thereon that he executed the writ on the 26th day of August, 1886, at De Soto, Valle Township, County and State aforesaid, by summoning as garnishee the St. Louis, Iron Mountain and Southern Railway Company, by delivering a garnishee summons in writing to George D Hawkins, the nearest Station Agent of said company, at De Soto station, notifying said company that he did summon them in writing as garnishee to appear before the within named Justice at his office, on the return day of this writ, and that he did attach in their hands

all goods, chattels, moneys and evidences of debt belonging to the defendant, that no other chief officer or president of said company was found in Jefferson County; the defendant not found in Jefferson County; Now, therefore, it appearing to the satisfaction of the Justice that the defendant cannot be summoned, the Plaintiffs are therefore required by the Justice to give notice to the defendant by four written or printed advertisements, set up at four public places in the County, that an attachment has been issued against him, for the sum of Seven dollars and seventy-five cents, and that unless he do and appear before me, the Justice, at my office, on the 28th day of September 1886, judgment will be rendered against him and his property sold to pay the debt and costs of this suit.

Now, on this 28th day of September, 1886, it appearing from the aforesaid return of notice to defendant, that the said defendant has been duly notified to appear before me, the Justice, on this day, and the said defendant, though being thrice solemnly called, comes not, but makes default, and the matters and things pertaining to this cause, being seen and heard by the Justice it is considered by the Justice that the Plaintiffs have judgment for the sum of Seven dollars and seventy-five cents, their debt, and their costs in this behalf expended.

Now, also, on this 28th day of September 1886, it appearing to the satisfaction of the Justice that the St. Louis, Iron Mountain and Southern Rail-

may company as garnishee, has been duly summoned, and said company, though thrice solemnly called, comes not but makes default, it is therefore considered and adjudged by the Justice that Plaintiffs have judgment against said garnishee for their debt and their costs in this behalf expended.

October 1st, 1886. Now comes the garnishee and moves the Justice to set aside the judgment by default rendered herein, and dismiss this suit 1st, Because the service was insufficient. 2^d, Because the Justice had no jurisdiction of case. Motion overruled. Whereupon, said garnishee, by its agent, moves the Justice to grant an appeal from the judgment rendered herein, and files the necessary bond. Motion sustained, bond approved, and the appeal granted.

William L. Stone, J.P.

J.P. Fees:

Doc'tor & Index	²⁰	mit	⁷⁵	App'dict.	³⁵	Bond	³⁵	\$	1.65
Mailing Notices to Defendant	⁵⁰	Judgment	⁵⁰						1.00
Motion to set aside judgment									35
Appeal Bond	³⁵	Transcript	⁸⁰						1.15
									4.10

Leavestables Fees:

Running mit									.50
" 2 Garnishee Summonses									.65
Posting 4 Notices to Defendant									50
									\$ 1.65

Total costs \$ 5.80

~~Horine Clerk file of Doc't 10 1.15
 Veazey " Apr 20 / Ord 20 / Judgt 30 Ver. 30 / 1.20
 Feebill 10 Mailing Oct 10 Copy 10 30 1.50
 7.45~~

State of Missouri }
County of Jefferson } ss. I, William L. Stone, a Justice
of the Peace within and for Valle Township,
County and State aforesaid, hereby certify that
the above and foregoing is a full and com-
plete transcript of the entries and proceedings
in the case of H.H. and F.E. Maguire vs. Charles
Raymond as the same are of record on my
docket, and that the papers hereto attached
are all the original papers appertaining to
said Cause on file in my office.

Witness my hand this 1st day of October
1886.

William L. Stone, J.P.

Maguire Brothers

vs

St. Louis, Iron Mountains
and Southern Ry. Co.
vs. Chas. Raymond.

Filed Oct. 7 - 1886
C. H. O'Horne

Clerk

44, 6307

McGinn Bros.
vs
R.R. Co. Raymond

— Judgment —
Costs —

7.75-

Stone	4.15-
Washburn	1.65-
Horine	15-
Veazey	1.75-

Total Judgt & Costs

7.70
\$ 15.45-

July 17/87 Paid L.B. Partin Atty for Pltff \$ 7.75-

M

Account Opened

188

Account Closed

188

HUGH H. MAGUIRE,
FRANK E. MAGUIRE,

Mohawk, N. Y.

188

M. M. Maguire Bros.

To MAGUIRE BROS., Dr.

Dealers in

BOOTS, : SHOES, : AND : RUBBERS.

LADIES FINE SHOES A SPECIALTY.

Aug 3	To 1/2 Fine Shoes	\$5.50
1	- - - - - Men	2.23
		\$7.73