

Jefferson County Circuit Court
Case File - Civil
January 1888

Vandersluis, Francis, alias
McMahon, John

vs

St Louis Iron Mountain and
Southern Railway Company

Appeal

Defendant appealed from JP
H. M. Jenkins on \$65.50 for wages;
depositions

Box 39 Folder 39

Francis Vandervice, alias
John M^cMahon, plaintiff,

vs

The St. Louis, Iron Mountain
& Southern Railway Company, defendant.

Before H. U. Jenkins Esq Justice
of the Peace Valle Township, Jefferson
County, State of Missouri.

Plaintiff states that the
defendant is & was at the times
hereinafter mentioned, a railway
corporation duly incorporated under
the laws of the State of Missouri,
& is indebted to the plaintiff in the
sum of twenty five ⁸⁵/₁₀₀ dollars
for services rendered & work & labor
performed by the plaintiff under
the name of John M^cMahon
as a laborer, for the defendant &
at its special instance & request,
from October 27, 1887 to November
23, 1887, both inclusive, 23 ¹/₂ days,
at the wages agreed upon between
plaintiff & defendant of one dollar
& ten cents per day.

That said sum is yet due & unpaid

Plaintiff asks judgment for the same.

Plaintiff further says that at the conclusion of the time of services rendered by him as aforesaid, he endeavored to collect said wages of the defendant, but its officers & agents sent him from one to another back again on fruitless errands to collect the same, maliciously contriving & intending thereby to harass & annoy the plaintiff in collecting his said just demand, whereby plaintiff lost 22 days time which was reasonably worth the price of \$1.¹⁰/₁₀₀ per day amounting to \$24.20, & in so travelling about as aforesaid, plaintiff expended the sum of \$15., ~~amounting~~ & was otherwise harassed & annoyed & put to loss, expense & inconvenience in the premises & his damage in the sum of one hundred dollars for which he asks judgment.

Tatum & Dearing
Atty for plaintiff.

Francis Vanderzee

vs

St. L. & M. St. Rwy
Co.

Plaintiff's Complaint
or statement of cause
of action.

Filed Dec 20, 1887

Filed Nov 19, 1888
J. B. Sawyer
Clerk

SUMMONS—J. P.

[Rev. Stat. of Mo., Vol 1, Sec. 2860.]

The State of Missouri, to the Constable of Valle Township,

in the County of Jefferson, State of Missouri, Greeting: We command you to summon

The St. Louis, Iron Mountain & Southern
Railway Company

to appear before the undersigned, one of the

Justices of the Peace of Valle Township, in Jefferson County aforesaid, on the

31st day of December, 1887, at 10 o'clock in the forenoon, at his office, in the

same Township, to answer the complaint of

Francis Vandenberg, alias
John McMahon

founded upon a Complaint or statement filed for services as laborer &
loss of time & traveling expenses & wherein and wherein

he demands 125.00 Dollars.

Given under my hand this 21st day of December, A. D. 1887

W. R. Fink

Justice of the Peace.

No.

SUMMONS.

Francis Vandervliet, alias
Tolu Mc Mahon Plaintiff,
VS.

The St. Louis Iron Mountain &
Southern Railway Co. Defendant.

BEFORE

A. W. Jenkins

Justice of the Peace.

Amount Plaintiff's Demand,	-	\$	<i>125⁸⁰-¹⁰⁰</i>
Costs already accrued,	-	\$	
Constable's Commission,	-	\$	
Constable's Fee,	-	\$	
Constable's Mileage,	-	\$	
Total,	-	\$	

Constable's Return.

[Rev. Stat., Vol. 1, Sec. 2861.]

I HEREBY CERTIFY, That I have executed the within Writ by

the day of
Township, Jefferson county, Missouri.

188 in

Fee \$

Constable.

No. 83½.

For sale by W. J. Gilbert, 209 N. Fourth Street, St. Louis, Mo.

[Rev. Stat. 1879, p. 352.]

NOTICE TO TAKE DEPOSITIONS.

John Mc Mahon
alias Francis Van-
derslip alias John
Mc Mahon AGAINST Plaintiff,
The St. Louis Iron Works
and Southern Railway
Company Defendant.

In the *Before H. N. Tatum*
 Court of *Eq. Justice of the*
Boonville Township
 CITY OF ST. LOUIS,
Jefferson County
 STATE OF MISSOURI.

TO THE ABOVE NAMED

Defendant

YOU ARE HEREBY NOTIFIED, That depositions of witnesses to be read in evidence in the
 above entitled cause, on the part of the *Plaintiff* will be taken at
 the *Office of Jas. F. Tatum*

De Soto County of Jefferson
 in the City of *Saint Louis* and State of Missouri,
 on the *30th* *Thursday* day of *December* 188*7*, between the hours
 of eight o'clock in the forenoon and six o'clock in the afternoon of that day; and that the
 taking of said depositions, if not completed on that day, will be continued from day to day,
 at the same place and between the same hours, until completed.

Service of the above notice is hereby acknowledged, and
 issue of dedimus, and all exceptions as to time, waived.

, 188

Tatum & Dearing
Attys for Plaintiff

Wm. C. 19/88
J. B. 19/88
J. B. 19/88

I hereby certify that I have executed
this notice By delivering a copy thereof
at the Business office of the Saint Louis Iron
Mountain and Southern Railway company
in the City of Des Moines, Iowa. the
person in charge thereof and nearest Sta-
tion agent of said Co. at Des Moines
neither the President nor other Chief
officers of said Company can be found in
Jefferson County

this 21 day of Dec 1884
in Des Moines Valley Township in Jefferson
County Iowa

per - - - 3066 } H. Washburn
Constable

Depositions of witnesses produced
sworn & examined on the 30th day
of December A. D. 1887 between the
hours of 8 o'clock in the forenoon &
6 o'clock in the afternoon of that day
at the office of Jos T. Tatum in
the City of De Soto County of Jefferson
& State of Missouri before me
Daniel M. Park Notary Public
in & for said County & State in a
certain cause now depending before
H. W. Jenkins Esq Justice of the Peace
in said County & State between Francis
Vanderslice alias John McMahon
plaintiff & The St. Louis Iron Mountain
Southern Railway Company defendant.

Francis Vanderslice of lawful
age, being produced sworn & examined
on the part of the plaintiff deposes & testifies:

Francis Vandervlice alias
John McMahon plaintiff
vs.

St. Louis Iron Mountain & Southern
Railway Company Defendant.

Francis Vandervlice alias John McMahon on his oath being duly sworn states that he worked for the said Railway Company at Poplar Bluff Missouri beginning on the day of October A.D. 1887 and continued in the service of said company as labour on the yard of said company untill the 23rd day of November 1887 when he was then discharged by one of their foremen, and the said Vandervlice alias McMahon was to receive for said service the sum of one dollar and ten cents per day. That said company has not paid him for said service nor any part thereof that he has made frequent and repeated demands for all sums due him for said service of the agents of said company he further states that when he entered the service of said company at Poplar Bluff as aforesaid he gave his name as John McMahon at the same time

informing the agent of said company what his real name was and why he wished to work under an assumed name giving as a reason that his life was in danger as there had been frequent and repeated threats made against his life and he sought to protect himself by the use of a fictitious name.

That the only evidence of debt the company has ever given him is an identification card and that the same has been presented to the agents of company at diverse places to wit at Victoria^{Mo}, also at Piedmont Mo. and that payment has in every case been refused.

Hername's Vander's line

Sis John McMahon

Subscribed and sworn to before
me this the 30th day of December
1887

Daniel M. Park

Notary Public

term expires Oct: 8th 1891

I Daniel M. Park, a notary public within & for the County of Jefferson in the State of Missouri do certify that in pursuance of the annexed notice came before me at the office of Jos T. Tatum in the City of De Soto in the County & State last aforesaid, Francis Vandervliet who was by me sworn to testify the whole truth of his knowledge touching the matter in Controversy aforesaid; that he was examined, & his examination reduced to writing, & subscribed by him in my presence on the day between the hours & at the place in that behalf first aforesaid, & his said deposition is now herewith returned.

Given at De Soto in the County of Jefferson & State of Missouri this 30th day of December 1887.

My term will expire Oct. 7 1891.

Daniel M. Park

Fee \$2.⁵⁰ due

Notary
Public

Filed June 19/1888
H. B. McCarty
Clerk

John McMahon alias
Francis Vanderlice } Plaintiff.

VS.

ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY CO.
 DEFENDANT.

State of Missouri }
 County of Jefferson } ss.
 Before *H. N. Jenkins*
 Justice of the Peace.

STATE OF MISSOURI.

County of *Jefferson* } ss.

Now, at this day, comes the 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 *4th*
 day of *January* 188*8*.

Witness my hand and seal

H. N. Jenkins

G. D. Hartman
Jt

We, the undersigned, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, as principal, and *R. Jackland & Wm. H. Thomson* as sureties, acknowledge ourselves indebted to *John McMahon alias Francis Vanderlice* plaintiff in the above entitled cause, in the sum of *One hundred and thirty* Dollars, to be void upon this condition: Whereas, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY has appealed from the judgment of *H. N. Jenkins* a Justice of the Peace, in an action between *John McMahon alias Francis Vanderlice* Plaintiff, and the ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, Defendant. Now, if said 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

Wm. H. Thomson
 First Vice President.

[SEAL.]

R. Jackland

[SEAL.]

Wm. H. Thomson

[SEAL.]



Attest

1888

day of

January
H. N. Jenkins
 Justice.

State of
County of
}

ss.

vs.

St. Louis, Iron Mountain and Southern
Railway Co.

APPEAL BOND.

Filed June 19th 1888
G. B. Young
Clerk

Transcript of Docket.

Francis Vanderslice, plaintiff
 alias John W. Mahon, plaintiff

vs

The St. Louis, Iron Mountain &
 Southern Railway Company, defendant.

Before H. N. Jenkins, Justice of the
 Peace, Valle Township, Jefferson County,
 Missouri.

Costs

Justice's fees: 1.00
 Docket of 1.00
 Index 10
 2 Summons 70
 Copies 50
 Edgt 50
 Ex 35
 Motion 15
 Off 15
 Bond 35
 Certif 35
 Transcript 1.35
 \$4.65

December 15, 1887. This day comes
 plaintiff & files statement of cause of action
 wherein he claims \$65.75. Summons
 issued to Constable R. Washburn returnable
 December 28, 1887.

December 20, 1887, comes the plaintiff &
 withdraws statement & files new statement of
 cause action or complaint wherein he claims
 \$125.85 & summons recalled. Summons
 issued anew to R. Washburn with copy of
 statement or complaint & copy of summons
 attached, returnable December 31, 1887 at
 10 o'clock A. M.

Constable

2 Summons 60
 11 Notices 60
 \$1.20

December 31, 1887. Summons returned
 duly executed. Deposition of plaintiff
 filed. Comes the plaintiff by attorney
 but the defendant though duly called comes
 not but makes default, & the Justice
 having waited three hours & having heard
 the evidence doth find for the plaintiff in
 the sum of (\$125.85/100) one hundred &
 twenty five ⁸⁵/₁₀₀ dollars. It is therefore
 considered & adjudged that the plaintiff
 have & recover of the defendant judgment
 for said sum of one hundred & twenty five
⁸⁵/₁₀₀ dollars & all costs & have execution
 therefor. January 4, 1888. Comes

D. M. Park
 Deposition \$2.50

the defendant & files affidavit & bond
for appeal in sum of one hundred &
thirty dollars with R. T. Lackland &
W^m H. Thomson as sureties. Appeal
granted to Circuit Court Jefferson
County & transcript of papers transmitted.

State of Missouri }
County of Jefferson } ss

I Hamilton W. Jenkins
a Justice of the Peace within & for
Valle Township County & State
aforesaid do certify the foregoing
to be a full true & complete transcript
of the entries & proceedings in the
case of Francis Vandervliet vs
The St Louis Iron Mountain &
Southern Railway Company as
the same are of record on my
docket & the papers attached are
all the original papers on file in
my office.

Witness my hand this 18th
day of January 1888.

H. W. Jenkins
Justice of the Peace

6409

249

Francis Vandervice

vs

The St. Louis Iron
Mountain & S. R. way
Co.

Appeal from

H. W. Jenkins, J.P.

Filed Jan. 19/1888

N. B. Veazey
- Clerk

Return & Dearing for p. 11.

Bill of Costs

H. W. Jenkins Justice

4.65

Washburn Constable

1.20

D. M. Park, Notary

2.50

D. B. Veazey Clerk

6 files 30 / 2 docs 50

State of Missouri
County of Jefferson Circuit Court
September Term 1888

Geo McMahon alias
Vanderlice
Plaintiff

vs
St Louis Iron Mountain and
Southern Railway Company
Defendant.

Notice of Appeal

You To Geo McMahon
You will take notice that the
defendant in the above entitled
cause has appealed from the
judgement of the justice of the
Peace in this case rendered
on December 31st 1887 to the January
Term of said court.

T. J. Porter
Atty for Defendant

I hereby certify that I served the within
notice by leaving ^{at} a copy of same
with the Justice of the Peace H. N. Jenkins
who tried this case, the appellee not having
my known residence in this county
on the 9th day of July 1888 at the
office of said Justice in the town of Deoto
Jefferson County Missouri

Geo McMartin
Plas
Vandersee Plaintiff
vs
St Louis & San Francisco
and Southern Railway
Co. Defendant

Supplied -
Notice of Appeal

C. W. Key
Sheriff

Filed Sept 11/1888
A. B. Veary
Clerk

Francis Vandervliet ^{alias} John Mc Mahan
vs.
St Louis Iron Mountain So Ry. Co.

No.

STATEMENT OF COSTS.

Judgment by agreement for Plaintiff for \$5000
DATE. ITEMS.

Plaintiff's
Costs.Defendant's
Costs.

TOTAL.

H. N. Jenkins Justice

clock & indⁿ 1⁰⁰ / 2 Summons 7⁰ / Copies 5⁰ /

Judgt 5⁰ / Ex 3⁰ / Motion 1⁰ / Affd 1⁰ / Bond 3⁰ /

Transcript 5⁰ / Cert^f 1⁰ /

2 30

1 50

65-

4 45-

R Washburn Constable

2 Summons 6⁰ / 2 notices 6⁰

1 20

J. M. Park Notary
Taking depositions

2 50

Geo W. McFry. Sheriff
Serving notice 6⁰ / 2 calls 1⁰ /

60

D. B. Teague Clerk

8 files 4⁰ / 4 dock 2⁰ / Court 2⁵ /

Ent supplied Notice of Appeal

Verd. 3⁰ / Judgt 5⁰ / dock 1⁰ /

Ent satisfaction 2⁵ / Appr 2⁰ / Fee bill 1⁰ /

Bill of Court 2⁵ / Copy 2⁰ / paid by J. S. Tuley

85-

20

90

55-

1 00

3 40
sum
12 25

Wanderer

as

At S M & P

Price of book

Filed Oct 31st 1888

2700 New York

Clara