

Jefferson County Circuit Court
Case Files - Civil
Feb 1888

Mahn, George

vs

Rayburn, J.A.

Appeal

Garnishree St. Louis, Iron Mountain
Southern Railway Co. appealed from
JP P.C. Zollmann on \$4.95 debt

Box

39

Folder

42

De Soto Mo. Feby 3^d 1888

Mrs. J. A. Reyburn

De Soto mo.

To George Mahu Dr.

Terms,

Am't due for Mdse. \$ 4.95

filed Feb 21/1888
N.B. Deegan
Jr

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE)

(R. S., Vol. 1, Sec. 404.)

BEFORE

George Mahn
vs. PlffP. C. Gallmann
Justice of the Peace.J. A. Reylburn
Def'tVallu
Township.

STATE OF MISSOURI,

COUNTY OF

ss.

This day personally appeared before me P. C. Gallmann, a Justice of the Peace within and for the Township of Vallu in the County aforesaid George Mahn Plaintiff, in the above entitled suit, and upon oath says, that the Plaintiff

has a just demand against the Defendant J. A. Reylburn and that the amount which the affiant believe said Plaintiff ought to recover, after allowing all just credits and set offs, is Four DOLLARS,

and Ninety five Cents, due now and that He has good reason to believe, and does believe that the 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

day of February A. D. 18 88.

George Mahn

J. P.

6313

10

STANDARD PRINTING CO., HANNIBAL, MO.

Swadavit in Attachment Suit.

No.

25

Pt'f

George W. Mahan

VS

Deft

J. A. Reynolds

BEFORE

Justice of the Peace.

Filed

Feb 3rd

1888

Justice of the Peace.

Filed Feb 21/1888
D. J. Veager
Clerk

10/31/88

Bill of Costs

Gollman J.S.
Washburn Court
D. J. Veager Clerk

Am't paid by Gar 9.35-
Costs 7.55-
\$1.80

✓ 4.10
✓ 1.15

8 files 40/ 2 Docs 10 Am's. Gar 25/ Appr 10/ Verdict 30/ \$1.15-
Judgt 50/ Docs Judgt 10/ Satisfaction 25- 85-
The bill 10/ Costs 57 copy 57 20

✓ 2.20

McGry Off 2 calls 10

✓ 10
7.55-

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

(Rev. Stat., Page 64, Sec. 494.)

George Mahan

VS.

J. A. Paylman

In Attachment Suit Before

We,

*Margaret Davis**George Mahan*

Justice of the Peace.

as Securit^y, owe and stand indebted to the State of Missouri in the sum of*Twenty*

DOLLARS, upon this condition: That the Plaintiff in

the above entitled cause

shall prosecute *his* action without delay and with effect; refund all sums of money that may be adjudged to be refunded to the Defendant *J. A. Paylman*

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

*2nd*day of *October*

A. D. 1888

George Mahan

Seal

Bradman Davis

Seal

Approved this

23rd

day of

September

1888

George Mahan

Justice of the Peace.

BOND IN ATTACHMENT.

No.

George Mahan

vs.

J. A. Regburn

Date Feb 3rd 1888

Amount 9.00

Filed Feb 21/1888
A. B. Vane
clerk

WRIT OF ATTACHMENT.--J. P.

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

STATE OF MISSOURI,

} ss.

County of

THE STATE OF MISSOURI, To the Constable of the Township

of *Jefferson*, in the County of *Jefferson*

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

by all and singular

His

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

*Five**500* 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

office in said Township, on the

14 day of *February*A. D. 18*88*, at *10* o'clock *A*. M. to answer

to the complaint of

George Mahan

and that you summon the said

J. A. Heyburn

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

3rd day of*February*A. D. 18*88*.*Wm. J. Heyburn*

No.

Writ of Attachment.

George Mahan

VS.

J. A. Reyburn

ISSUED BY

R. Gallmann J. P.
Valle Township,*Jefferson* County, Mo.Return Day, *Febr 14th*, 18. *88*

and by attaching the following described goods and chattels of the Defendant*
 and by declaring to
 on the day of A. D. 18 ; that I did summon 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.

Fees, \$

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

Constable of

Towship.

Filed Feb 21/1888
W. B. George
4 *clerk*

Summons to Garnishee,

George Washin

VS.

Plaintiff

BEFORE

J. H. Heyburn

Defendant.

D. L. Hollmann

Justice of the Peace.

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

The State of Missouri to Daniel Lewis' Son Heurman

and Heurman's Rail Way Company

GREETING:

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

J. H. Heyburn

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 ~~fifty~~ ^{four} Dollars and ~~50~~ ⁹⁵ Cents, with interest and costs of suit; and you are hereby summoned as Garnishee, to appear before the said

D. L. Hollmann, Justice of the Peace of Wells Township, in Jefferson

County, State of Missouri, at his office in said Township, on the 14 day of February,

1888 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 4 day of February, 1888

D. L. Hollmann

Constable Wells Township.

summons to
be furnished
to Saint Louis
Iron Mountains
and Southern
Rail Way Co

in care of
Morgan Hahn
vs
J. A. Ryburn Sept

before
S. C. Tallman
J. S.

Filed July 21/1885
Wm. V. C. C.

I hereby certify that I delivered a true
copy of the within summons to Geo. D. Hawk
in the nearest station west of the St Louis
Iron Mountains and Southern Rail Way Co
at Paola Station on the 4 Day of Feb 1885
in Valle Township in Jefferson County
Mo no other chief officer or President
of said Co named in said County

Geo. D. Hawk

J. A. Ryburn
Comptroller

Transcript of Docket

State of Missouri } ss.
County of Jefferson)

George Mahn Plaintiff

J. A. Reyburn Deft

The St Louis Iron Mountain Southern
Rail Way Company Garnashee

Before P. C. Zollmann
Justice of the Peace for
Valle Township

Attachment.

J. P. fee.

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and filing 100

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Transcript 70

4.10

Constable fee

Serv Writ 50

Garnashee 65

1.15

Now on this the 3rd day of February 1888 Plaintiff having filed the necessary Bond and Affidavit as Required by Law. The Amount Claimed being Four 95/100 Dollars, a Writ of Attachment was issued and delivered to R. Washburn Constable of Valle Township. Returnable February 14th 1888

And on this 6th day of February 1888 J. A. Reyburn the Defendant appearing in Person before the said Justice and acknowledged the service of the writ of Attachment.

Now on this 14th day of February 1888 R. Washburn Constable makes Return of Writ, Certifying, that he Executed the writ on the 3rd day of February 1888 in De Soto Valle Township Jefferson County Mo. By summoning as Garnashee the St Louis Iron Mountain and Southern Rail way Company. By delivering a Garnashee Summons in Writing to George D. Hawkins the nearest Station Agent of Said Company at De Soto Station. Notifying Said Rail way Company that I did Summon them in Writing as Garnashee to Appear before the within named Justice at his Office on the Return day of this writ to answer such interrogations as may be put to them by the said Justice, and that I did attach in their hands All Goods Chattles Money or Evidence of Debt in their hands belonging to the Defendant. No other Chief Officer or President of Said Company found in Jefferson County

The Defendant Not found in Said County Now on this the 14th day of February 1888. The Defendant though thrice Solemnly Called and Comes Not but makes Default, and the Matter and things pertaining to the above entitled Come being Seen and heard by the Justice, it is Considered and adjudged by the Justice that Plaintiff have Judgement for Four 95/100 Dollars his Debt and Five 2/100 Dollars his Cost in this behalf Expended.

And Also on this the 14th day of February 1888 the St Louis Iron Mountain & Southern Rail way Company Garnashee, though being duly Summoned and Comes Not, but make default, it is Considered and adjudged by the Justice that Plaintiff have Judgement against Said Company as Garnashee for the Sum of Four 95/100 Dollars his Debt and Five 2/100 Dollars his Cost, in this behalf Expended

Now on this 18th day of February 1888 the St Louis Iron Mountain and Southern Rail way Company Garnashee moves the Justice to Set aside the Judgement herein Rendered by Default which was by the Justice overruled. Whereupon the said Company Garnashee filed a Bond and affidavit for an appeal, which was approved and the Appeal granted.

P. C. Zollmann J. P.

State of Missouri } ss.
County of Jefferson)

I, P. C. Zollmann, a Justice of the Peace within and for Valle Township County and State aforesaid, do Certify the foregoing to be a full, true and Complete Transcript of the entries and proceedings in the Case of George Mahn vs. J. A. Reyburn as the same are of Record on my Docket, and the Papers thereto Attached are all the Original papers on file in my Office.

Witness my hand this 18th day of February 1888.

P. C. Zollmann
Justice of the Peace

Filed May 21/1888
Attest
John

Geo. Mahan

Plaintiff,

BEFORE

J. C. Gallenau

Justice of the Peace.

VS.

Wm. S. Ruy Co.,
Carriers of Packages Defendant.

To Geo. Mahan, Plaintiff

You are hereby notified that Wm. S. Ruy Co.

~~Carriers~~

~~Defendant~~ herein, has appealed from the judgment of the Justice in the above entitled cause,

rendered February 10 1888, to the May Term

of the Circuit Court, within and for the County of Johnson State of Missouri.

J. H. Harris

Attorney for ~~Defendant~~.

Carver

3987

April 19th
George Mahu

Geo. Mahu

vs.
St L. J. M. & S. Ryke
garnishee of Beylunk

Notice of Appeal.

Filed May 14th 1888
D. B. Veazey
clerk

IN THE CASE OF

BEFORE

Leo Mohr Plaintiff,

vs.

Grumacher & J. Heyburn }
St. Louis, Iron Mountain & Southern Ry Co.
Defendant.

J. B. Zellerbach
Justice of the Peace.

Now, comes the *Grumacher* 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 insufficient.

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

L. J. Baudin
Attorney for Defendant.

Filed July 21/1888

D. B. Vane
Clerk

Geo Mahan

Plaintiff.

VS.

ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY CO.

DEFENDANT.

State of Missouri

County of Jefferson

ss.

Before

P. C. Gallman
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 18 day of Feb 1888

Witness my hand and seal

P. C. Gallman
Justice

G. S. Martin
Jr

We, the undersigned, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, as principal, and M. Cole & Jas. C. Ginn as sureties, acknowledge ourselves indebted to Geo Mahan plaintiff in the above entitled cause, in the sum of

Ten Dollars, to be void upon this condition: Whereas,

ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY has appealed from the judgment of P. C. Gallman a Justice of the Peace, in an action between Geo Mahan 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, the cost of appeal, this recognizance shall be void.

St. Louis Iron Mountain & Southern Railway Company.

By

M. H. Clark
First Vice President.

[SEAL.]

M. Cole

[SEAL.]

Jas C. Ginn

[SEAL.]



Attest
J. A. Carlock
Spe Secy

18 day of

Feb

1888

P. C. Gallman
Justice.

State of } ss.
County of

vs.

St. Louis, Iron Mountain and Southern
Railway Co.

APPEAL BOND.

Filed July 21/1888
J. B. Leary
clerk