

Jefferson County Circuit Court
Case Files - Civil

April 1888, ND. 50

Pinson, Cecil

vs

Moore, James

Appeal

St. Louis, Iron Mountain & Southern
Railway Co., garnishee on attachment,
appealed from JP W.L. Stone on
\$5.50 debt

Box

39

Folder 48

Blue Decal Paper from
James Morton the sum of \$16.50
from Dec 14th Jan, 18th 1878.

Filed Jan 11/88
W. B. Veazey

Filed Apr 16/88
W. B. Veazey
clerk

300-

640-

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

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

Leciel Pinson

BEFORE

Pl'ff.

W. L. Stone

vs.

Justice of the Peace,

James Moon

Def't.

Valle

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

ss.

This day personally appeared before me

W. L. Stone

, a Justice

of the Peace within and for the Township of

Valle

in the County aforesaid,

Leciel Pinson

Plaintiff, in the above entitled suit, and upon oath says, that the Plaintiff,

Leciel Pinson

has a just demand against the Defendant,

James Moon

and that the

amount which the affiant believe said Plaintiff ought to recover, after allowing all just credits and

set offs, is

Five

DOLLARS,

and

fifty

Cents, due

January 11th 1888

and that

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

11th

day

of

January

A. D. 18

*88**W. L. Stone*

J. P.

Leciel Pinson

Affidavit in Attachment Suit.

No.

Leziel Hudson

Plff

VS.

James Moore

Def't

BEFORE

W. L. Stone

Justice of the Peace.

Filed

January 17 1888

Justice of the Peace.

W. L. Stone

Filed April 16/1888
H. D. Nease
Clerk

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

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

Leziel Pearson

VS.

We, Leziel Pearson

In Attachment Suit Before

W. H. Haire

Justice of the Peace.

as Principal, and

as Securit

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

~~Twenty~~ *Three*

DOLLARS, upon this condition:

That the Plaintiff in the above entitled cause *Leziel Pearson*shall prosecute *his* action without delay and with effect; refund all sums of money that may be adjudged to be refunded to the Defendant *James Moore*

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

*11th*day of *January*A. D. 18*88**Leziel Pearson*Seal
Seal
Seal

Approved this

11th

day of

*January*18*88**M. D. Stone*

Justice of the Peace.

BOND IN ATTACHMENT.

No.

Levil Penson

VS.

James Morn

Date *Jan 11th* 18 *88*

Amount *Five hundred* Dollars

Filed Apr 16/1888
A. B. Veager
clerk

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

Haer, in the County of Jefferson

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

James Meem

by all and singular

his

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

Five50

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,

At Home

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

office in said Township, on the

23^d

day of

January, A. D. 1888at 10o'clock a M., to answer

to the complaint of

Leziel Duran

and that you summon the said

Leziel Duran

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

11th

day of

January

, A. D. 18

88At Home

Justice of the Peace.

No. _____

Writ of Attachment.

Leziel Pinson

VS.

James Moon

ISSUED BY

W. L. Stone J. P.*Valley* Township,

County, Mo

Return Day,

Jan 23^d, 188*8**Filed Apr. 16/1888*
D. B. Hays
11 *CU*

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.

; 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.

Fee, \$ _____

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

Constable of _____

Township.

Summons to Garnishee,

Leziel Person

Plaintiff

BEFORE

Jarvis Person

Defendant.

NT Stone

Justice of the Peace.

STATE OF MISSOURI, } SS.
County of Jefferson,

The State of Missouri to

Samuel Davis Garrison

GREETING:

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

Jarvis Person

, 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 700 Dollars and fifty

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

NT Stone

, Justice of the Peace of

Walle

Township, in Jefferson

County, State of Missouri, at his office in said Township, on the 23d day of January,

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 88

Given under my hand, at Jefferson county aforesaid, this

14

day of

January,

1888

H. Woodburn

Constable

Walle

Township.

Summons to
harnister
Go Saint Louis
Iron Mountain
and Southern
Railway company

in case of
Leisel Pison
us Stff

James Moon

Deft

before
W. L. Stone
J. S.

The
St. Louis
Iron Mountain
Railway
Company
Jan 16/1885

"I hereby certify that I received a true and
correct copy of the within summons to Geo. S. Harkins the near-
est station agent of the Saint Louis Iron
Mountain and Southern Railway company
at Breckinridge Station on the 11 day of January
A.D. 1885 in full compliance with the
process in the within case of Leisel Pison
vs James Moon in which I am
agent of said company in said county
and I have duly served the same in said county
as required by law.
Attest
J. S. Harkins
County Clerk

Notice to Defendant in Attachment.

—0—

Leziel Bruce

Plaintiff,

VS.

James Moore

Defendant.

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

To James Moore

, 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 Five Dollars and 50 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 21st day of February, 1888, 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 1st day

of February, 1888

Leziel Bruce
By W L Stone

Plaintiff.

Filed Apr 16/1885
D.B. Kruger
first clerk

"I hereby certify that I posted up 4
brackets and numbers of which the
within is a true copy at Law's Public
Place in Jefferson County
this first day of Feb 1885
in front of Waller Township
per [signature]

R. Washburn
Caretaker

IN THE CASE OF

BEFORE

Leed Pierce Plaintiff,

vs.

St. Louis, Iron Mountain & Southern Ry Co.

Garof James Moon Defendant.

W. L. Stone
Justice of the Peace.

Now, comes the ^{*Garnushee*} ~~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.

J. R. L. L. L.

Attorney for ^{*Garnushee*} ~~Defendant~~.

Filed Feb 23^d 1888

W. L. Stone J. C.

Filed Apr 16th 1888

D. B. Veazey
C. C.

Leacil Pierson } Plaintiff.
 VS.
 ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY CO.
Garnishee of James Moon 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 *Garnishee* ~~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 *23^d*
 day of *February* 188*8*
 Witness my hand and seal *W. L. Stone J.P.*

G. H. Thompson
J. H.

We, the undersigned, ST. LOUIS, IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, as principal, and *Wm. H. Thomson & R. J. Sackland* as sureties, acknowledge ourselves indebted to *Leacil Pierson* 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 *Leacil Pierson* Plaintiff, and the ST. LOUIS, IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, Defendant. Now, if said *Garnishee* ~~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, with the cost of appeal, this recognizance shall be void.

St. Louis Iron Mountain & Southern Railway Company.

By *W. H. Thomson* [SEAL.]
First Vice President.*Wm. H. Thomson* [SEAL.]*R. J. Sackland* [SEAL.]

Alfred
J. H. Sackland
W. L. Stone
 23^d day of
February 188*8*
W. L. Stone
 Justice.

State of _____ } ss.
County of _____

vs.

St. Louis, Iron Mountain and Southern
Railway Co.

APPEAL BOND.



*Just want
next to -*

Filed Apr 16/1885

W. B. Thompson

att

Leell Pierson

Plaintiff,

BEFORE

vs.
H. Mrs. J. Rury &
Garrigue Peace Moot Defendant.

W. L. Stone

Justice of the Peace.

To Leell Pierson, Plaintiff

You are hereby notified that H. Mrs. J. Rury & Garrigue

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

rendered February 21 1888, to the May Term

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

J. H. Fordio

Attorney for ~~Defendant~~

Garrigue

3988

Service of the within notice of appeal in her city ex-
knowned this 19th day of April A.D. 1888.

Leciel M. Pierson

Leciel Pierson

Attest
A. L. M. & S. Ryfe
garnisher of moan

Notice of Appeal.

Filed May 14th 1888
D. B. Veasey
clerk

State of Missouri }
County of Jefferson } ss

Before M^cClane, J^r

Valle Township

Leziel Pinson, Deft.
or
James Moore, Deft.

} Attachment -
} Missouri, Iron Mountain and
} Southern Ry. Co, Garnishee

January 11th 1888. This is an action founded upon an open account for five dollars and fifty cents, due now. Plaintiff having filed the necessary affidavit and bond as required by statute, a summons and writ is issued and delivered to R Washburn, Constable of Valle Township returnable January 20th 1888.

January 23rd 1888. Constable R Washburn made return of the writ issued in this cause, certifying thereon that he executed the writ on the 11th day of January, 1888, in Jefferson County, Missouri by summoning as garnishee the Missouri, Iron Mountain and Southern Railway Company, by delivering a garnishee summons in writing to George D Howkins, the nearest station agent of said Company, at Delo's Station, notifying said Company that he did summon them in writing as garnishee to appear before me the Justice, at my office in Valle Township, on the return day of the writ, to answer such interrogatories as may be put to them by the Justice, and that he did attach in their hands all goods, chattels, moneys and evidences of debt belonging to the defendant, No other chief officer or president of said Company

found in said county the defendant not found in said county. Therefore it appearing to the satisfaction of the justice that the defendant cannot be summoned, the plaintiff is hereby required to give notice to defendant by four written or printed advertisements, set up at four public places in the county that a writ has been issued against him and his property attached to satisfy the sum of five dollars and fifty cents, and that unless he appear before me the Justice at my office in Valle Township on the 21st day of February, 1888, and answer to said writ, judgment will be rendered against him and his property sold to satisfy the demand of plaintiff and the costs of this suit.

February 21st 1888. This being the trial day of the cause, and the defendant having been duly notified, as appears from the Constable's return of notice, came not but makes default, it is, therefore, considered and adjudged by the Justice that plaintiff have judgment against said defendant, for five dollars and fifty cents, her demand and the costs of this suit, taxed at seven dollars and forty ~~five~~ cents.

Now, also, on this said 21st day of February, 1888. The St. Louis, Iron Mountain and Southern Railway Com.

pany, Gamishee, though duly summoned, comes not but makes default. It is therefor considered and adjudged by the Justice that plaintiff have judgment against said company as gamishee, for five dollars and fifty cents, her demand, and seven dollars and forty ~~five~~ cents, her costs in this behalf expended.)

February 23^d 1888. Gamishee filed motion to set aside the judgment rendered herein by default, which motion is overruled. Gamishee filed affidavit and bond for appeal. B and approved and appeal allowed.

W. L. Stone, J. P.

Justice's Fees =

	1.10	75	70	50	1.00	
Docket & filing with Off. Bd. Notices 2 Judts =						4.05
appeal Bd - cost to same, 2 ans = cost cost paid	20	15	90	15	15	1.70

5.75

Constable's Fees:

Writ	50	50	68
= Notices, 2 for same			

1.68

7.43

I, W. L. Stone, a Justice of the Peace, within and for the County of Jefferson, do hereby certify that the above and foregoing is a full, true and complete transcript of all the entries and proceedings in the above entitled cause is the effect of record on my docket, and that the papers and documents hereto attached are all the original papers appertaining to said cause on file in my office, Witness my hand this 10th day of April 1888.

W. L. Stone, J. P.

6347
No 50

David Pinson Pgh

vs

James Moon Relf

Ch. L. J. M. H. Ry Leo
Gar.

Bill of costs

Stone J. P.
Nashburn

Veagey blern

docn^o / 9 files⁴⁵ / Ans. Gar. / recd / jdgth /

docn jdgth / Appr / Fee bill / cost

Copy - Satisfaction

Filed April 16th 1888

D. B. Veagey
Clerk