

Jefferson County Circuit Court
Case File - CIVIL
May Term 1888 - No. 32

Box

40 Folder 15

J Jude, William

vs

St. Louis Iron Mountain &
Southern Railway Co.

Negligence

Plaintiff alleges railroad
did not build a fence along
its railway thereby allowing
his cow to enter the path
of the engine and get
run over; Seeking Damages
of \$150.

William Leude
Plaintiff.
against
Saint Louis Iron
Mountain and
Southern Rail
way Company
Defendant.

In the Circuit
Court of
Jefferson County
Missouri.
In May term
1888.

Plaintiff States that on the fifth day of August 1887, and for many years prior thereto, and ever since, the Defendant was, as it now is, a corporation duly incorporated and organized under and by virtue of the laws of the State of Missouri, and as such on said fifth day of August 1887, and for many years prior thereto, owned and operated, as it has done ever since said fifth of August 1887, a certain rail road extending through Joachim Township in Jefferson County Missouri, known as the Saint Louis Iron Mountain and Southern rail road. Plaintiff further States, that on said fifth day of August 1887 he was the owner of a certain Cow of the value of seventy five Dollars. And that on said fifth day of August 1887, in said Joachim Township in Jefferson County Missouri, at a point on Defendants said rail road where

Said rail road passed along and adjoining unenclosed lands, and not at any public or private crossing of said rail road, nor within the limits of any incorporated City or Town, Defendant while operating its said rail road by its agents, servants, and employes, in running over its said rail road a locomotive engine and train of cars owned by Defendant, ran said engine and train of cars against and over said Cow of Plaintiff, which had come upon, and was then on the track of its said rail road, thereby killing her. Plaintiff states that Defendant had failed and neglected to erect and maintain good and lawful fences on the sides of its said rail road at the point where said Cow got upon the track of its said rail road, and was killed. And Plaintiff states that by reason of such failure of Defendant to erect and maintain such fences said Cow got upon said rail road and was ~~run~~ killed as aforesaid. Plaintiff states that by the killing of his said Cow, as aforesaid, he has sustained damage in the sum of seventy five dollars, for double which sum, to wit: the sum of one hundred and fifty dollars

he asks judgment against
Defendant.

Jos. J. Williams
Attorney for Plaintiff

William Leide

255

David Louis
Iron Mountain
and Southern
Rail Way Company

Civil action for
Damages

James Buchanan

Filed April 27/1888
at 73 1/2 cts
Clean

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

The State of Missouri,

To the Sheriff of Jefferson County--Greeting:

We command you, that you summon

*The St Louis Iron Mountain & Southern
Railway Company*

if found in your County, to be and appear before the Honorable Judge of our Circuit Court, on
the first day of the next term thereof, to be begun and holden at the town of Hillsboro, within
and for the County of Jefferson, on the *second* Monday of *May*
next, then and there to answer unto

William Leude

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

D. B. Yeager
Witness, **C. THO. HORINE**, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at
office in Hillsboro, this *28th* day of

April A. D., 18*88*

D. B. Yeager, Clerk Circuit Court.

I hereby certify that I executed the within writ in the
county of Jefferson in the State of Missouri on the 28th day of
April 1888 by leaving a true copy of the within writ and ^{petition} annexed
as furnished me by the clerk of the circuit court with the
C. H. Hayden, ^{Chief Clerk} he being in charge of the principal business office
of the within named Louis Iron Mountain and
Southern Rail Road Company, ^{in my county} and the being no
higher officer at the time of the service on whom to
serve papers of said company

Fees \$1.00

G. W. McHenry Sheriff

6268

No 145 2632

Circuit Court
Jefferson County Mo

To May Term 1888

William Jende

= W - Damages

Louis Iron Mountain

and Southern Railway Co

Original

In the Circuit Court of
Jefferson County, Missouri,
May Term 1888.

William Jende Plaintiff
- vs -
St Louis, Iron Mountain &
Southern Railway Company
Defendant.

Now comes said defendant
and for answer to plaintiffs
petition in the above cause
filed, denies each and every
allegation therein contained.

Geo H Bentau &
H S Herbel
Atty for Deft

William Jende

-b4-

Dr Davis, Jewell

S. So. Dry Co.

Answer.

Filed May 16th 1858

A. B. McCoy
W. B. B.

SUBPOENA.--CIRCUIT COURT.

STATE OF MISSOURI, COUNTY OF

Jefferson

} ss.

No. *32*

THE STATE OF MISSOURI, To

*John W. Fowler**John Miller**John Starnes*

You are Hereby Commanded, That setting aside all manner of excuse and delay, you be and

appear in proper person, before the Judge of our Circuit Court, at the Court House in the *town*

of *Stillo Spr*

within and for said County, on

January

the

15th

day of

January

A. D. 188*9*, then and there

to testify and the truth to speak, in a certain matter of controversy now pending in our said Court,

wherein

John O. Weston

Plaintiff,

and

John Fowler

et al vs

Regina Defendants,

on the part of said

defendants

, and this you shall in no

wise omit. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my hand and the seal of our said Court. Done at

office in

Stillo Spr

in said County, this

8th

day of

January

A. D. 188*9*

W. O. Sawyer

Clerk.

By

DEPUTY CLERK.

SUBPENA.

No. 32

CIRCUIT COURT

Of _____ Co., Mo.,

Term, 1889

January
John C. Hoyer

vs.

H. J. Gendy & Co.
Mo. Ry. Co.

PLAINTIFFS'

WITNESSES.

DEFENDANTS'

Day of Trial

Jan'y 15thJohn Gendy X
John Miller X
John Hanks X

FEE, \$

1.50

RETURN.

I hereby certify that I served the within Writ in the County of _____ and State of Missouri, on the _____ day of _____, 1889, by

reading the same in the hearing and in the presence of the within named, John Gendy, John Miller, and,

John Hanks,

E. B. Maupin Sheriff,
Ed. Howard do.Filed Jan'y 14th 1889D. B. Veazey
Clerk

SUBPOENA.--CIRCUIT COURT.

STATE OF MISSOURI, COUNTY OF

Jefferson

} ss.

No. *47*

THE STATE OF MISSOURI, To *Samuel Stebbins John Delaplan*
and Edward Brock Robert Williams

You are Hereby Commanded, That setting aside all manner of excuse and delay, you be and

appear in proper person, before the Judge of our Circuit Court, at the Court House in the *Town*
of *Willeboro*, within and for said County, on *Tuesday*

the *15th* day of *January* A. D. 18*89*, then and there

to testify and the truth to speak, in a certain matter of controversy now pending in our said Court,

wherein *John Stebbins* *vs* Plaintiff,

and *Samuel Stebbins Co. & Mrs Stebbins* are Defendant,

on the part of said *Defendant*, and this you shall in no
wise omit. And the person or officer serving this Writ is commanded to have the same at the
time and place aforesaid, certifying thereon his return.

WITNESS my hand and the seal of our said Court. Done at
office in *Willeboro* in said County, this

15th day of *January* A. D. 188*9*

Clerk.

By *John Stebbins* Deputy Clerk.

SUBPENA.

No. _____

CIRCUIT COURT

Of _____ Co., Mo.,

January Term, 18 89

John O'Dwyer

vs.

St. L. & N. W. R. R. Co.

Wm. Genda

PLAINTIFFS' } WITNESSES.

DEFENDANTS' }

Day of Trial Jan'y 15 / 89

Louis Genda *

John Schaefer *

Edward Wolf

Filed Jan'y 15th 1889
D. B. Reager
Clerk

RETURN.

I hereby certify that I served the within Writ in the County of _____
and State of Missouri, on the _____ day of _____, 1889, by

James Schaefer and Earl Wolf both of Williams

FEE, \$ 2.00

By Chas. Ellis

Ed. B. Reager
Clerk