

Jefferson County Circuit Court
Case File - Civil

June 1888

Walter, J. F.

vs

Ballow, C. B.

Appeal

St. Louis, Iron Mountain + Southern
Railway Co.; garnishee in attachment,
appealed from JP W. L. Stone; \$26.75
account

Box

40

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AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

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

J. F. Walther

Pl'ff.

BEFORE

H. L. Stone

Justice of the Peace,

C. B. Ballow

vs.

Def't

Valle

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

ss.

H. L. Stone

This day personally appeared before me

of the Peace within and for the Township of

Valle

in the County aforesaid,

J. F. Walther
Plaintiff, in the above entitled suit, and upon oath says, that the Plaintiff*C. B. Ballow*has ☒ a just demand against the Defendant*C. B. Ballow*

and that the

amount which the affiant believe ☒ said Plaintiff ought to recover, after allowing all just credits and set offs, is *Twenty five* DOLLARS,and *Twenty five* Cents, due *July 1st 1888*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 creditorsSworn to and subscribed before me, this *22^d* day

of

May

A. D. 18

88

J. P.

*H. L. Stone**J. F. Walther*

Affidavit in Attachment Suit.

No.

J. F. Walker

Plff

VS.

W. B. Ballou

Def't

BEFORE

M. Stou

Justice of the Peace.

Filed May 22 1888

M. Stou

Justice of the Peace.

Filed June 30th 1888

W. B. Ballou

Att

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

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

J. F. McArthur

In Attachment Suit Before

W. L. Shaw

Justice of the Peace.

*E. B. Ballew**W. J. McArthur*

as Principal, and

as ~~Securit~~ *Defendant*, owe and stand indebted to the State of Missouri in the sum of*Twenty**Dollars*, upon this condition : That the Plaintiff in

shall prosecute

action without delay and with effect to refund all sums of money that may

be adjudged to be refunded to the Defendant

E. B. Ballew

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

*22d*day of *May*A. D. 18*88**J. F. McArthur*
*E. B. Ballew*Seal
Seal
Seal

Approved this

*22d*day of *May*18*88**W. L. Shaw*

Justice of the Peace.

BOND IN ATTACHMENT.

No.

J. F. Watter
vs.
C B Ballou

Date May 22^d 1888
Amount \$52.00

Filed June 30th 1888
D. B. Vealey
clerk

WRIT OF ATTACHMENT--J. P.

(Revised Statutes 1879, page 74, Section 457.)

STATE OF MISSOURI,

} ss.

County of Jefferson
of Vale

, in the County of Jefferson

THE STATE OF MISSOURI, To the Constable of the Township

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

E. B. Ballou

by all and singular

his

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

Twenty-five

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,

office in said Township, on the

4th day of June, a Justice of the Peace within and for said Township and County, at my
A. D. 1888, at 10 o'clock A. M., to answer

to the complaint of

J. P. Maccher

and that you summon the said

E. B. Ballou

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

22^d day of May

A. D. 1888

M. D. Lowe

Justice of the Peace.

No. _____

Writ of Attachment.

J F Walther

VS.

C B Ballou

ISSUED BY

M. L. Stone

J. P.

Valle

Township,

Jefferson

County, Mo

Return Day,

June 7

, 188*8*

Filed June 30th 1888

W. B. Veager
22 *clerk*

Executed this writ to

and by attaching the following

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

tending 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.

Issued of _____

Township.

Notice to Defendant in Attachment.

—0—

J. F. Mather

Plaintiff,

vs. B. B. Barclay

Defendant.

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

To B. B. Barclay

, 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 Twenty Six 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 25th day of June, 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 5th day

of June, 1888

J. F. Mather
Jury nt Stone

Plaintiff.

I hereby certify that I posted up four
printed and published copies of which the
within is a true copy at 4 public
places in Jefferson County
this 30 day of June 1888

for each }
A. Warklem
Comable

Filed June 30th 1888
D. B. Veager
clerk

Summons to Garnishee,

J. F. Mather

vs.

Plaintiff

L. B. Bailour

Def't.

BEFORE

W. L. Stone

Justice of the Peace.

STATE OF MISSOURI, }
County of Jefferson, }

SOUTHERN RAILWAY COMPANY, GREETING:

The State of Missouri to the St. Louis, Iron Mountain and

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

L. B. Bailour

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

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 Twenty Six Dollars and 75

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

W. L. Stone

, Justice of the Peace of

Waco

Township, in Jefferson

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

4th

day of

June

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 22d day of May

1888

W. L. Stone

Constable

Waco

Township.

I HEREBY CERTIFY that I executed this writ in Jefferson county, Mo., on the 22 day of May

1855, by *Delivering a true copy of the within Sum*

may to Geo. S. Huntington the nearest Station Agent
of the Saint Louis Iron mountains and Southern Railroad
at Depot Station no other chief offices or
subsidiaries of said Co. named in said County
has been furnished St. Louis

Constable of Wells Township

Summers Creek

Summons to Garnishee,

TO

St. L., I. M. & S. Ry. Co.

IN CASE OF

J. F. Wälder

Plaintiff,

vs.

C. B. Ballou

Defendant.

BEFORE

W. L. Stone, J.P.

Filed June 30th 1888

D. B. Veayer
Cen

Cen

I HEREBY CERTIFY that I have executed this writ on the 22 day of May, 1888
at De Soto, Valle Township, Jefferson County, Missouri, 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 I did summon them, in writing as garnishee, to appear before the within named Justice, at his office, on the return day of this writ, to answer such interrogatories as may be put to them by the Justice; and that I 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 Jefferson County, Missouri.

Fees—Serving this writ

2- Garnishee Summons

\$1.13
R. Washburn

Constable.

Filed June 30th 1888
W. B. Weaver
Clerk

J. F. Walther } Plaintiff.
 VS.
 ST. LOUIS, IRON MOUNTAIN & SOUTHERN R'Y CO.
Car of C. B. Ballou } Defendant.

STATE OF MISSOURI, }
 County of *Jefferson* } SS.
 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 the appellant is injured by the judgment of the Justice.

Sworn to and subscribed before me, this *26th*
 day of *June* 188*8*
 Witness my hand and seal.

W. L. Stone J. P.

W. L. Stone
J. F. Walther

We, the undersigned, *St. Louis, Iron Mountain and Southern Railway Company*, as principal, and *W. L. Stone* as sureties, acknowledge ourselves indebted to *J. F. Walther* plaintiff in the above entitled cause, in the sum of

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

the *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

J. F. Walther Plaintiff, and the *St. Louis, Iron Mountain & Southern Railway Company*, *garnishee* 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

W. L. Stone [SEAL.]
W. L. Stone [SEAL.]
W. L. Stone [SEAL.]

Approved this

26th day

of *June* 188*8*

W. L. Stone

JUSTICE.

6466
39

STATE OF MISSOURI.
County of *Chester*

J. F. Weather

vs.

St. Louis, Iron Mountain & Southern Railway Co.
vs.
Edward C. B. Ballou with
APPEAL BOND.

Set June 30th 88.

Filed June 30th 1888

D. B. Veazey
Clerk

Bill of Costs

W. L. Stone J. P.
R. Washburn Clerk

D. B. Veazey ex

<i>9 files</i>	<i>45</i>	<i>/</i>	<i>2 doc</i>	<i>10</i>	<i>/</i>	<i>appr</i>	<i>20</i>	<i>/</i>	<i>ans. Jan</i>	<i>30</i>	<i>/</i>	<i>Verd.</i>	<i>30</i>	<i>/</i>	<i>1.35</i>
<i>judgt</i>	<i>50</i>	<i>/</i>	<i>local ft</i>	<i>10</i>	<i>/</i>	<i>Fee bill</i>	<i>10</i>	<i>/</i>	<i>costs</i>	<i>10</i>	<i>/</i>	<i>atky</i>	<i>10</i>	<i>/</i>	<i>90</i>
<i>satisfaction judgt</i>	<i>25</i>	<i>/</i>													<i>25</i>

amt paid to ch by Garnisher \$ *29.80*

Bal due peff-

\$ *9.35*
\$ *20.15*

5.20
6.25
1.65

2.50
\$ *9.35*

IN THE CASE OF

BEFORE

J. Maesher Plaintiff,
vs.

St. Louis, Iron Mountain & Southern Ry Co.
Garof O. Ballan Defendant.

W. L. Stone
Justice of the Peace.

Garnushee
Now, comes the ~~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. K. Harris

Attorney for Defendant

Garnushee

Filed June 26th 1888
W L Stone JP

895-
860
35-

505-
35-
470

Filed June 30th 1888
D. B. Keay
Clerk

State of Missouri }
County of Jefferson } ss.

Before W. L. Stone, J. P.
Valle Township

J. F. Walther Plff.

vs -
L. B. Ballow. Deft.

} Attachment

May 22^d 1888. Plaintiff filed his account for 26⁷⁵ and directed a writ to issue Affidavit and bond, as required by Statute, filed and summons and writ issued and delivered to R. Washburn, Constable of Valle Township, returnable June 4th 1888.

June 4^d 1888. Constable returned the writ certifying thereon that he executed the writ on the 22^d day of May, 1888, in Jefferson County, Missouri, 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 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 x

and that he did attach in their houses
all goods, chattels, moneys and evidences of
debt belonging to the defendant; No other
chief officer or president of said Company
found in Jefferson County; The Defendant
not found in Jefferson 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 advertise-
ments, 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 Twenty six dollars
and seventy-four cents, and that unless
he be and appear before me at my office
in Valle Township on the 25th day of
June 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.

June 25th 1888. This being the trial day
of the Cause, and the defendant, though duly
notified by advertisement, as appears from
the return of notice by the Constable
comes not but makes default —

It is therefore considered and adjudged by the Justice, that plaintiff have judgment against the Defendant for twenty-six dollars and seventy-five cents, his demand, together with his costs in this behalf expended.

Now, also, on this said 25th day of June 1888. the St. Louis, Iron Mountain and Southern Railway Company, though duly summoned as garnishee, comes not but makes default. It is therefore considered and adjudged by the Justice that Plaintiff have judgment against the said garnishee for twenty-six dollars and seventy-five cents, his debt, together with his costs in this behalf expended.

June 26th 1888. Garnishee filed motion to set aside the judgment rendered herein by default. Motion overruled. Garnishee filed necessary affidavit and bond for appeal. Bond approved and appeal allowed.

W. L. Stone, J. P.

