

Jefferson County Circuit Court
Court Cases - Civil

August 1888

Box

40

Folder

17

Turner & Bogard

VS

Monahan, George

Appeal

St. Louis, Iron Mountain & Southern
Railway Co., garnishee, appealed from
JP P.C. Zollmann; \$10 debt

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

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

James & Bogart.

VS

George Monahan

In Attachment Suit Before

W. J. Steemann

Justice of the Peace.

We,

James & Bogart

as Principal, and

as Security, 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 of *James & Bogart vs George Monahan* shall prosecute *their* action without delay and with effect; refund all sums of money that may be adjudged to be refunded to the Defendant *George Monahan*

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 *16* day of *June* A. D. 18*88**Chas P Bogart*

Seal

James & Bogart

Seal

Wm. J. Steemann

Seal

Approved this *16* day of *June* 18*88**W. J. Steemann*

Justice of the Peace.

BOND IN ATTACHMENT.

No.

Turner & Bogert

VS.

George Monahan

Date June 16 1888.

Amount \$20.00

Filed Aug 10/1888
D.B. Kager
clerk

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE)

(R. S., Vol. 1, Sec. 101.)

Turner & Bogert

Pl'tf

VS.

George Monahan

Def't

BEFORE

P. B. Gollmann

Justice of the Peace.

Valle

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

SS.

This day personally appeared before me
of the Peace within and for the Township of

P. B. Gollmann
Valle

, a Justice

in the County aforesaid

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

Turner & Bogert

has a just demand against the Defendant ,

George Monahan

and that the

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

Ten

DOLLARS,

and

Cents, due

- now for Board

and that

they

has good reason to believe, and does believe that the Defendant

*is about to change his domicile in
order to fraudulently hinder or delay his
creditors*

Sworn to and subscribed before me, this

16

day of

*June*A. D. 18 *88*.*P. B. Gollmann*

J. P.

*Chas O Bogert for**Turner & Bogert*

6491

STANDARD PRINTING CO., HANNIBAL, MO.

Affidavit in Attachment Suit.

No. 19

Emmer Bogert }
Plff

VS.

George Monahan }
Def't

BEFORE

P. C. Zollman
Justice of the Peace

Filed June 16th 1888

P. C. Zollman
Justice of the Peace.

Filed Aug 10/1888
D. B. Veazey
Clerk

Bill of Costs
Zollman Justice
Washburn Comtable
Veazey Clerk
8 files 40/ Doen /

505-
1,65-

Summons to Garnishee.

Turner and Bogert

Plaintiff

vs.

George Monahan

Def't.

BEFORE

S. B. Zollman

Justice of the Peace.

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

The State of Missouri to the St. LOUIS, IRON MOUNTAIN AND

SOUTHERN RAILWAY COMPANY, GREETING:

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

George Monahan

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

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 200 Dollars and 00

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

S. B. Zollman, Justice of the Peace of Valle Township, in Jefferson

County, State of Missouri, at his office in said Township, on the 26 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 16 day of June,

1888

R. Washburn

Constable Valle Township.

I HEREBY CERTIFY that I have executed this writ on the 16 day of June, 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

50.00
65
\$1.15

Constable.

I HEREBY CERTIFY that I executed this writ in Jefferson county, Mo., on the 16 day of June

1888 by Delivering a true copy of the same to
Geo. S. Hawkins the nearest station agent of the
St Louis Iron Mountain and Southern Railway
Co at Crest Station no other chief offices or
president of said Co found in said County
per
2 Garnishes
Summons 6516

R. Washburn
Constable of Wall Township

Summons to Garnishee,

TO

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

IN CASE OF

Garnishee and Baggett

Plaintiff,

VS.

Geo. Washburn

Defendant.

BEFORE

R. S. Washburn J.P.

Filed Aug 10/1888

H. B. Baggett
Clerk

16

WRIT OF ATTACHMENT.--J. P.

(Revised Statutes, 1879, Page 74, Sec. 407.)

STATE OF MISSOURI,

} ss.

County of Jefferson

The State of Missouri, to the Constable of the

Township of Valle

in the County of Jefferson

GREETING:

You are Hereby Commanded to Attach

George Monahan

by all and singular

His

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

satisfy the sum of

Ten

100 DOLLARS, with

interest and costs of suit, in whose hands or possession the same may be found in your County, so that

he and appear before me

J. C. Gallman

a Justice of the Peace within and for

said Township and County, at my office in said Township, on the

26 day of June

A. D. 1884 at 10 o'clock A. M., to answer to the complaint of

Charles August

and that you summon the said

George Monahan

to appear before me, the said Justice, at the time and place appointed, to answer the action of the Plaintiff; and also 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

16

day of June

A. D. 1888

J. C. Gallman

Justice of the Peace.

No. _____

Writ of Attachment.

Lamar & Bogert

vs.

George Monahan

Issued by

P. Zollmann

J. P.

Valle

Township

Jefferson

County, Mo.

Return day

June 26th

1888

Filed Aug 10/1888

*W. B. Keagy
clerk*

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. 188 _____; 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 _____ 188 _____ by _____

All done in the County of _____

and State of Missouri.

Fee, \$ _____

Constable of _____

Township.

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

CONSTABLE'S RETURN.

ATTACHMENT NOTICE TO NON-RESIDENT DEFENDANT.

(Revised Statutes Vol. 1, Sec. 473)

Linn & Bogert

AGAINST

Plaintiff

George Monahan

Defendant

ATTACHMENT BEFORE

D C Zallmann

Justice of the Peace,

Valle

Township,

Jefferson

County,

STATE OF MISSOURI.

To

George Monahan

Defendant in the above entitled Cause.

PURSUANT to the order of *D C Zallmann* Justice of the Peacewithin and for the Township of *Valle* in the said 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 sumof *Ten* DOLLARSand *00* Cents, the demand of the plaintiff in the above
entitled cause, and that unless you appear before the said*D C Zallmann*, Justice as aforesaid, on the *16*
day of *July*, 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 said
plaintiff and the costs herein.*Linn & Bogert*
for

CONSTABLE'S RETURN.

I, R. Washburn Constable of Waller
 Township, Jefferson County, Missouri, do hereby certify that I did, on
 the 5 day of July 1888, post up a copy of the
 within notice, at each of the four public places in the County aforesaid.
 FEE, \$ 50 cts R. Washburn
 Constable.

STANDARD PRINTING CO., HANRIBAL, MO.

Notice to Non-Resident in Attachment.

Plaintiff

AGAINST

Defendant

Filed Aug 16/1888
D. B. Neely
clerk

NOTE.—Copies of this notice must be posted in four public places in the County at least twenty days before the day of hearing mentioned in this notice. The posting may be proved by the Return of the Constable upon a copy of the notice, or by the affidavit of any person who would be a competent witness in the cause.

IN THE CASE OF

BEFORE

Turner Bogert Plaintiff,

vs.

St. Louis Iron Mountain & Southern Ry Co.
Jaroff & Bowler Defendant.

P. C. Gollman
Justice of the Peace.

Now, comes the *Jaroff & Bowler* 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. W. Porter *Jaroff & Bowler*
Attorney for Defendant.

7
Hled Dec 10/1888
Dob Neay
ca

Turner & Baggett } Plaintiff.
VS.

St. Louis, Iron Mountain & Southern R'y Co.

Car of Geo Monohan } 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 the appellant is injured by the judgment of the Justice.

Sworn to and subscribed before me, this *26*
day of *July* 188*8*
Witness my hand and seal *P C Gallman*
Justice of the Peace

Geo S Harten
JK

We, the undersigned, **St. Louis, Iron Mountain and Southern Railway Company**, as principal, and *W H Thomas & R Lackland* as sureties, acknowledge ourselves

indebted to *Turner & Baggett* plaintiff in the above entitled cause, in the sum of

Twenty five Dollars, to be void upon this condition: Whereas,

the **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 *Turner &*

Baggett Plaintiff, and the **St. Louis, Iron Mountain & Southern Railway Company**,

Car of Geo Monohan 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

together with the cost of appeal, this recognizance shall be void.

St. Louis, Iron Mountain & Southern Railway Company.

By

N E Ricker
Genl Supt

[SEAL.]

W H Thomas

[SEAL.]

R Lackland

[SEAL.]

of

July

188*8*

P C Gallman
JUSTICE.

day



STATE OF MISSOURI. }

County of

Jefferson

James & Bogart

Memorandum
St. Louis, Iron Mountain & Southern Railway Co.

APPEAL BOND.

July
12th

Filed Aug 10/1885
Geo H. Rogers

State of Missouri } ss
County of Jefferson }
Turner & Bogert. Pltffs

George Monahan Deft
St Louis Iron Mountain and Southern
Rail Way Company Garnashee

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

Attachment

On this 16th day of June 1888 Plaintiff having filed the necessary Bond and Affidavit as Required by Law the Amount Claimed being Ten Dollars. A Writ of Attachment was issued and delivered to R. Washburn Constable of Valle Township. Returnable June 26th 1888.

On this 26th day of June 1888 R. Washburn Constable of Valle Township makes Return of Writ Certifying that he Executed the writ by on the 16th day of June 1888 at De Soto Valle Township Jefferson County Missouri, By Summoning as Garnashee the St Louis Iron Mountain and Southern Rail way Company, by delivering a Garnashee Summons in Writing to George D Harwin the nearest Station Agent of Said Company, at De Soto Station, Notifying Said 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 Justice, And that I did attach in their hands all Goods, Chattles, Money's and Evidence of Debt, belonging to the Defendant. No other Chief Officer or President found in Said County. The Defendant not found in Jefferson County.

Justice fees
writ 110
Bond 35
afid. 35
Writ 75
notice 50
Judgt. 50
Affid. 35
Framorps 85
Certif 15
3.05

June 26th 1888 It Appearing from the Return of Constable that Defendant could not be found in Jefferson County, It is therefore Ordered by the Justice that Plaintiff give Notice to Defendant by Posting up written or Printed Notices in four Public places within the County Notifying him that a writ of Attachment has been issued against him and his Property attached, to satisfy the Demands of Plaintiff, and unless Defendant appear before Said Justice at his Office on the 26th day of July 1888. Judgement will be rendered against him.

Constable fees
Writ 50
2 sum
shes 65
notice 50
165

And on this 26th day of July 1888 R. Washburn makes Return of Notice Certifying that he Executed the notice by posting up four written notices, notifying Defendant, that a writ of Attachment has been issued against him and his property attached, to satisfy the demand of Plaintiff and unless he appear before the Said Justice on the 26th day of July 1888 Judgement will be rendered against him.

And now on the 26th day of July 1888 The Defendant though being thrice solemnly called, Cometh not but Makes Default, and the Matter and things pertaining to the above entitled Cause being seen and heard by the Justice. It is Considered and adjudged by the Justice that Plaintiff have Judgement for Ten dollars their Debt and Six dollars and seventy Cents their Cost in this behalf expended.

Total Cost
\$6.70

And Also on this 26th day of July 1888 The St Louis Iron Mountain and Southern Rail Way Company Garnashee though being only Summoned and Cometh not but Makes Default and adjudged by the Justice that Plaintiff have Judgement against Said Rail Way Company Garnashee for Ten dollars his Cost and Six dollars and seventy Cents his Cost in this behalf expended.

And On this the 26th day of July 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 and there upon the Said Company Garnashee filed a Bond and Affidavit for an appeal.

Bond was approved and Appeal Granted
P C Gallmann Justice
of the Peace for Valle
Township

State of Missouri } ss.
County of Jefferson

I. P. B. Zollmann a Justice of the Peace
in and for Valley Township County and State of said
do Certify the foregoing to be a full true and complete
Transcript of the entries and proceedings in the Case
of Turner Bogert vs. George Monahan 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 28 day of July 1888

P. B. Zollmann Justice
of the Peace for Valley Township

Filed Aug 10/1888
D. B. Wray
Clerk