

To Florsom County Circuit Court

Case Files - Civil

January 1889

Shouman, Charles

VS

Kiley, Thomas

Appeal

St. Louis, Iron Mountain & Southern
Railway Co., garnishee on attachment,
appealed from JP W.L. Stone; \$11.50
account for board and lodging

Box 40 Folder 41

W. L. STONE,
Real Estate Agent,
Notary Public and
Justice ^{of the} Peace,
P. O. Box, 208.

Little Rock, Mo.
Fireman

De Soto, Mo., Sept 12th 1888.

Tom Kiley
Dr to Charles Showman &
Sept 1887. To Board & Lodging
to date

"11 50

Filed Sept 12th 1888

Miss Mary Good, 1889
210 Broadway
Cen

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

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

Charles Showman

BEFORE

Thomas Kiley

vs.

Pl'ff

W L Stone

Justice of the Peace,

Def't

Valle

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

ss.

W L Stone

This day personally appeared before me

Valle

of the Peace within and for the Township of

in the County aforesaid,

Charles Showman

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

Showman

has a just demand against the Defendant

Thomas Kiley

and that the

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

set offs, is *Eleven* DOLLARS,and *Fifty* Cents, due *September 1887*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 *14th* dayof *September* A. D. 18 *88**W L Stone*

J. P.

Charles Showman

Affidavit in Attachment Suit.

Oto.

Charles Shuman

Plff

VS.

Thomas Wiley

Def't

BEFORE

W I Stone

Justice of the Peace.

Filed Sept 14th 1888

W I Stone

Justice of the Peace.

Filed Aug 3rd 1888
J. B. Hooper
clerk

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

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

Charles Thompson

VS

Thanna Riley

In Attachment Suit Before

W. L. Stone

Justice of the Peace.

We, *Charles Thompson*

as Principal, and

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

Twenty-five

DOLLARS, upon this condition : That the Plaintiff in

the above entitled cause *Charles Thompson* shall prosecute *his* action without delay and with effect; refund all sums of money that may be adjudged to be refunded to the Defendant *Thanna Riley*

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

14th

day of

*Sept*A. D. 18*88**Charles Thompson*

Seal

Stephen D. Culbertson

Seal

Seal

Approved this *14th*day of *Sept*18*88**W. L. Stone*

Justice of the Peace.

BOND IN ATTACHMENT.

No.

Charles Shawman

VS.

Thomas Kiley

Date *Sept 14th* 18*88*

Amount *20⁰⁰/₁₀₀*

Filed Jan 3/1889
A. B. Kizer
clerk

Summons to Garnishee,

Charles H. Hume, Plaintiff

VS.

BEFORE

W. S. Stone

Justice of the Peace.

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

The State of Missouri to

The Saint Louis Mercantile

GREETING:

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

Charles H. Hume,

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 *Three* Dollars and *50*

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

W. S. Stone,

Justice of the Peace of

Wells

Township, in Jefferson

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

25

day of

September

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

24

day of *September*

1888

W. S. Stone

Constable

Wells

Township.

I HEREBY CERTIFY that I have executed this writ on the day of, 18.....,

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.....

Garnishee Summons.....

Constable.

Summons to
Garnishee
To Saint Louis Iron
Mountain and
Southern Rail
Way Company
in case of
Chas. Shammun

W. H. Kiley
Stff

Before
N. S. Stone
J. S.

Filed Jan 3/1889
D. B. Coyle
14 Ck

WRIT OF ATTACHMENT--J. P.

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

STATE OF MISSOURI,

County of

Jefferson

ss.

THE STATE OF MISSOURI, To the Constable of the Township

of

, in the County of

Jefferson

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

by all and singular

his

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

\$500

500

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,

M. Stone

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

office in said Township, on the

25th

day of

September

, A. D. 18

at

8th 10 o'clock

A. M., to answer

to the complaint of

Charles Shannon

and that you summon the said

Thomas Riley

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 Garnishes 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

14th

day of

September

, A. D. 18

85.

M. Stone

Justice of the Peace.

No.

Writ of Attachment.*Charles Showman*

VS.

Thomas Riley

ISSUED BY

W L Stone

J. P.

Valle

Township,

Jefferson

County, Mo

Return Day,

Sept 25, 188*8**Filed Jan 3 / 1889**D. B. Veary**14**cler*

Executed this writ by

CONSTABLE'S RETURN.

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
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.

Constable of

Township.

I HEREBY CERTIFY, that I have executed this writ on the 14 day of September, 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.....

1 Garnishee Summons.....

Constable.

Geo. D. Hawkins
\$1.15

28.35
26.00
54.35

herby being that you lived in her
copy of the within instrument to her as ^{the} ^{original}
the nearest of kin to her of the 1st part
you heretofore and thereafter said may
be at 3 o'clock at the 145 of
of the 145 of 1858 in 32 o'clock
yourself in the room to which you
are at the chief of the 1st part
of said 32 o'clock in said County
you
the 1st part
of the 1st part
of the 1st part

W. H. H. H. H.
C. H. H. H. H.

Notice to Defendant in Attachment.

—0—

Charles Sherman

Plaintiff,

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

Don Miley

Defendant.

To *Don Miley*

, 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 *Eleven* Dollars and *Eighty* 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 *29th* day of *October*, 188*8*, 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 *14th* day
of *October*, 188*8*.

Charles Sherman
By W. H. Huggins Plaintiff.

Filed Jan 3/1889
D. B. Veaz
clerk

I hereby certify that I have printed up 4
printed and substantiated of which the within
is a true copy at 4 public places
in Jefferson County

for — 50 cts

R. Washburn
Constable

2

Order of Publication.

— 0 —

Chas Shawman

VS.

Thomas Kieley

W L Stone

Attachment before ~~CHAS. T.~~

~~RANKIN~~, Justice of the Peace,
Valle Township Jefferson County
Missouri.

It appearing to the Justice, from the return of the writ in this cause, that the Defendant can not be summoned, it is ordered by the Justice, that the Plaintiff give notice to the Defendant by four written or printed advertisements, set up in four public places of the county, that a writ has been issued against him, and his property attached, to satisfy the demand of the Plaintiff, and that unless the Defendant, the said

Thomas Kieley, appear before the said Justice at his office, in the township of Valle, at his next law day, on the 29th day of October 1887, judgment will be rendered against the said Defendant, and his property sold, to pay the same and costs.

A true copy of the order.

W L Stone

~~CHAS. T. RANKIN~~,

Justice of the Peace.

Filed Jan'y 21/1889
J. D. Leary
can

C. Shonman

Plaintiff.

VS.

ST. LOUIS, IRON MOUNTAIN & SOUTHERN R'Y CO.

Sawyer of T. Riley

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 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

day of November 1888

Witness my hand and seal

W. L. Stone

C. S. Hamilton

We, the undersigned, **St. Louis, Iron Mountain and Southern Railway Company**, as principal, and **J. D. Barlow & W. A. Thomson** as sureties, acknowledge ourselves indebted to **C. Shonman** 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

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

St. Louis, Iron Mountain & Southern Railway Company.

By

J. D. Barlow

[SEAL.]

First Vice Pres

J. D. Barlow

[SEAL.]

W. A. Thomson

[SEAL.]

Approved this

of November 1888

day

W. L. Stone

JUSTICE.



STATE OF MISSOURI, }
County of _____

25.

St. Louis, Iron Mountain & Southern Railway Co.

APPEAL BOND.

Oct 29 -

*Filed Aug 3rd 1889
J. D. Blewett
clerk*

IN THE CASE OF

BEFORE

Shorouan

Plaintiff,

VS.

St. Louis, Iron Mountain & Southern Ry Co.

*Gannister of
T. Riley*

Defendant.

W. L. Stone

Justice of the Peace.

Gannister
NOW, comes the Defendant, and appearing

especially 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.

T. J. Porter

Attorney for Defendant.

Gannister

Filid Nov 1st 1888

W L Stone J P

Filid Jan 3/1889

W B. Neave

CLN

State of Missouri } Before W. L. Stone J.P.
County of Jefferson }
Charles Showman, Plff. } Valle Township.

- or - } Attachment.
Thomas Kiley, Dft.

September 14th 1888. Plaintiff filed for suit his account for Eleven dollars and Fifty Cents, due September 1887, and directed a writ of attachment to issue, having filed the necessary affidavit and bond as required by Statutes. Summons and writ issued and delivered to R. Washburn, Constable of Valle Township, returnable September 25th 1888.

September 25th 1888, Writ returned executed. on the 14th day of September, 1888, in Valle township, by summoning as garnishee, the St Louis, Iron Mountain and Southern Railway Company, and by attaching in the hands of said Company all goods, chattels, moneys and effects belonging to the defendant. The defendant not found in the County. 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 setting up four written or printed advertisements at four public places in the County that a writ has been issued against him and his property attached to satisfy the sum of Eleven dollars and Fifty cents, and that

unless he be and appear before me the Justice of my office in Valle Township, on the 29th day of October, 1888, and answer to said writ, judgment will be rendered against him and his property sold to satisfy the demand and the costs of the suit.

October 27th, 1888, this being the trial day of the Cause and the defendant though duly notified, as appears by the Constable's return of notice, comes not but makes default. It is therefore considered and adjudged by the Justice that Plaintiff have judgment for Eleven dollars and fifty Cents, his debt, and also for his costs in this behalf expended.

Now, also, on this said 29th day of October, 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 said Company as Garnishee, for Eleven Dollars and Fifty Cents, his debt together with his costs in this behalf expended.

November 1st 1888. Garnishee moved the Justice to set aside the judgment rendered herein by default, which motion is overruled. Garnishee filed necessary affidavit and bond for appeal, which bond is approved and the appeal allowed. M. Stone J. D.

Fees	Dist 1 ¹⁰ Mkt 75, off + Bond 70	Notices ⁵⁰	3.05
	2 Jdts 1 ⁰⁰ off Bd. ³⁰	Order to pay	1.75
	Transcript 1 ⁰⁰ Cert. to same ³⁵	City Jdt	1.35
			<u>6.50</u>

Levy Fees	Sumy mkt 50, 2 for Sum ⁶⁵	Notices ⁵	1.65
	Total Costs —		<u>8.15</u>

I W. Stone, a Justice of the Peace within and for the County of Jefferson and State of Missouri hereby certify the above and foregoing to be a full true and complete transcript of all the entries and proceedings in the above entitled cause as the same are of record in my office, and that the documents and papers hereto attached are all the original documents and papers appertaining to said cause, on file in my office.

Witness my hand this 28 day of January 1889.

W. Stone, J. P.

6397

Charles Shorman
Appellee

vs

Chas. J. M. & Co
Appellants

James Wiley
Appellants

Filed Jan 30 1889
D. B. Veary

Bill of costs
W. L. Stone Justice
Nashburn Court
D. B. Veary cer
10 files⁵⁰ / 4 do²⁰ / Appr¹⁰ / Ans³⁰ / 110
Verd³⁰ / Judgt⁵⁰ / do¹⁰ / Fee¹⁰ / 1.00
Cont²⁵ / Cost¹⁰ / Copy¹⁰ / 45
Bal Judgt 10.70
\$16.30