

To F. Carson County Circuit Court
Case Files - Civil
May 1889

Box 40 Folder 49

Richards, D. T.

vs
Taylor, Charles

Appeal

Garnishree in attachment, St. Louis,
Iron Mountain & Southern Railway,
appealed from JP W. L. Stone;
\$13.65 account

M 78

Charles Foster

To D. F. RICHARDS, JR.

♦ L U N O H R O C M. ♦

FRUITS, CANDIES, CIGARS, TOBACCO, ETC.

DE SOLO, T. O.

1889

Aug 13 10 acct 1865

Feb 13 1889

Mr Stone J. D.

Miss Mary / 1878
and leave
on

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

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

D. F. Richards

Pl'ff

Charles Taylor

Def't

BEFORE

W. L. Stone

Justice of the Peace,

City of Defoto. Valle

Township.

STATE OF MISSOURI,

COUNTY OF

Jefferson

ss.

This day personally appeared before me

W. L. Stone

of the Peace within and for the Township of

City of Defoto. Valle

in the County aforesaid,

D. F. Richards

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

D. F. Richards

has a just demand against the Defendant,

Charles Taylor

and that the

amount which the affiant believe said Plaintiff ought to recover, after allowing all just credits and set offs, is *Thirteen* DOLLARS,and *Sixty-two* Cents, due *Feb 13th 1889*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 *13th* dayof *February* A. D. 18 *89**D. F. Richards**W. L. Stone* J. P.

Affidavit in Attachment Suit.

No.

D. J. Richards } P^lf

VS.

Wm. Taylor } D^ft

BEFORE

W. D. Stone

Justice of the Peace.

Filed *July 13th* 1889

W. D. Stone
Justice of the Peace.

Filed May 13/1889

Geo. W. Taylor
ex

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

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

J. P. Richards,

In Attachment Suit Before

W. D. Stone

Justice of the Peace.

*Charles Jaylor*vs. *W. D. Richards*

as Principal, and

W. D. Richards

as Surety

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

Twenty-Eight

DOLLARS, upon this condition: That the Plaintiff in

the above entitled cause

D. T. Richards

shall prosecute

this

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

be adjudged to be refunded to the Defendant

Charles Jaylor

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

19th

day of

February A. D. 18 *89*

W. D. Richards
W. D. Richards
W. D. Richards
W. D. Richards

Seal
 Seal
 Seal
 Seal

Approved this

19th

day of

*February*18 *89**W. D. Stone*

Justice of the Peace.

BOND IN ATTACHMENT.

No.

D F Richards

VS.

Charles Taylor

Date *Feb'y 1st* 18 *89*

Amount *2800*

Filed May 13/1889
W D Veazey
clerk

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 *Wells*, in the County of *Jefferson*

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

Lehman Taylor

by all and singular

his

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

*Twenty**65*
100 DOLLARS.

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

W. D. Stone

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

office in said Township, on the

25th

day of

February

, A. D. 18

89

at

10

o'clock

A. M., to answer

to the complaint of

D. F. Richards

and that you summon the said

Lehman Taylor

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

18th

day of

February

, A. D. 18

*89**W. D. Stone*

Justice of the Peace.

No. *X*

Writ of Attachment.

D. F. Richard

VS.

Charles Taylor

ISSUED BY

W. L. Stone

J. P.

Valle

Township,

Jefferson

County, Mo

Return Day,

February 25, 188*9**Filed May 13/1889*
D. B. Peay
clerk

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

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 13 day of February, 1889
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 50

Garnishee Summons 65

Ed M. Churchill

Constable.

Filed May 13/1889
D. B. Nease
clerk

Attest

Summons to Garnishee,

At Richards

VS.

Plaintiff

Lehman Leavitt

Def't.

BEFORE
At Shue

Justice of the Peace,

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

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

Lehman Leavitt, 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 *seven*

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

At Shue

Justice of the Peace of

Deer

Township, in Jefferson

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

24

day of

April

89, 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

day of

March

18 *89*

E. J. McWhorter

Constable

Deer

Township,

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

18....., by

Constable of Township.

Summons to Garnishee,
TO
St. L., I. M. & S. Ry. Co.

IN CASE OF

D. F. Richards

Plaintiff,

vs.

Charles Cassidy

Defendant.

BEFORE

W. L. Stone

J.P.

Not Day April 8th

Filed May 13/1889
A. B. Beatty
clerk

IN THE CASE OF

D. F. Richards

Plaintiff,

VS.

St. Louis, Iron Mountain & Southern Ry Co.

*Garneshee of
Taylor*

Defendant.

BEFORE

W. L. Stone

Justice of the Peace.

Garneshee

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.

D. J. Porter

Attorney for Defendant.

Garneshee

Filed March 27 1899

W. L. Stone J. P.

Filed May 13/1889
D. J. O'Leary
Secy

D. F. Richards

Plaintiff.

VS.

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

Ganshee of Taylor

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 March 1889

Witness my hand and seal

W. L. Stone J. P.

Geo. S. Harkins

We, the undersigned, St. Louis, Iron Mountain and Southern Railway Company, as principal, and

indebted to

Fifty

Dollars, to be void upon this condition: Whereas,

the St. Louis, Iron Mountain & Southern Railway Company has appealed from the judgment of

Stone

a Justice of the Peace, in an action between

Richards

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

Ganshee of Taylor

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

A. H. Harkins

First Vice-President.

[SEAL.]

W. H. Harkins

[SEAL.]

W. L. Harkins

[SEAL.]

Approved this

26

day

of

March

1889

W. L. Stone

JUSTICE.



STATE OF MISSOURI, }
County of _____

v/s.

St. Louis, Iron Mountain & Southern Railway Co.

APPEAL BOND.

*judg not before
prob 25-09*

*Filed May 13/1889
J. D. Briggs
clerk*

State of Missouri } Before M. Stone J. P.
 County of Jefferson }
 D. F. Richards, Plff. }
 vs. } Attachment.
 Charles Taylor, Deft.

February 13th 1889. Plaintiff filed for suit his account for Thirteen Dollars and sixty-four cents, and directed a Writ of Attachment to issue. Affidavit and bond filed, and Writ and writ issued and delivered to C. S. Walker, Constable of Valle Township, returnable April 8th 1889. April 8th 1889. Writ returned executed by summoning as garnishee the St. Louis, Iron Mountain and Southern Railway Company, and attaching in their hands all goods, chattels, moneys and evidence of debt belonging to the Defendant. The defendant not found in the County.

March 15th 1889. Defendant appeared in Court and acknowledged the debt and waived notice by advertisement whereupon it is considered and adjudged by the Justice that Plaintiff have judgment against the Defendant for \$13⁶⁴ and the costs of this suit.

March 25th 1889. 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 garnishee for \$13⁶⁴ + the costs of this suit.

Garnishee filed affidavit and bond for appeal.
Bond approved and appeal allowed.

10 files ³⁰/₂ Dec ¹⁰/₁ Ans. Gar ³⁰/₁ Vord ³⁰/₁ 1,20

Tudgh⁵⁰/dock Jt¹⁰/Apfr¹⁰/Frbill¹⁹ 80

Cost 10/ Copy 10/

Tuagh for 12.70
8.40
✓ \$ 4.30

~~8,40~~

226352

D. F. Richards

Dr. J. M. Schyler
Gen

Charles Taylor

Filed
May 13th 1889
D. D. Vazzy

CERTIFICATE OF JUSTICE TO TRANSCRIPT.

STATE OF MISSOURI,

COUNTY OF

Jefferson

} ss.

I, *W. D. McNamee*

a Justice of the Peace within and for the County of *Jefferson* and
 State of Missouri, do certify the foregoing to be a full, true and complete Transcript of the

Entries and Proceedings in the case of *W. D. Richards* versus

Charles D. Taylor

as the same are of Record on my Docket, and
 that the papers thereto attached are all the original papers appertaining to said cause on file in my
 office.

Witness my hand, this *15th* day of *March* A. D. 188 *9*

W. D. McNamee

Justice of the Peace.

Filed May 13/1889
D. B. Veazey
clerk