

DeForsen County Circuit Court
Case Files - Civil
May 1889

Box

410 Folder 51

Mary, Jacob

vs

Connors, Pat

Appeal

Garnishue St. Louis, Iron Mountain &
Southern Railway Co. appealed from
JF W. L. Stone on \$5.40 account

De Soto, Mo., March 15 1889

Per bonus

To Jacob May

To value

on

5.40

Filed March 15 1889

W L Stone J.D.

AFFIDAVIT IN ATTACHMENT SUIT.

(BEFORE JUSTICE OF THE PEACE.)

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

Jacob May

BEFORE

Pat Commons

Plff

W L Stone

Justice of the Peace,

Def't

Valle

Township.

STATE OF MISSOURI,
COUNTY OF *Jefferson* } ss.

This day personally appeared before me *W L Stone*, a Justice of the Peace within and for the Township of *Valle* in the County aforesaid,

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

has a just demand against the Defendant *Pat Commons*,

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

set offs, is *Five* DOLLARS,

and *40* Cents, due *January 1889*

and that *he* has good reason to believe, and does believe that the defendant

has removed out of the State of Missouri with the intent to change his domicile

Sworn to and subscribed before me, this *25* day

of *March* A. D. 18 *89*

W L Stone J. P.

Jacob May

Affidavit in Attachment Suit.

No.

Jacob May } Pl't

VS.

Pat Lawrence } Def't

BEFORE

W. L. Hume

Justice of the Peace.

Filed *March 25* 18*87*

W. L. Hume

Justice of the Peace.

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

(Rev. Stat., Page 64, Sec 494)

Jacot May

vs

Pat Lemmons

In Attachment Suit Before

W T Shreve

Justice of the Peace.

We, Jacot May

as Principal, and

as Securit, 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

*Thos Jacot May*shall prosecute *his* action without delay and with effect; refund all sums of money that may be adjudged to be refunded to the Defendant *Pat Lemmons*

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

25

day of

March A. D. 18*88**Jacot May*
*Willi Leavins**Seal*
Seal
*Seal*Approved this *25th*

day of

March 18*88**W T Shreve*

Justice of the Peace.

No. 88.

PRINTED AND FOR SALE BY STANDARD PRINTING CO., HANNIBAL, MO.

Class 10.

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 *Jefferson*

, in the County of

GREETING:

YOU ARE HEREBY COMMANDED TO ATTACH

Pat Leannick

by all and singular

his

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

40

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. J. Stone

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

office in said Township, on the

16th

day of

April

, A. D. 18

89

at

10

o'clock

a

M., to answer

to the complaint of

Jacob May

and that you summon the said

Pat Leannick

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

28

day of

March

, A. D. 18

89

M. J. Stone

Justice of the Peace.

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.....

STANDARD PRINTING CO., HANNIBAL, MO.

No.

Writ of Attachment.

Jacob May

vs.

Pat Leuners

ISSUED BY

M. L. Stone

J. P.

Township, ...

County, Mo

Return Day, ...

April 16, 188*9*

I HEREBY CERTIFY that I have executed this writ on the 25th day of March, 1889
at De Soto, Valle Township, Jefferson County, Missouri, by

summoning as garnishee the Sr. 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 \$5
Garnishee Summons 50

E. J. McDonald

Constable.

Order of Publication.

Jacob May

VS.

P. Leomura

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

P. Leomura, appear before the said Justice at his office, in the township of Valle, at his next law day, on the *27* day of *April* 188 *7*, 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.

IN THE CASE OF

BEFORE

May

Plaintiff,

VS.

W. I. Stone

Justice of the Peace.

St. Louis, Iron Mountain & Southern Ry Co.

*Garnishee of
P. Connors*

Defendant.

NOW, comes the *Garnishee* ~~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.

T. J. Portis

Attorney for ~~Defendant~~.

Garnishee

Summons to Garnishee,

Jacobs Mary
vs.
Pat, Common

Plaintiff
Def't.

BEFORE
W. L. Shaw

Justice of the Peace.

STATE OF MISSOURI,
County of Jefferson,) SS.

Southern Railway Company, GREETING:

The State of Missouri to the Sr. Louis, Iron Mountain AND

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

Common, 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 Ten Dollars and

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

Shaw, Justice of the Peace of Fall Township, in Jefferson

County, State of Missouri, at his office in said Township, on the 6th day of April

1889, 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 25th day of March,

1889

E. S. Mathews

Constable Pat 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

Jacob May

Plaintiff,

vs.

Pat Connors

Defendant.

BEFORE

Wm L Stone, J.P.

Initial to appear 6th 1889

Jacob May

} Plaintiff.

VS.

ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY CO.

DEFENDANT.

Garneshee of P. Commors

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 he believes the appellant is injured by the judgment of the Justice.

Sworn to and subscribed before me, this

day of

Witness my hand and seal.

188

G. W. Stanton

We, the undersigned, ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, as principal, and *R. J. Lackland* *W. H. Thompson* as sureties, acknowledge ourselves

indebted to

J. May

plaintiff in the above entitled cause, in the sum of

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

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

Jacob May Plaintiff, and the ST. LOUIS IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, Defendant.

Now, if said Defendant *Garneshee* 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

R. J. Lackland [SEAL.]
First Vice President.

R. J. Lackland [SEAL.]

W. H. Thompson [SEAL.]



Approved this

Attest
J. B. Barlow
Notary Public
11 day of

May

188

W. L. Stone

Justice.

State of _____
County of _____ } ss.

vs.

St. Louis, Iron Mountain and Southern
Railway Co.

APPEAL BOND.

*Just not signed
May 8th*

State of Missouri } Before M. L. Stone J.P.
County of Jefferson } City of DeSoto Valle Tp.
Jacob May, Plff }
vs. } Attachment
Pat Common, Dft }

March 23 1889 Plaintiff filed his account for five dollars and forty cents, together with necessary affidavit and bond, and directed a writ of attachment to issue which is done and delivered to C. S. Mackerhead, Constable of Valle Township, returnable April 6th 1889.

April 6th 1889. Writ returned executed by Summing as garnisher the Missouri Iron Mountain & Southern Railway Company, and by attaching in their hands all goods, moneys, ^{and evidences of debt} & chattels, 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 the 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 five dollars and forty cents and that unless he be and appear at my office in said Township, on the 27th day of April 1889, and answer to said writ judgment will be rendered against him and his property sold to satisfy the demand of Plaintiff together with the costs of this writ.

J. P. Few-

Over Fees

8/5

WM. L. STONE,
Real Estate Agent, Justice of the Peace,
AND NOTARY PUBLIC.

P. O. BOX 208.

De Soto, Mo.,

, 1889.

State of Missouri }
County of Jefferson } ss I W. L. Stone, a Justice of
the Peace within and for the County & State aforesaid
do certify the foregoing to be a full, true
& complete Transcript of the entire and pro-
ceedings in the Case of Jacob May vs
P. Lemons, as the same are of Record in my
docket, and that all the papers thereto attached
are all the original papers appertaining to said
Cause on file in my office.

Witness my hand this 27th day of April 1889.
W. L. Stone J.P.

Bill of costs

D.B. Veazey, 11 files ³⁵/₁₀ / 2 doca ¹⁰/₁₀ / Cent ²⁵/₄₀ / 105

\$1.95-

650

165-

Ad. Stone J.P.

C.S. Mothers head Crestable

Cork paid to Stone & was missed

632303 1/2

Jacob May

vs

D.L. J. Mrs. S. R. Lee

Gen.

Pat. Connors

Filed May 13/1889

D.B. Veazey
can