

Jefferson County Circuit Court
Case Files-Civil
June 1863

Box 14 Folder 58

Ogle, George W.

^{vs.}
St. Louis & Iron Mountain Railroad Co.

Appeal

Defendant appealed from JP
Reuben J. Palmer on \$50 damages
for killing 5 cattle

George W. Ogle, Plaintiff

Against

The St. Louis and Iron Mountain

Rail Road Company, Defendant

Before Reuben Palmer

a Justice of the Peace

The Plaintiff states the Defendant by its Conductors and Agents, in running their locomotive & Cars upon the St. Louis & Iron Mountain Rail Road, not having the same fenced and the crossings guarded by cattle-guards, as required by law, run over and killed a Lot of Cattle belonging to the Plaintiff, to wit a Yearling Calf, on the 25th of September 1861, of the value of four dollars, a three Year old Steer, on the 25th of December 1861, of the value of twelve dollars, a Cow, on the 5th of September 1862, of the value of fourteen dollars, a three year old Steer on the 5th of September 1862, of the value of twelve dollars, and a Yearling Calf, on the 13th of October 1862, of the value of eight dollars, making the total sum of fifty dollars, which said Cattle were killed in Jefferson County Missouri. The Plaintiff therefore asks Judgment against said Company for the sum of fifty dollars, and five dollars damages for the loss of the use of said Cow, by virtue of the Statute in such cases made and provided.

George W. Ogle

By A. Green, his Attorney

Geo. H. Boyle

St. Louis, Mo., N. R. R., Co.

Statenman

Paid March 2nd 1863

Eliza A. H. Conroy

State of Missouri } In the State of Missouri
County of Jefferson } to the trustees of the
Boardwalk in Jefferson County greeting the
Commander of the American War at Fort
Harrison and the Boardwalk before the
undersigned one of the Trustees of the
Boardwalk in Jefferson County
on the 6th day of January at 1863 at ten
of the clock in the forenoon at my office in the
same Boardwalk to and over the Command
of George W. Cyle given under my hand this 6th
day of January at 1863 A.D. James Dugan
of the peace

Filed Mar 2nd 1863
E. J. Honey Clerk
Hennepin

George W. Eagle

The 1st Divⁿ Land, and from
Mountain Rail Road
Company

I executed the Wills of Ann
the 15th 1863 on the England on the
basis when necessary will back stated
My being in the presence and being present
against the presence discovered by the State
Committee in the State of

My dear Henry, constant

I executed the within writ, on the
Defendant, the 11th Term of Monmouth
County, said Defendant, on the 13th day
of January 1863 in presence of
John Jefferson, County Clerk, by
me the same in the presence and
presence of John, Clerk of the Station
of said County, at 13th day of
January 1863, and said Defendant
on the 13th day of January 1863.

George H. Apple
the Attorney & John H. McCutcheon
Henderson Company

Belton Justice Palmer
February 12 1863.

The defendant names the Justice
to dismiss this suit because no sufficient or legal
service of the writ is in this case was made on the
defendant or appears from the return of the Constable.

Whereas

Whereas a
for doft.

In both the above cases, the Constable having no
process of attachment awarded his return, the defendant
moves the same motion to dismiss, for the same
reasons alleged against the first return.

Wherefore

H W Cogle

vs

St Louis & Moell-

R Road Co

Filed Mar 2^d 1863

Elias T. Honey clk

State of Missouri } the State of Illinois
County of Jefferson } the State of Indiana
Sheweth in the County of Jefferson, Greenfield
Township, George W. Taylor on the 6th day of February
at 11th o'clock, obtained Judgment before the undersigned
Justice of the Peace of the Township of Jackson
in Jefferson County against the said Taylor and three
Maurice and said said Company for fifty Dollars
for his delinquent fine Dollars damages and also
costs of suit - for his delinquent fine and also
to pay the sum of the costs and charges of the said
Company according to law now in full force and
to return the said costs and charges to the undersigned Justice
within thirty days from date given under
my hand this 6th day of February at 11th o'clock
18th March Justice
of the Peace

Execution
 George W Cople
 the St Land and
 Sell R R term—
 Debt ————— \$50 00
 Damages ————— 5 00
 J P fees ————— 6 5
 Const fees ————— 2 5
 Debt and costs
 and for this writ 2 5
 Debt & costs \$56 1 5
 Witness fees ————— 5 0
 \$56 6 5

Filed Mar 2nd 1863

Elias D. Honey ck

George W. Ogle

Plaintiff.

The St. Louis and Iron Mountain
Railroad Company

Defendant.

Before Justice Reuben J. Palmer
Joachim Township
Jefferson County

THIS DAY, personally appeared before John Jeeke a Notary Public &
a Justice of the Peace in and for the County of St. Louis in the State of Missouri
Stephen D. Barlow, President of the St. Louis & Iron Mountain Railroad Company,
who being duly sworn, upon his oath says that the application for an appeal, in the above
entitled case, is not made for vexation or delay, but because he believes the appellant
injured by the judgment of the Justice.

Sworn to and subscribed, before me, this.....

.....day of February..... 1862.....

John Jeeke
Notary Public

JUSTICE.



S. D. Barlow

We, the undersigned Stephen D. Barlow
and M. W. Greene

acknowledge ourselves indebted to George W. Ogle

in the sum of One Hundred and ten Dollars,
to be void upon this condition: Whereas, the St. Louis and Iron Mountain Railroad
Company has appealed from the judgment of Reuben J. Palmer
a Justice of the Peace, in a certain action between George W. Ogle
plaintiff and the St. Louis & Iron Mountain Railroad Company defendant Now, if on
such appeal, the judgment of the Justice be affirmed, or if, on the trial anew in the
Circuit Court of Jefferson County,
judgment be given against this appellant and it shall satisfy such judgment, or if its
appeal shall be dismissed, and it shall pay the judgment of the Justice, together with the
costs of appeal, the recognizance shall be void.

Attest, this.....day of.....

The County..... 1862

JUSTICE.

R. J. Palmer
of the peace

Stephen D. Barlow
M. W. Greene
P. J. Warren



Filed March 2nd 1863
Ellis & Honey



George W. Apple Plaintiff against the St Louis
and Iron Mountain Rail Road Company

Defendants

Plaintiff filed for suit January the 10th
at 1863 an account for fifty Dollars for the value
of the property and five Dollars Damages for the
use of the said property killed by the cars
of the Defendants dated September 2nd at 1861
to the 13th of October at 1862 and directed a
summons to issue which is now and delivered
to Alexander Hensley Constable made
returnable February the 6th at 1863 my
regular law day R. J. Palmer Justice
of the Peace

February the 6th at 1863 now at this day comes
Alexander Hensley Constable and returns the
above summons served as the law directs
and the Plaintiff and his attorney Athner Green
being present and the Defendants appeared by
their attorney Wilson Brinn and the parties
being ready for trial and after the examination
of the papers by the respective parties in the above
cause the attorney for the Defense filed a motion
to dismiss the suit for the reason that no legal or
sufficient service of the writ has been made
upon the Defendants as appears from the Constable's
return on said writ which motion was over-
ruled by the undersigned Justice and the attorney
for the Plaintiff asked leave for the Constable to amend
his return on said writ which was granted
and the Constable amended his return and the attorney
for the Defense filed a second motion to dismiss
the suit

for the same reasons as the first which motion
was over ruled and the witnesses being sworn and
examined by the respective parties and the cause
being left to the Justice it is therefore considered
by said Justice that plaintiff obtain Judgment
against Defendants for fifty Dollars for the value
of the property and five Dollars Damages and also
ninety cents for his costs and that he have Execution
therefor

Wm Palmer Justice of the
Peace

Justice fees for summoning	2 5
for swearing witnesses	0 5
for Judgment	3 5
for Execution	2 5
Constables fees for summoning	2 5
witness fees	2 5
	5 0
	<u>16 5</u>

Execution issued February the 6th A.D. 1863
made returnable in sixty days from date
State of Missouri } Wm Palmer Justice
County of Jefferson } George W Cyle Plaintiff
against the St Louis and Iron Mountain Rail
Road Company Defendants February 12th 1863
Now at this day comes J J Barlow President of
of the said Company of Defendants by his agent
Rt Shoren and files the affidavit of J J Barlow
for an appeal and offers bond and asper for an appeal
which is granted by the undersigned Justice
Wm Palmer

State of Missouri vs George W. Cagle
County of Jefferson Plaintiff against
The St Louis and Iron
Mountain Rail Road
Company Defendant

I, Reuben S. Palmer a Justice of the peace
within and for the Township of Jackson in the County
of Jefferson aforesaid hereby certify that the above
and foregoing is a full true and complete transcript
of all the entries made in my docket relating to the
Cause of George W. Cagle plaintiff against the St
Louis and Iron Mountain Rail Road Company ^{Defendant}
and that such Transcript is accompanied by all the
processes and other papers filed with the Justice
relating to such suit given under my hand this
14th day of February A D 1863 R. S. Palmer Justice

of the peace
Justices fees for writing Transcript and
certifying the same \$1.25

R. S. Palmer J. P.

a Transcript of papers
present in favor of
Sth Dyke and against
the 1st Lewis and, then
Merritt & Company
Defendants;

George W. Dyke
a } Transcript of papers

Sharon Howell & Randall

Shelburne, 2nd 1863

Chas J. Honey Clerk

Receipt for DCH
June 1863

Book on 4 pages

Chd
"

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Wm Cagle Henry Cagle

GREETING :

You are **Hereby Commanded**, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the

16th Day of June at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said

Court, wherein

George W. Cagle is

Plaintiff and

Abner Wm Miller is

Defendant on the

part of

Plaintiff

and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court,

with the Seal thereof hereto affixed, at office, this

9th day of *July* A.D. 1863

Elias Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

Fourth Term, 1863

Geo W. Ogle

Sheweth that M R Rleo

for self

Henry Ogle

Wm Ogle

Sheriff Fees \$1.00



I, Spectator the within writ on Henry & Wm Ogle
by Reading the same in their presence and hearing
this 13th Day of May 1863

Thos. B. Driver Sheriff