

Jefferson County Circuit Court  
Case Files - CIVIL

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Nov 1868

FRITTER, William

vs

Johnston, James L.  
Johnston, Josephine

Debt, note

Promissory Note \$100; real  
estate attached

~~\$1000~~ ~~Jefferson Co Mo~~

April 1. 1868

six months after date ~~five~~  
or rather of us promise to pay  
William Shiller the sum of  
one hundred dollars for value  
received of him with acc't defalc-  
"tion or dis count bearing inter-  
at the rate of ten per cent from  
date

J. G. Johnston  
Josephine <sup>Wm</sup> Johnston  
mark

Attest J. Nicolas Schubert



William Fitter } In the Circuit  
                  <sup>vs</sup> } Court of  
James L. Johnston & } Jefferson  
Josephene Johnston } County, Missouri

Plaintiff states that Defendants by  
their promissory note herewith  
filed dated ~~may~~ April 1<sup>st</sup> 1868  
promised for value received to  
pay Plaintiff the sum of one  
hundred Dollars six months after  
the date thereof, with interest  
thereon at the rate of Ten per  
cent from the date thereof, which  
~~sum~~ note together with the  
interest thereon is still due ~~and~~  
Plaintiff and unpaid and for  
which Plaintiff asks judgment.

Jos. J. Williams,  
Atty. for Plaintiff

William Fritter } Attachment  
vs } in Civil  
James L. Johnston & } action  
Josephene Johnston }

We William Fritter as principal  
and R. N. Mount and  
H. Luchtemeyer as Securities  
acknowledge our selves to owe  
and stand indebted unto the  
State of Missouri in the Sum  
of Two hundred and fifty-  
Dollars for the payment whereof  
we bind our selves our heirs  
Heirs and Administrators  
The Condition of the above  
obligation is such that whereas  
William Fritter is about to  
commence a suit by attachment  
in the Circuit Court of Jefferson  
County Missouri against  
James Johnston and  
Josephene Johnston Defendants  
returnable to the next Term thereof  
wherein the amount sworn to is  
~~now if said plain~~ Dollars  
~~One hundred & forty~~ Dollars  
Now if said plaintiff shall  
prosecute his said action

Without delay and with effect  
refund all Sums of money that  
may be adjudged to be refunded  
to Defendant or found to have  
been received by Plaintiff  
and not justly due to him and  
pay all Damages that may accrue  
to any Defendant or Garnishee  
by reason of the attachment or  
any process or proceedings in  
the suit or by reason of any  
Judgment or Process thereon  
then this obligation to be void  
otherwise to remain in full force  
Witness our hands & seals

William Fitter

Robert N. Hunt

For Lawt emyers

Seal  
Seal

Approved this  
21<sup>st</sup> day of  
October 1868  
Elias H. Hensley clerk  
By Chas. H. Hensley

William Fritter  
vs  
James L. Johnston &  
Josephine Johnston

In the Circuit  
Court of Jefferson  
County Missouri

This affiant states that the  
plaintiff in the above entitled  
Cause has a just demand  
against the Defendants therein  
now due and that the amount  
which this affiant believes that  
the plaintiff ought to recover  
after allowing all just credits  
set-offs is one hundred & fourteen  
Dollars and  
Cents and that this affiant  
has good reason to believe  
and does believe that the  
Defendants ~~have~~ <sup>have</sup> fraudulently convey-  
-ed or assigned their property  
or effects so as to hinder and  
delay their creditors and that said  
Defendants are ~~at~~ about to fraud-  
-ulently to conceal remove or dispose  
of their property or effects so as  
to hinder or delay their creditors.  
William Fritter  
Sworn to and 3

Subscribed  
Before me this  
20<sup>th</sup> of October 1868 }  
Elias J. May, Clerk  
By The same Depy

William Archer

vs

James L. Johnston  
&  
Joseph Johnston

Attachment

writ Oct. 21 1868,

E. J. Honey Clerk

John K. Rice

Process with attachment

William  
for debt.

**STATE OF MISSOURI,**  
**COUNTY OF JEFFERSON.**

The State of Missouri to the Sheriff of Jefferson County, Greeting :

WE COMMAND YOU to attach *James L Johnston &*  
*Josephene Johnston*

by all and singular *their* lands and tenements, goods, chattels, rights, moneys, credits, evidences of debt, and effects, or so much thereof as shall be sufficient to satisfy the sum of *one hundred*  
*& fourteen* dollars and \_\_\_\_\_ cents, with interest and costs of suit, in whose possession soever the same may be found in your county, and that you summon the said

*James L Johnston & Josephene Johnston*

that *they* be and appear before our Circuit Court of the county of Jefferson, on the first day of the next term thereof, to be holden at the Court House in Hillsboro, in said county of Jefferson, on the *16<sup>th</sup>* day of *November*, next, then and there to answer the petition of *William*

*Dittes*

wherein *he* asks judgment for *one hundred and fourteen* dollars and \_\_\_\_\_ cents, and that you also summon \_\_\_\_\_

and all other persons that you shall find in the possession of goods, money or effects of the defendant, not actually seized by you, and all debtors of the defendant, and such other persons as the plaintiff or his attorney shall direct, as garnishees, to be and appear before our said court, at the time and place aforesaid, then and there to answer such allegations and interrogatories as may be exhibited against them; and have you then and there this writ.

IN TESTIMONY WHEREOF, the undersigned, Clerk of the said Jefferson Circuit Court, has hereto signed his name and affixed the seal of said Court, at office, this *22<sup>nd</sup>* day of *October*, 186*8*,

*Elias Honey* Clerk.

*By Tho' Horine Dep*

This writ of Attachment Came to hand this  
 22<sup>nd</sup> day of October 1868 and I did on the same  
 day Levy is upon and Seize the following  
 Described Real Estate Lying and being in  
 Jefferson County Missouri as the Property  
 of James L. Johnston and Josephene Johnston  
 to wit the East half of Lot no. one of the North West  
 Quarter of Section 42 fine Township 42 Range 5 East  
 Containing forty acres also the South half of the East  
 half of Lot Two of the North West Quarter of Sec. 5  
 Township 42 Range 5 East Containing Twenty Eight  
 acres

John Williams Sheriff

(original)

James L. Johnston et al vs

John Johnston

Nov Term, 1868,

Jefferson Circuit Court.

TO

26374

I Return the Within into Service By order  
 of the Plaintiff

John Williams  
 Sheriff

William Fritter  
James L. Johnston &  
Josephene Johnston

In the Circuit Court of  
Jefferson County, Missouri

Plaintiff states that De-  
fendants by their promissory note herewith  
filed dated May April 1<sup>st</sup> 1868, promised  
for value received to pay plaintiff the sum  
of one hundred dollars six months after  
the date thereof, with interest thereon at  
the rate of Ten per cent from the date  
thereof which note together with the  
interest thereon is still due plaintiff  
and unpaid and for which Plaintiff  
asks judgment

J. J. Williams  
Atty for Plaintiff

Wm Fritter

James L. Johnston & Josephene Johnston

In the Circuit Court of  
Jefferson County, Missouri

This affiant states that the plaintiff  
in the above entitled cause has a just de-  
mand against the Defendants therein now  
due and that the amount which this affiant  
believes that the plaintiff ought to recover  
after allowing all just credits setoffs  
is one hundred & fourteen dollars and

and that this affiant has good  
reason to believe and does believe that



**STATE OF MISSOURI,**  
**COUNTY OF JEFFERSON.**

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WE COMMAND YOU to attach

*James L Johnston*  
*Josephene Johnston*  
by all and singular . . . . . lands and tenements, goods, chattels, rights, moneys, credits, evidences of debt, and effects, or so much thereof as shall be sufficient to satisfy the sum of *One hundred*  
*7* *Fourteen* dollars and *—* cents, with interest and costs of suit, in whose possession soever the same may be found in your county, and that you summon the said

*James L Johnston* & *Josephene Johnston*  
that *they* be and appear before our Circuit Court of the county of Jefferson, on the first day of the next term thereof, to be holden at the Court House in Hillsboro, in said county of Jefferson, on the *16<sup>th</sup>* day of *November* next, then and there to answer the petition of *William*  
*Pittier*  
wherein *he* asks judgment for *One hundred and Fourteen* dollars and *—* cents, and that you also summon

and all other persons that you shall find in the possession of goods, money or effects of the defendant, not actually seized by you, and all debtors of the defendant, and such other persons as the plaintiff or his attorney shall direct, as garnishees, to be and appear before our said court, at the time and place aforesaid, then and there to answer such allegations and interrogatories as may be exhibited against them; and have you then and there this writ.

IN TESTIMONY WHEREOF, the undersigned, Clerk of the said Jefferson Circuit Court, has hereto signed his name and affixed the seal of said Court, at office, this *22<sup>nd</sup>* day of *October* . . . . . 186*8*.



*Elias D Honey* Clerk  
*By Tho Horine Deft*

~~11453~~  
265-21

TO

Jefferson Circuit Court.

Nov

Term, 1868,

vs  
Wm. A. White

James L. Johnson et al