

May 1869, No. 302

Mathews, Thomas

vs

Mayfield, Allen

Mayfield, John

Debt on Note

Debt \$150

\$1870 ⁰⁰

Thomas White Jefferson Co. Providence
February 1st 1870

On first day of January 1869 we jointly
or severally promised to pay to Thomas, Whitehouse
or order the sum of one hundred and fifty
Dollars for Nature's Record with interest thereon
at the rate of ten per cent from maturity

Allen S. Mayfield

John X. Mayfield
Grand

Thomas Whitehouse &
his heirs
Attorneys at Law



Thomas Matthews } In the Circuit
against } Court of
Allen L. Mayfield & } Jefferson County
John Mayfield } Missouri

Plaintiff States that the Defendants by their promissory note herewith filed and dated February 6th 1868 promised for value received to pay plaintiff on the first day of January 1869 The sum of one hundred and fifty Dollars with interest thereon from the first day of January 1869 at the rate of Ten per cent per annum, which sum together with the interest thereon is still due the plaintiff by Defendants and for which, with interest till the rendition of judgment Plaintiff prays judgment

Jos. J. Williams
Atty. for Plaintiff

Thomas Matthews
(us)
Allen L. Mayfield &
John Mayfield

action on note

original

~~Thomas Matthews~~

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

Allen
Mayfield & John
Mayfield

if they be found in your County, that
they be and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of Hillsboro,
within and for the County of Jefferson, on the ~~Seventh~~ Monday after the
fourth Monday of *March* 1869 next, then and there to answer unto

Thomas Mackers

upon *his* original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Seventeenth day of *April* A.D. 1869

Elias F. Honey
Clerk Circuit Court.
By L. H. Ayrd D.C.

No 802

JEFFERSON CIRCUIT COURT.

2694

May Term, 1869

Thomas Mackenro
vs Edmunds

Allen Mayfield
vs John Mayfield

(original)

Due \$155.60

Plus \$139.70

The within was served at Jefferson County Mo, on the 22nd Day of April a D 1869, by
Delivering a true copy of the writ and Petition, to the within named Defendant
Allen Mayfield and also by Delivering a copy of the writ to the within named
Defendant John Mayfield time and place as above said, and such copies as were to
bees 200 } the provided by the Grant Clerk Fred Luckenmyer or Sheriff
per Fred Vollmar
Deputy

Copies 50
Costs 50
Total 100
200 20
900 5-
Decr 10
\$2,80-

Thomas Matthews, Plaintiff	} In the Superior Circuit Court, May Term 1869.
2	
Allen Mayfield and John Mayfield, Defendants	

Now at this day come said Defendants and for answer to the petition of the Plaintiff admit that they executed the note sued on.

They state that said note was given for the rent of lots 2, 3, 4, 5, 6, 7 & 8 in Sec. 16, Town. 41, R. 3. E. for one year ending in the Spring of 1869 - that in May 1868 John L. Thomas bought lot 2 at Sheriff's sale as the property of R. Matthews: that said Thomas also bought lots 3 & 4 as the property of R. Matthews in May 1868 at Sheriff's sale - that James C. Power bought in May 1868 at Sheriff's sale lots 5, 6, 7 & 8 as the property of R. Matthews.

They further state that said Thomas has now pending in this Court a suit in ejectment against Allen Mayfield one of said Defendants for lot 2 Sec. 16, T. 41, R. 3. E. containing forty acres, in which suit he claims rent of said Allen Mayfield for said lot 2 from May 1868. That lot 2 takes about 8 acres of the farm, which farm

contains about 50 acres of cleared land.

They further state that John L. Thomas has now pending in this Court an action against Thomas Mathews for the recovery of Lots 3 & 4, 6, 7 & 8. for himself & said Power and that said Thomas & Power have served upon said Allen Mayfield a written notice claiming the rents and profits of said premises from May 1868.

Defendants state that they have the money ready to be paid over by direction of the Court but they ask that they may be protected by a proper order of this Court so that they will not have to pay rent for said premises more than once.

And having fully answered they pray to be discharged.

John L. Thomas
Atty for Defendants.

Thomas Mathews

25

Allen Mansfield Welch

Overbury Oct.

Filed. May = 15 1869

Thomas Mathews } In the Circuit
 no } Court of
 Allen L. Mayfield & } Jefferson
 John Mayfield } County Missouri

Now at this day comes the Plaintiff
 and moves the Court to strike
 out the answer of Defendants
 filed May 15th 1869 for the
 following reasons viz

- 1st Because the same was not
 filed within the two first
 days of this term of this
 Court & because the same
 was not filed after the
 expiration of the time allowed
 by Law for the filing of the
 same, by leave of court
 authorizing him to do so &
 because said answer is no defence to Plaintiff's petition

Jos. J. Williams
 Att. for plff.

Mrs. Matthews

Maryfield Maryland

motion to
strike out
answer

Filed Aug 15th 1869
Elias J. D. my clerk