

Telferson County Circuit Court
Case Files - Civil
September 1870

Box

27 Folder 31

Brickley, John C., Adm.
Howe, William

vs

Sapp, Benjamin

Debt on note

Debt \$232

\$252.00 Three months after date I promise to
pay, Wm S Howe or Bearer without defalcation
or discount the sum of two hundred + thirty
two Dollars and the interest at the rate of
ten percent per annum from date until
paid it being for value received of
him this 4th of February A.D. 1869

B. C. G. A. J. P. J.



John C. Brickey
Administrator of the
Estate of William S. Howe

Deceased Plaintiff

against

Benjamin Sapp, Defendant

In the Circuit
Court of
Jefferson
County -
Missouri

Plaintiff States that
the Defendant by his promissory note
herewith filed and dated February 11th
1868 promised for value received to pay
to W. H. Stiles fifty dollars ninety days
after the date thereof together with ten
per cent interest thereon from the date
thereof, which said promissory note
was assigned in writing and ~~delivered~~
delivered for value received to
William S. Howe by said W. H. Stiles
on the 10th day of April 1868 and Plaintiff
States that said William S. Howe has
since departed this life intestate and that
Plaintiff said John C. Brickey has
been duly appointed Adminis-
trator of his Estate by the County Court
of Jefferson County Missouri wherein
his Estate was situated and that he
has duly qualified as such Admin-
istrator and Plaintiff avers that
said promissory note with the

interest thereon is still due him and for which he asks judgment,

Plaintiff further states that the Defendant by his promissory note herewith filed and dated February 4th 1869 promised for value received to pay to William S. Howe Three months after the date thereof the sum of Two hundred and Thirty Two Dollars with interest thereon from date at the rate of Ten per cent. Plaintiff avers that since the execution and delivery of said note said William S. Howe has departed this life in testate and this Plaintiff has been duly appointed administrator of his Estate by the County Court of Jefferson County Missouri in which County his Estate was & is situated and has duly qualified as such Administrator and Plaintiff avers that said promissory note with the interest thereon is still due Plaintiff and unpaid and for which he asks judgment,

Jos. J. Williams
Attorney for Plaintiff

John G. W. J. Howe

23

Benjamin Daffs

action on notes
original

Filed July 23rd 1870
Alice B. Henry att

Check your process
Williams
for pet,

5641 17 29870
 263 89 10/0
 186-70 200-

16 cany	50	50	1.10
like 12 caplet	50	50	1.10
with card	110	5	1.15
with 35	20	20	1.15
clawly 50	50	50	1.50
			3.85

Ch. Schneider-Spann
Sensibel 100 rate 10-
1,15-

Mr. D. B. Ayce
 Paid 15-21-10
 Paid 6-21-10
 100

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

THE STATE OF MISSOURI,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you, that you summon

Benjamin Sapp

if he be found in your County, that he be and appear before the Honorable
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 ~~First~~ Monday after the fourth Monday
of Sept, next, then and there to answer unto

John C. Bricker
Admr of H. S. Stone

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 herunto affixed,
at office in Hillsboro, this 28

day of July A. D. 1870
E. F. Honey Clerk Circuit Court.

By Lewis Hayden Deputy.

2969

RETURNA BLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1870

John C. Buckley
Plaintiff

AGAINST

Ben Sapp

1870

Defendant

170, 179, 200 -

and 20

Admitted to practice 1870

1870

1870

1870

1870

1870

1870

Dropback 17

Sept 1870

The within was served on the 2 Day of August a D 1870
at Jefferson County Mo by Delivering a true copy of the
within writ and Petition to the within named Defendant
Ben Sapp as furnished to me by the Clerk of the Circuit
Court.

fees 100

Fred Luckenmeyer Sheriff
by Fred Vollmach
Deputy

John C. Bickey ~~Plaintiff~~ } In the Jefferson
of the Estate of Wm. S. Howe } Circuit Court.
Plaintiff }
2
Benjamin Sapp, Defendant }

Now at this day comes said
Defendant and for answer to the petition
of the Plaintiff denies that he had cut the
note sued on dated 11th July 1868 for \$50
He denies that H. Sapp had any authority
either written or oral to sign his name
to said note. He states that there was
no consideration for said note and
that Wm. S. Howe & Co. had paid nothing
for said note.

John L. Thomas,

Atty for Defendant.

B. Sapp makes oath and says that the above
answer is true to the best of his knowledge
~~Sept 5~~

Subscribed & sworn to
this 5th day of Sept 1870 }

B. Sapp

E. S. Howe
Clerk

House is Adams

B. Joff

Black Apr 24870
L. G. Henry

John C. Bricker, Attorney, } action on
of Wm S. Howe } notice,
D. & C. P. O.

~~By leave of Court~~ Plaintiff
then leave to withdraw the note
for fifty dollars secured to Wm S. Howe &
assigned to Wm S. Howe & to proceed
to trial on the other note with his
Petition

Nowe
^{no}
Sapp