

Jefferson County Circuit Court
Case FILES - CIVIL
September 1870 No. 38

Box

27 Folder 34

Fontien, Benoni:

vs

Bell, John M.

Debt Notes

3 Promissory Notes:

\$100; \$116 Balance; and
\$2,000.

\$800.00 Twenty months after date I
promise to pay Ydemi Smith or bearer
the sum of eight hundred Dollars negotiable
and payable without defalcation or discount
with interest at the rate of six per cent per
annum from date for value received of him this
29th day of January A.D., 1868,

John W. Ball

November 8th 1869. Received on the within Note
from Sumner & Co. \$69.00, by sale of Iowa under
a deed of trust, after deducting \$31.00, the total amount
of cash for advertising, making due, & Dec. stamps, leaving \$38.00.
Benjamin Merrill

For and in Consideration of Benoni Fortier
forbearing to sell 120 acres of land described
in a Deed of Trust given by the undersigned
John M. Bell to him on the 29th of January
1868, by the Trustee thereof, according
to advertisement, and his agreement
not sell under said Deed Trust said
Land until the 29th day of Septem=
ber 1869, I do hereby promise to
pay said Benoni Fortier the sum of
One hundred dollars, on or before the
29th day of September 1869, & this Note
is upon this Condition, - that if said John
M. Bell shall pay a certain Note in said
Deed of Trust described, for two thousand
dollars now due, and all thereon, at any
time betwixt now and the 29th of Septem=
ber 1869, then this Note may be discharged
at the rate of eighteen dollars per month
for the time it runs. - This 8th day of March
1869.

Witness
Abner Green

John M Bell

Benoni Fortier, Plaintiff } In the Circuit
Against } Court of Jefferson
John M. Bell, Defendant } County Missouri.

The Plaintiff states that the Defendant by his Promissory Note, herewith filed, dated the 29th day of January 1868, promised for value received, to pay Plaintiff or bearer, the sum of Eight hundred dollars, twenty months after the date thereof, with interest from date at the rate of six per cent per annum. That Defendant on the 8th day of November 1869, paid on said Note by a sale of land under his deed of Trust, seven hundred and sixty nine dollars. Plaintiff states that the remainder of said Note with the interest thereon up to this date, amounting to One hundred and sixteen dollars, yet remains unpaid and due the Plaintiff, and for which he asks Judgment.

And the Plaintiff further states that the Defendant, on the 8th day of March 1869, made and signed another Promissory Note to Plaintiff, which is herewith filed, whereby he promised for value received to pay Plaintiff the sum of one hundred dollars, on or before the 29th day of September 1869, - Which last mentioned Note was upon this Condition, that if the said Defendant should pay to Plaintiff, a certain other Note he held against Defendant for two thousand dollars, and all interest thereon, on or before the 29th day of Sep-

hundred-dollar-
tember 1869, then said Note was to be dis-
charged at the rate of eighteen dollars per
month for the time it remained unpaid, he
twice the time of making the same and said
29th day of September 1869. And Plain-
tiff avers that Defendant failed to pay
to him said Note of two thousand dollars,
on or before the 29th day of September 1869,
or any part of it - but that the same
remains yet wholly unpaid, - And Plain-
tiff states that said Note for one hundred
dollars was not paid between ^{the} times there
in stated, and that the same yet remains
due and unpaid to Plaintiff, - and he there-
fore asks Judgment for said sum of
one hundred dollars and the interest
due thereon.

Abner Green
Attorney for Plaintiff

Benoni John
Johns Bell

Bill Dec. 11th 1869
to F. Henry
By J. H. Adams

\$3.00 pd by Cash

Sept 20th 1870
Bank 6/6 207 25 60¢
\$174 25 60¢

Henry Bell, 60 50
Johns 10 20 50
with 100 10 100 50
a pouch 35 50 35
1.20

Mr. Henry Bell, 25 50
50 to 50 10 30
10

Blackburner Mt 100 10 110

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

John M. Bell

*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*

Benjamin Fortier

*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 First
day of August A. D. 1870

Elias F. Honey Clerk Circuit Court.

By *L. H. Agford* Deputy.

382957

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1870

Remondia Denton

Plaintiff

AGAINST

J. M. Beale

100 187

Defendant

(Copy)

Served on the 10th

Day of August

Just, 1870, 174, 25

The within was served on the 10th Day of August A D 1870 at Jeff Co Mo
by Delivering a copy of the within writ and petition as furnished to me by the
Clerk of the Circuit Court to the within named Defendant J. M. Beale
Fees 1.00
Fred Ruchtemeyer Sheriff
by Fred Ruchtemeyer Deputy

State of Missouri,

ss.

County of *Jefferson*,

OFFICE OF CIRCUIT CLERK.

The State of Missouri,

To the Sheriff of *Jefferson*

County--GREETING :

We command you to attach

John M. Bee

by all and singular *his* lands and tenements, goods, chattels, moneys, credits, evidences of debt and effects, or so much thereof as shall be sufficient to secure the sum of *Two Hundred and Twenty* Dollars and *00* Cents, with interest and costs of suit, in whose hands or possession soever the same may be found, and that you summon the said *John M. Bee*

that *he* be and appear at the next Term of the Circuit Court, before the Judge thereof, on the first day of said Term, to be holden at the *Town* of *Freesboro* and State of Missouri, within and for the County of *Jefferson* on the *16* day *Monday* of *May* next, and then and there to answer the complaint of

Denvia Foster

as set forth in the annexed petition.

And also, that you summon all and every person in whose hand or possession soever any personal property, rights, goods, Chattels, moneys, credits, evidences of debt, or effects, may be found, or who may be named by the Plaintiff or *attorney*, as Garnishees, and particularly

that *he* be and appear before the Judge of our said Court, on the first day of the Term aforesaid, then and there to answer unto what may be objected against them. And have you then and here this Writ.

Witness, *Oliver H. May* Clerk of our said Circuit Court, and the Seal thereof hereunto affixed, at office in *St. Louis* this *13* day of *December*, in the year of our Lord, one thousand, eight hundred and *89*.

Oliver H. May
Circuit Clerk.
By *L. H. May* Deputy.

SHERIFF'S RETURN.

Served the within Writ by

The within named Defendant
can not be found in my County

Freel Sarah Lemay's Sheriff
By Freel Volkmann

Dec 8, 1900

Deputy

Sheriff

County.

No.

ATTACHMENT WRIT.

Jefferson Circuit Court,
Returnable *May* Term, 18*78*.

Benonia Horton Plff.
vs.
John McCall

Def't.

Original