

Jefferson County Circuit Court
Case Files - Civil

Box 28 Folder 23

March 1871

Aldair, William F., adm.

Smith, James

vs.

Smith, Frank

Smith, W. M.

Debt, note

Debt \$77.20



1869



Received of January 13th 1869
Six months after date we promise to pay to the
 order of Wm. D. Smith

Twenty Dollars

Dollars

For Value received negotiable & payable without deduction or discount,
 with interest from maturity at the rate of 10 per cent per annum,
 payable at 60 days

No. Due

Wm. D. Smith



William P. Adair, Public
Administrator of Jefferson
County Missouri Having in
Charge the Estate of James Smith
Plaintiff

Against
Frank Smith and
W. M. Smith, Defendants

In the Circuit
Court of
Jefferson
County
Missouri

Plaintiff States that
Thomas C. Smith was on the 15th day of
January 1869 Executor of the Estate of James
Smith by virtue of Letters Testamentary
issued to him by the County Court of said
County of Jefferson and that Defendants
did on that day make and deliver to said
Thomas C. Smith their promissory note
for a consideration to them moving
from said Estate by which they promised
for value received to pay to said Thomas
C. Smith six months after the date of
said note which was dated January
15th 1869 the sum of Seventy Seven & ²⁰/₁₀₀
Dollars together with Ten per cent
interest thereon ~~from~~ per annum
from the maturity thereof, - Plaintiff
averts that since the making and delivery
of said note the Letters Testamentary
of said Thomas C. Smith have been

Revoked by the County Court of said
County of Jefferson and that Plaintiff
Plaintiff being the Public Administrator
of said County has since by order
of said County Court taken charge of
said Estate and is now administering
the same and that in such capacity
said Thomas C. Smith has delivered said
note to Plaintiff it being negotiable as
assets of said Estate, Plaintiff avers
that said note with the interest thereon
is wholly due Plaintiff and unpaid
and for which he asks judgment

Jos. J. Williams
Attorney for
Plaintiff

72038

W. P. Davis Sub. Commr
in Charge St. James
Smith in

Frank Smith
Shad

action on note
original

Julius Shelby 27. 1871

W. J. Rogers ex

Clerk vice procons
William
for 1876.

William P Adair Public
Administrator of Jefferson
County Missouri Having in
Charge the Estate of James Smith
Plaintiff

Against
Frank Smith and
W M Smith, Defendants

In the Circuit
Court of Jefferson
County
Missouri

Plaintiff states that
Thomas O Smith was on the 15th day of Jan-
uary 1869 Executor of the Estate of James
Smith by virtue of Letters Testamentary issued
to him by the County Court of said County
of Jefferson and that Defendants did on
that day make and deliver to said Thomas
O Smith their promissory note for a consid-
eration to them moving from said Estate
by which they promised for value received
to pay to said Thomas O Smith Six Months
after the date ~~thereof~~ of said note which
was dated January 15th 1869 the sum of Seventy
Seven & 2/100 Dollars together with ten per cent
interest thereon per annum from the ma-
turity thereof, Plaintiff avers that since
the making and delivery of said note
the Letters Testamentary of said Thomas
O. Smith have been revoked by the County
Court of said County of Jefferson and that
Plaintiff being the Public Administrator

of said County has since by order of
said County Court taken charge of said
Estate and is now Administering the same
and that in such capacity said Thomas
O. Smith has delivered said note to Plaintiff
it being negotiable as assets of said Estate,
Plaintiff avers that said note with the in-
terest thereon is wholly due Plaintiff and
unpaid and for which he asks judgment

Jas J Williams
Attorney for Plaintiff

A true copy of the original petition now
on file in my office,

Witness my hand and the seal of
said Circuit Court hereunto affixed
this Twenty seventh day of February
AD 1871

W. S. Boyce Clerk

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

Frank Smith and Wm Smith

if ~~they~~ be found in your County, that ~~they~~ 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 *third* ~~Monday~~ ~~after the fourth~~ Monday of *March* next, then and there to answer unto *William P Adair Public Administrator of Jefferson County Missouri having in charge the Estate of James Smith*

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *28th*

day of *February* A. D. 18 *71*

W S Boyce Clerk Circuit Court.

By _____ Deputy.

Indgment 77 or 29 "1871
per \$90 ³⁶/₁₀ to \$66.60.

2895-

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

March TERM, 1871.

William P. Davis

Plaintiff in Equity of Jefferson
County in charge of

Estate of James Smith
vs

James Smith and
Wm Smith

Original
John Williams
Sherriff fee \$2.00

I Executed this Writ in Jefferson County
Missouri on the first Day of March 1871
on James Smith by Delivering to him
a true copy of this Writ and Petition and
I further Executed this Writ in Jefferson
County Mo on the first Day of March 1871
by Delivering to William P. Davis a true
copy of this Writ as furnished to me by the
Clerk
John Williams
Sherriff

Wm P Adair Public Assn in the Circuit Court, March 5, 1874.
 in charge of the
 Est of James Smith. Judgment against Defendants
 Frank Smith & Wm Smith. March 29th 1874. For \$90 ³⁶/₁₀₀ Ent. 10th for.

FEE BILL.

... Files ¹⁵ ... Writ ¹⁰⁰ ... 2 Copies ²⁰ ... Ent. app'rance	1 35
Ent. recognizance ... Taking bond ... Discharging recogn'ance	
Ent. demurrer ... Motion ... Ord'r ... C'tinu'nce ... Subpœnas	
Com. to take depositions ... Copy of interrogatories ... Ent. judgment ⁵⁰	50
Swearing jury ... Oaths ... Swearing special jury ... Taking verdict	
Ent. spec. verdict ... Ent. rep. referees ... Sheriff ... Commissioner	
Ent. recog. on appeal ... Writ certiorari ... Taking bond on certiorari	
Writ of attachment ... Attach't witness ... Juror ... Ent. satisfaction	
Transcript ... hundred words ... Prod. record or papers in court	
Submission ³⁵ ... Ent. ack. deed ... ¹⁰⁰ Cert. & seal ... Scire facias	1 35
Venire for jury ... Dockets ¹⁵ ... Bill of costs ¹⁰ ... Fee bill ²⁵	50
... Affidavits ... Filing and entering bill exceptions ... Docket & judg. ²⁰	20
Copy ord. for injunction ... Issuing writ sequestration ... Stamps	
2 copies ket. @ 40 ^c	80
John Williams Ser. 2 writs.	2 00
Calls.	20
	2 20
	6.90

Col. James Smith
to
Genl. Wm. Smith