

Jefferson County Circuit Court
Case Files - Civil
May 1872 - No. 7

Box 29 Folder 52

Weber, Adolf Executor
Carter, David Deceased

vs

Swaney, Martin
Swaney, John
Swaney, Daniel

Debt, note

Debt \$200

Twelve months after date wea or either
of us promise to pay David Barber or order
Two hundred Dollars without debate or discount
It being for value recd of him, bearing ten
Percent interest untill paid from the date
where as wea with however hands this

~~12th 1866~~

this 12th day of February 1866

Martin Swaney

John Swaney
Daniel Swaney
his marks

Martin Sweeney
\$200.00

Re of Sweeney \$200.00
for interest for the
death year

Sweeney
\$200.00

Received May 2d 1871 of
M. Sweeney on the within note
the sum of fifty a. m. l.

Re on the with in \$200.00
third years interest
second years interest paid
\$20.00
third years interest paid \$20.00
March 15th 1869

Adolf Weber Executor of
the Estate of David Carter
vs Plaintiff

In the Circuit
Court of
Jefferson
County
Missouri

Martin Swaney,
John Swaney, &
Daniel Swaney, Defendants

Plaintiff states that the Defendants by their Promissory note herewith filed and dated February 12th 1866 promised for value received to pay to David Carter Twelve months after the date thereof the sum of Two Hundred Dollars together with interest thereon from the date thereof at the rate of Ten per Cent per annum, that Defendants, paid on said note from time to time the interest accruing thereon being Twenty Dollars per year the last such payment being made March 15th 1869 being a payment of Twenty Dollars as interest up to February 12th of that year the interest accrued for the years ending February 12th 1867 & 1868 having been paid at the same fell due, and on the 2nd day of May 1871 Defendants paid on said

✓ Note a further sum of Fifty Dollars
✓ and Plaintiff says that said note
subject to such payments thereon with
the accrued interest is still due and
unpaid, Plaintiff avers that
in the Year 1870 said David Carter
departed this life Testate and that by
his Last Will he appointed this
Plaintiff his Executor which will
has been duly admitted to probate
by the County Court of the aforesaid
County of Jefferson by which
Letters Testamentary have been
duly granted to this Plaintiff
who has qualified and now is the
acting Executor of said Estate,

Wherefore Plaintiff asks
Judgment for the amount
Principal and interest due by
Defendants on said note

Jos. J. Williams
Atty. for Plaintiff

8266.66

Adolf Weber

42 of David Carter
m

Martin Swander
It al

original petition
on note

248

Filed April 11th 1872
W. S. Joyce Clerk
By O. H. Moore
Deputy

issue process
Williams
for debt

Adolf Weber Executor of the
Estate of David Carter, Plaintiff

vs
Martin Swaney, John Swaney
& Daniel Swaney, Defendants

In the Circuit
Court of Jefferson
County, Missouri.

Plaintiff states that
the Defendants by their promissory note herewith filed
and dated February 12th 1866 promised for value received
to pay to David Carter Twelve months after the date
thereof the sum of Two Hundred Dollars together
with interest thereon from the date thereof at the
rate of ten per cent per annum, that Defendants
paid on said note from time to time the interest ac-
cruing thereon being twenty dollars per year the
last such payment being made March 15th 1869,
being a payment of Twenty Dollars as interest up to
February 12th of that year the interest accrued for
the year ending February 12th 1867 & 1868 having been
paid as the same fell due, and on the 2nd day of
May 1871 Defendants paid on said Note a further
sum of Fifty Dollars and Plaintiff says that said
note subject to such payments thereon with the
accrued interest is still due and unpaid. Plaintiff
avows that in the year 1870 David Carter departed
his life testate and that by his last Will he ap-
pointed this Plaintiff his Executor which Will
has ^{been} duly admitted to probate by the County
Court of the aforesaid County of Jefferson by

which Letters Testamentary have been duly granted
to this plaintiff who has qualified and now is the
acting Executor of said estate, Wherefore Plaintiff
asks judgment for the amount principal and interest
due by Defendants on said note.

Jos J Williams
Atty for Plaintiff,

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

Witness, W. S. Joyce Clerk of said Court
Circuit Court with the seal there of
hereunto affixed this April 11th 1874.

W. S. Joyce Clerk
By W. H. Corine Deputy

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,

Martin Swaney
John Swaney and Daniel Swaney

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 *Second* Monday after the fourth Monday of *May* next, then and there to answer unto

Adolf Weber Executor of the
Estate of David Carter

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 *Eleventh* day of *April* A. D. 18*72*

W. S. Boyce Clerk Circuit Court.

By

Chas. H. Quinn Deputy.

I executed the within writ in the
county of Jefferson State of Missouri on the
within named defendants by Delivering ^{them} a
true copy of the petition as furnished me by
the clerk of said Court - The 27th day of
April 1874

John Williams Sheriff
By J. B. Mopp Deputy

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RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

May TERM, 1874.

Adolf Weber Esq
vs
Carl D. Carter

Martin Swaney,

John Swaney

Daniel Swaney

original

Sherriff fee \$3.00

No. 3813

Jefferson Circuit Court.

May Term, 1872

Adolf Weber Executor
of the Est. David Carter
vs.

Martin Swaney
John Swaney Daniel Swaney

Judgment, 10 070 \$266 ⁶⁶/₁₀₀

Date May 24th 1872

Fee Book No. A Page 245

Judg't Docket, Page

Book 6 page 485

Jos Williams
Plaintiff's Atty.

ATTORNEYS: Exercise care and return promptly.

C. F. Chamberlin & Co., Printers and Stationers, St. Louis.