

Jefferson County Circuit Court
Case files - Civil
May 1875, No. 20

Fischer, Francis
Carroll, John
Francis Fischer & Co.

vs

Podesta, Olivia, now
Gray, Olivia
Gray, Thomas N.

Note

Debt #837

Box

34 Folder 21

\$897.00



Sample Given April 2nd, 1874

One Day after date I promise to

pay to the order of *Barnes & Co*

Eight Hundred & Forty Seven or

Dollars,

For value received, negotiable and payable, without defalcation or discount, and with interest from *date* at the rate of *10* per cent. per annum.

Due

Barnes & Co

Mary A. Davis

Rec^d April 11th 1874

On Western Note

One hundred & Forty
Two Dollars

June 23 Cash 1, 16

Aug 25 " 200.00

Credits above

April 11 Cash 142.00

June 23 " 1, 16

Aug 25 " 200.00

1841.16

Francis Fischer, ^{and} John Carroll doing business under the name and style of Francis Fischer & Co Plaintiffs	} In the Circuit Court of Jefferson County Mo. May Term A.D. 1875
against Olivia Podesta now Olivia Gray intermarried with Thomas A. Gray ^{and} Thomas A. Gray Defendants	

Plaintiffs state that Olivia Podesta now Olivia Gray one of the above defendants on the 2^d day of April 1874 executed her promissory note of that date promised one day after date for value received to pay Plaintiffs the sum of Eight hundred and thirty seven dollars which note is herewith filed, Plaintiffs further state that said Olivia on the 11th day of April 1874 paid on said note the sum of One hundred & forty dollars, and on June 23^d 1874 the sum of one & ¹⁶/₁₀₀ dollars, and on August the 25th 1874, the sum of Two hundred dollars, All of which sums are credited on said note,

Plaintiffs further state that the balance of said note and the interest thereon is yet due Plaintiffs. Plaintiffs further state that the said Olivia Podesta ~~and~~ ~~Thomas A. Gray~~ was a feme sole, when she executed said ^{note} ~~said~~ and that afterwards to wit: on the of Sept. 1874 the said Olivia Podesta intermarried with Thomas A. Gray the other defendant as Plaintiffs are informed and believe.

Wherefore Plaintiffs demand judgment for the balance of said note with the interest thereon.

John H. Howard & Co
Atty for Plaintiffs.

Francis Jackson Leo

"
Oliver Podenta et al

Petition on Note

Filed April 8th 1880

Wm H. Moore

Clk

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 *Olivia Todesta now*
Olivia Gray intermarried with Thomas M Gray
and Thomas M Gray

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

Francis Fischer and John Carroll doing
business under the name and style of
Francis Fischer & Co,

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

C. Tho Horne
Witness, **W. S. BOYCE**, Clerk of our said
Circuit Court, with the seal thereof hereunto
affixed, at office in Hillsboro this *24th*
day of *April* A. D. 18*76*

C. Tho Horne Clerk Circuit Court.
Deputy.

20 3885

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

May TERM, 1875.

Richard H. Co.

vs

Olivia Podesta
now Olivia Gray
vs Thomas (P) Gray

(Original)

Shiff & Co
215

I Executed this writ at the County of Jefferson
this 15th day of April ad 1875 by delivering to the within
named Olivia Podesta now Olivia Gray a true
copy of the within writ and petition as furnished
me by the clerk of the circuit Court of Jefferson
Missouri I further executed this writ at the
time and place aforesaid by delivering
to the within named Thomas D. Gray a true
copy of the writ of Summons as furnished
me by said clerk

T. B. M. Shiff
By J. M. M. Delt

State of Missouri
County of St. Louis

In the Circuit Court of
Jefferson County
May Term 20, 1875-

Francis Fisher &
 John Correll } Emerson
 4 }
 Oliver Podesta &
 Thomas R. May }

And now come the
defendants and answer to the
plaintiffs petition
for various reasons to wit
First because it does not appear
from the said petition that the
plaintiffs were co-partners in
business at the time the said
~~case~~ alleged note was executed
Second Because it does not appear
from the face of the said petition
that they have a joint interest in
the said note
Third Because there is nothing apparent
upon the face of said petition to
show that plaintiffs are
entitled to sue jointly
Fourth Because it does not appear
that defendants or either of them

Ap 1

In the Court of
Jefferson County
July Jan 20 1873
James Jackson &
John Correll
vs
Olivia Probst
& Thomas A. King
Deft

Filed May 7th 1876
C. F. Thos. Waring
Clerk

Wm. W. Correll
att'y for depts

promised for some time & say
will not
Lynch Bureau gather good &
expensive reasons

Francis Fischer & John Carroll,
doing business under the name
and style of Francis Fischer & Co. Plaintiffs
against

Olivia Podesta, now Olivia Gray
intermarried with Thomas A. Gray Defendants

In the Circuit Court of Jefferson
County Mo. May Term A.D. 1875

^{for amended petition}
Plaintiffs, state that Francis
Fischer and John Carroll were on the
2^d day of April A.D. 1874 and long
prior thereto partners in the
mercantile business in the city
of St. Louis and doing business under
the name and style of Francis
Fischer & Co. and ^{as such partners} are still doing
business, under said name and
style of Francis Fischer & Co.

Plaintiffs further state that Olivia
Podesta now Olivia Gray one of
the above defendants ~~on the 2^d~~
~~day of April A.D. 1874~~ promised
for value received by her promissory
note herewith filed dated the 2^d day
of April 1874 one day after the date
thereof to pay Plaintiffs under the
name and style of Francis Fischer & Co.

The sum of Eight hundred and Thirty seven dollars, Plaintiffs further state that said Olivia on the 11th day of April 1874 paid on said note the sum of one hundred & forty dollars, and on June 23^d 1874 the sum of one ¹⁶/₁₀₀ dollars, and on August the 25th 1874 the sum of Two hundred dollars, all of which sums are credited on said note, Plaintiffs further state that the balance of said note and the interest thereon is yet due, Plaintiffs further state that the said Olivia Podesta was a "feme sole" when she executed said note and that afterwards to wit: on the day of September 1874 The said Olivia Podesta intermarried with Thomas M. Gray the other defendant herein,

Therefore Plaintiffs demand judgment for the balance of said note with the interest thereon.

John L. Thomas & Bro.
Atty for Plaintiffs

Fischer 760

VS

Olivia Podesta
Et. als.

Amended Petition

Filed May 10 1875

Ex Tho' Norine

Clers

Refiles May 13 1875

Ex Tho' Norine

CLN.