

Jefferson County Circuit Court

Case files - Civil

January 1877

Andersen, William, F., adm.
hamen aux, Moses

VS

Alford, L. H.

Re: ve judgement

\$163.86 judgement from September 1871

Box

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Folder

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In the Circuit Court of Jefferson County
26th Judicial Circuit of Missouri
January Term 1877

Mrs F. Anderson Executor
of the estate of M. Lamoreaux
Plaintiff
against
L. H. Alford Defendant

Scire Facias
to revive judgment

The plaintiff states that heretofore
to wit: on the 26th day of September 1871, Moses
Lamoreaux and William Grahl, partners in trade
under the firm name of M. Lamoreaux & Co
received judgment in the Circuit Court of
Jefferson County Missouri against the above
named defendant L. H. Alford for the sum of
One Hundred and sixty three & 80/100 dollars. to
bear interest from its rendition at the rate of two
per cent per annum

The plaintiff further states that subsequent to
obtaining said judgment. to wit: on the 26th
day of October 1871. said firm dissolved partnership
and by the agreement made between its members
upon dissolution, all debts due the firm became
the property of Moses Lamoreaux

The plaintiff further states that the
said Moses Lamoreaux has since died
having made his will in writing, consti

tuting and appointing Wm F. Anderson his
executor, which will has been duly proven
before the Probate Court of St Louis County
Missouri, and said probate Court has granted
to Wm F. Anderson letters testamentary upon
said estate.

Plaintiff further states that no part of
said judgment has been paid and that it
still remains due the plaintiff

Wherefore plaintiff prays the Court to
renew said judgment and the lien thereof, against
defendant and to award plaintiff an execution
for the same

Thos H McMullin

att'y for Plaintiff

Wm Anderson Ex of
M Lamerica's del
L Haeford

Sci fa to send judgment

Exp/let	30	50	.80
files	65	Sum 100	1.30
docs	65	Sub 35	.75
July 1	50	docs 10	.60
318	10	Costs 20	.80
Execution			1.00
			4.75

Filed Dec 22 1876.
C H. H. H. H.
Clerk

Scire Facias to Revive Lien of Judgment.

(Wag. Stat., Pg. 790, Sec. 4.)

STATE OF MISSOURI,

IN THE CIRCUIT COURT OF SAID COUNTY,

County of *Jefferson*

ss.

Term, 187*7*.*Madison County*:THE STATE OF MISSOURI, To the Sheriff of ~~said County~~:WHEREAS, On the *26th* day of *September*, 187*1*

by the order and judgment of the Circuit Court of the County aforesaid, *Moses Lamereaux and William Grahl partners in trade under the firm name of M Lamereaux & Co.*
 did recover of *L. S. Alford*

the sum of *one hundred and sixty three & ⁸⁶/₁₀₀* Dollars,
 for the debt and damages in behalf of said *Lam M Lamereaux & Co.*

assessed, and also for *their* costs,*

with interest from date of judgment at the rate of ten per cent per annum,

as appears by the record of our said Court; and now, on behalf of ~~said said~~
~~M Lamereaux by Wm J. Anderson Executor of the Estate~~
~~of M Lamereaux & Co & Company~~, it is suggested and
 made to appear in our said Court, that, although judgment therein was given, yet the said
M Lamereaux & Co

~~have~~ not received satisfaction of the debt, damages and costs to ~~them~~ awarded in
 and by said judgment:† *And whereas the said M Lamereaux*
after the rendition of said judgment, died, having
made a will in writing constituting and
appointing Wm J. Anderson executor, which will
has been duly proven before the Probate Court

of St. Louis County Missour. and whereas by said
Court Probate Court, letters testamentary have
been granted to said Wm J Anderson, all of
which appears by said letters testamentary to
us produced, and whereas after the
26th day of October 1871 said firm
dissolved partnership and by the agreement
made between its members upon dissolution
all debts due the firm became the
property of Moses Lamereaux,

Wherefore the said Wm J Anderson Executor of said
M Lamereaux deceased

has asked of us that a proper remedy be
granted him in this behalf, and that the lien of said judgment upon the lands, tene-
ments and real estate of the said L H Alford

may be revived and continued as by law provided.

You are Hereby Commanded to summon the said L H Alford

and his tenants, and all persons occupying or claiming any of the lands, tenements and
real estate of the said L H Alford

in said County of madison
to appear before our said Circuit Court, for Jefferson County, at the
next term thereof, to be held on the 2nd Monday of January, 1877,
then and there to show cause, if any they have, why the said judgment, in form aforesaid
as rendered, and the lien thereof upon the real estate of the said

L H Alford

should not be revived according to the force
and from of said judgment, if the, the said L H Alford

_____, *his* tenants and the occupants of *his* lands shall think fit, and, further, to do and receive what our said Court shall then and there determine concerning them, or any of them, in this behalf.

And have you then and there this writ, with your proceedings thereunder.

WITNESS my hand and the seal of said Court at office in *Hillsboro*
this *22nd* day of *December*, 187*6*

C. H. H. H. H. H.

Clerk.

Note.—*Recite the judgment.
†If the *Seire Facias* be sued out by an executor, here insert: "And whereas the said....., after the rendition of said judgment, died, having made..... will in writing, constituting and appointing..... executor, which will has been duly proven before the..... Court of....., and whereas, by said..... Court, letters testamentary have been granted to said....., all of which appears by said letters testamentary to us produced;" and afterwards mention the petitioner as "....., executor of said..... deceased."
If the *Seire Facias* be sued out by an administrator in place of the above, insert: "And whereas, after the rendition of said judgment, the said..... died intestate, and afterwards, viz: on the..... day of....., 18....., letters of administration were duly granted to..... by the..... Court of....., as by the letters of said..... to us appears;" and afterwards mention the petitioner accordingly.

I HEREBY CERTIFY That I executed the within Writ by *Delivering a*
true copy of the within writ and petition
thereto attached to L. H. Alford the within
named deft. down in Madison county
Mo Decbr 22nd AD 1876

Witness my hand

Fee, \$

100

Paid by plff

Geo. H. Laupher

Sheriff.

D. S.



SCIRE FACIAS

TO

Revive Judgment.

Wm. F. Anderson
Executor

of Moses Sammons
vs.

L. H. Alford
Def.

Original

COUNTY OF ST. LOUIS, ss.

The State of Missouri,

To all Persons to whom these Presents shall come—GREETING:

KNOW YE, That the last Will of *Moses Lamoureux* deceased, hath, in due form of law been exhibited, proved and recorded in the office of the Judge of the Probate Court, for St. Louis County, a copy of which is hereunto annexed, and inasmuch as it appears that *William J. Anderson* and *Sophie L. Lamoureux* have been appointed Executors in and by the said last Will to execute the same and whereas said *Sophie L. Lamoureux* has declined to qualify and act as such Executor, therefore these Letters Testamentary on the estate of said deceased, are hereby granted to *William J. Anderson* her co-executor

and to the end that the property of the Testator may be preserved for those who shall appear to have a legal right or interest therein, and that the said last Will may be executed according to the request of the Testator we do hereby authorize him the said *William J. Anderson* as such Executor to collect and secure all and singular the goods and chattels, rights and credits, which were of the said *Moses Lamoureux* at the time of his death in whosoever possession the same may be found, and to perform and fulfill all such duties as may be enjoined on him by said Will, so far as there shall be property and the law charge him and in general to do and perform all other things which now are or hereafter may be required of him by law.

In Testimony Whereof, I, *Wm. E. Wagner*, Clerk

of the Probate Court in and for the County of St. Louis, hereto sign my name and affix the seal of said Court, at office this *third* day of *February* A. D. 187*6*.

Seal.

W. E. Wagner Clerk

STATE OF MISSOURI, }
COUNTY OF ST. LOUIS. } ss.

I, **WM. E. WAGNER**, Clerk of the Probate Court within and for the County of St. Louis, aforesaid, do hereby certify that the above is a true copy of the Letters Testamentary granted to *William J. Anderson* on the estate of *Moses Lamoureux* deceased, as fully as the same appear of record in my said office.

In Witness Whereof, I hereto set my hand and affix the Seal of said Court at office in the City of St. Louis this *20th* day of *December* 187*6*.

W. E. Wagner Clerk.

Lamereaux Adm
Executive

x

L. Waelford

Filed Dec 22 1876

L. H. Haines

Clerk

