

Jefferson County Circuit Court
Case Files - Civil
April 1841, No. 4

Box

5 Folder 69

Field, William H., assignee of
Speed, James S., admn,
Speed, John
^{v/s,}
Foxton, William

Debt, note

Debt \$215 for value received, Execution in
favor of Plaintiff, includes Defendant's
insolvent debtor petition & notes a
debt for hire of Slave girl from James S. Speed,
resident of Louisville, Kentucky

Three months after Date J. Brown & Co
to James A. Speed Admin of the Estate of John
Speed Dec^r the sum of two hundred and fifteen
Dollars with interest from Date for
Balance Received Wm. Weston

October 6th 1837

Wm. Weston

Wm

of much respect

For value rec^d I assign
the within note to William
H. Field -

James S. Speed Adm^r
of John Speed dec^d -

filed Dec 9th 1840

W. S. Weather

clerk

In the Circuit Court
April Term 1841

Jefferson County to wit

To the Jefferson County Circuit Court
William H Field plaintiff states that
he is the legal owner of a note against
the defendant William Foxton to the
following effect.

Twelve months after date I promise
to pay to James S Speed adm of the
estate of John Speed Dec the sum of
two hundred and fifteen dollars with
interest from date for value Received
October 6th 1837 William Foxton
Test

Sarah A Speed

On which is the following assignment
For value recd I assign the within note to
William H Field James S Speed adm of
John Speed be^{er}. By virtue of which the plain-
tiff has become the owner thereof
Yet the debt remains unpaid therefore
he demands judgement for his debt and
damages for the detention thereof together
with costs
M Friswell Atty
for Plaintiff

No 4

April Decr 1841

Wm H Steel

or

William Tipton

Petition in Debt

Set a summons upon
Wm Tipton & Co

to answer for costs
of Tipton & Co

Filed Dec 9th 1840

Wm. H. Steel

In the Circuit Court
April Term 1841

Jefferson County to wit.

To the Jefferson County Circuit Court
William McField plaintiff states that he is the
legal owner of a note against the defendant William
Foxton to the following effect.

Twelve months after date I promise to pay to James
H Speed adm^r of the estate of John Speed Dec^r
the sum of two hundred and fifteen dollars with
interest from date for value Received Oct 6th 1837
William Foxton

Test.

Sarah H Speed,

On which is the following assignment,
For value rec^d I assign the within note to William
McField, James H Speed adm^r of John Speed Dec^r
By virtue of which the plaintiff has become the
owner thereof, yet the debt remains unpaid
therefore he demands judgment for his debt and
damages for the detention thereof together with costs
McFrisell Attorney
for plaintiff

I Executed this writ and Declaration on
William Foxton by reading it in his hearing
on the 25th Day of February 1841

M. Moss Sheriff
per \$1.00

In Jefferson Circuit Court
April Term 1841

William H. Field

vs. } Summons.

William Foxton

462

filed & March 15th 1841

W. H. Field
W. H. Field

STATE OF MISSOURI,

COUNTY OF JEFFERSON, SCT.

To the Sheriff of the County of Jefferson... GREETING:

Whereas, William H. Steele on the 1st day of October 1841 at our Circuit Court, before our Judge thereof, recovered against William Haylen the sum of two hundred and fifteen dollars for his debt, and the sum of forty four dollars and fifty three cents which were awarded him as damages for the detention thereof as also his costs and charges by him about his suit in that behalf reference

which to the said William H. Steele were adjudged, as appears to us of record: These are, therefore, to command you, that of the goods and chattels, lands and tenements of the said William

Haylen next, to render to the said William H. Steele costs aforesaid. And for want of sufficient goods and chattels, lands and tenements, whereon to levy and make the same, we command you to take the said William Haylen if he be found in your bailiwick, and him safely keep, so that you have him before the same Judge, on the said Monday of the 1st of November to satisfy the said William H. Steele of the aforesaid debt damages and costs, and that you certify to our said Judge how you execute this writ; and have you then and there this writ.

Witness, JOHN S. MATHEWS, Clerk of our said Court, at Hillsboro', the twenty third day of September in the year of our Lord, one thousand eight hundred and forty. One

John S. Mathews
CLERK C. C.

Renue this Execution Sept the 25th 1841

M Mops Sheriff

for want of Goods & chattles wher on to
levy this Execution I have taken the
Body of William Foxton & Discharge
him ~~By Due course of Law~~ by order of
John M Mathew Clerk of the County Court of the
County of Jefferson by virtue of the insdient law
of the State of Missouri
Nov - 1 1841. M Mops Sheriff

No 11

In Jefferson County
Surrendered 1841

William M. Foxton

by the Sheriff

William Foxton

March 1841/1841

Debt \$215.00

Debt 214.43

Out of pocket 259.43

Debt

M Mathew Clerk 2.25

M Foxton 1.30

1st Execution 1.00

2. 1.00

1 Notice 1.00

Notice - 1.00

Notice - 1.00

To John S. Matthews, Clerk of the County
Court within & for the County of Jefferson
County—

The undersigned your petitioner represents
that he is now in the custody of the Sheriff of
said County of Jefferson and liable to be imprison-
ed for a debt due Britain, H. & Co., amount-
ing to the sum of \$216 dollars and that he is
unable to pay the same and your petitioner—
further represents that he is willing to receive for
the use of his creditors all his property and to assign
power to the sheriff to take the benefit of the above-
stated law, in such case, more and towards
Jefferson County
JES & Jt 1847,

Wm. H. Tilton

I do appear before you on Thursday next
(Oct 29th 1847)

John Matthews, Clerk

The State of Wisconsin

To the Sheriff of Jefferson County

You are hereby required to have the body of
William Foxton who is in your custody by virtue
of a capias issued out of the Clerk of the Circuit
Court of the County of Jefferson before me at
my Office in the Town of Wisconsin on Monday
the second day of November next to do and receive
whatever shall then and there be commanded or
= serving the said William Foxton.

Given under my hand and the seal
of the County Court of the County
of Jefferson Oct 23rd 1841.

Wm. Weatherly Clerk
Jefferson Co Court

I directed this report by leaving the Body
of William Wright before the J. S. Matthews
Esq Clerk of the county Court of Jefferson
County in the State of Mississippi at his office
in the Town of Hillsboro on the 1st of November 1841
Given under My hand this first Day of
November 1841

Wm M. H. Sheriff

The State of Wisconsin.

To the Sheriff of Jefferson County

You are hereby required to have the body of
William Foxton who is in your custody by virtue
of a capias issued out of the Clerk of the Circuit
Court of the County of Jefferson before me at
my Office in the Town of Wisconsin on Monday
the second day of November next to do and receive
whatever shall then and there be commanded or
= serving the said William Foxton.

Given under my hand and the seal
of the County Court of the County
of Jefferson Oct 23 to 1841.

Wm. Weatherly Clerk
Jefferson Co Court

I executed this report by viewing the Body
of William Trotter before the J. S. Matthews
Jr. clerk of the county court of Jefferson
county in the State of Missouri at his office
in the Town of Hillsboro on the 1st of November 1841
Given under My hand this first Day of
November 1841

W. M. H. Sheriff

To the Clerk of the County Court within and for the County of Jefferson, State of Missouri, the petition of William Foster respectfully represents that he is now in the custody of the Sheriff of the County of Jefferson aforesaid by virtue of an execution and capias issued out of the Office of the Clerk of the Circuit Court of said County in favor of William H Field. Your petitioner prays that he may be permitted the benefit of Law for the relief of Insolvent debtors, & submits the following Schedule to wit.

A list of debts due & owing by petitioner

- To One note for three hundred dollars, to Asaph Speed, dated the 10th Day of March 1835, due March 10th 1841, resides in Louisville Kentucky, due for purchase of Land in Jefferson County, being part of the Land formerly owned by Rich Asplegate, now deceased
- To James Speed for notes for the sum of five dollars, for the hire of a negro girl, date not recollecting, but due resides in Louisville Kentucky

To William H Field of Louisville Kentucky, the amount of a Judgment in the Circuit Court of the County of Jefferson Mo for the sum of \$216²/₃ debt interest and costs, being the same for which the petitioner is in custody, arising out of a note given to James Speed as administrator of John Speed Jr. late of Jefferson Co Mo deceased

Inventory of Property or estate.

Your petitioner has no property except household furniture and the implements of his trade or calling.

State of Missouri } William Foster
County of Jefferson } I William Foster do swear
that the account of my creditors and the inventory of my estate which are annexed to my petition, and herewith delivered, are in all respects just and true, and I have not, at any time, or in any manner whatsoever, disposed of or made over any part of my estate for the future benefit

of myself or my family, or in order to defraud any of
my creditors, and I have in no instance credited or ack-
nowledged a debt for a greater sum than I honestly owed
and I have not paid or secured to be paid, or in any way
compromised with any of my creditors with a view frau-
dulently to obtain the benefit of the Insolvent act

Done to and subscribed before
me November the 1st 1841 } William Hopton.
J. W. Matthews Clerk
Circuit Court

A list of debts due and owing by petitioner -
To one note for three hundred Dollars to Draft. Speed
dated the 10th day of March 1835 due March 10th 1841
resides in Louisville Kentucky due for purchase
of land formerly owned by Richard D. Dufflete now
deceased.

To James S. Speed a note of the sum of five
Dollars for the hire of a negro girl date not recollect
but due resides in Louisville Kentucky

To William H. Field of Louisville Kentucky
the amount of a judgement in the Circuit court of
the County of Jefferson Mo. for the sum of \$265⁹⁴/₁₀₀
delt interest and cost being the same for which
the petitioner is in custody arising out of a
note given to James S. Speed as administrator
of John Speed Jr. late of Jefferson Co. Mo deceased

Inventory of Property or estate

Your petitioner has no property except household
furniture and the implements of his trade
or calling -

Nov 1st 1841.

William Foston Peti^r

To John Mathews Clerk of the County Court
within and for the County aforesaid.

Mark Mays Sheriff of the County of Jefferson. Certifies
that there has no property come to his hands belonging
to William Foston a petitioner of the Insolvent Law
of the State of Missouri, that he believes the household
furniture of the said Foston would not be more
than is allowed him by law -

Given under my hand Nov - 1st 1841

M Mays Sheriff

County of Jefferson &c

The State of Missouri, to all who shall see these presents Greeting

Whereas William Foxton of the County of Jefferson State of Missouri has applied to me John S. Matthews Clerk of the County Court within and for the County of Jefferson aforesaid for the benefit of the Insolvent laws of the State of Missouri, and having filed his schedule of debts due by him, and an inventory of his property, as required by law, and taken the oaths prescribed in the case of insolvent debtors. It is therefore ordered that the said William Foxton be discharged from the custody of the Sheriff of Jefferson County, and exempted from arrest and imprisonment, until the end of the next March term of the Circuit Court of the County aforesaid.

Witness John S. Matthews Clerk
of our County Court with the seal
thereof hereto affixed at office
in the Town of Hillsboro the
2^d day of November A.D. 1841

John S. Matthews Clerk