

Jefferson County Circuit Court
Case Files
March 1842 - Case No. 35

Box No.

6

Folder No.

32

Jefferson County

vs

Alford, Johnson H.

Foreclosure of Mortgage

Debt \$200; 640 acres on Joachim
Creek

To the Honorable the Circuit Court of the County of Jefferson.

The petition of the County of Jefferson respectfully represents that on the first day of June in the year of our lord eighteen hundred and forty John ^{son} Alfred of Jefferson County in the State of Missouri executed and delivered to your petitioner his bill obligatory in order to secure the payment of two hundred dollars which said Alfred then owed your petitioner by which he bound himself six months after date of said obligation to pay to your petitioner the sum of two hundred dollars with ten per centum per annum interest until paid without defalcation or discount for value received which said obligation is here unto the court shown and also for security of said obligation gave and executed and gave to your petitioner at the same time his certain deed of mortgage bearing date of the day and year first aforesaid in substance that is to say.

"This indenture made and entered into this first day of June in the year of our lord one thousand eight hundred and forty by and between John ^{son} Alfred of the County of Jefferson and State of Missouri of the one part and the said County of Jefferson of the ^{other} part witnesseth that the said John ^{son} Alfred for and in consideration of the sum of two hundred dollars to him in hands paid by the said County of Jefferson the receipt whereof is hereby acknowledged hath granted bargained & sold and by these presents doth grant bargain and sell unto the said County of Jefferson and her assigns for ever all that certain tract or parcel of land lying and being situate in the said County of Jefferson on the waters of the Joachime Creek and described as follows to wit the equal undivided half of a certain tract of land containing six hundred and forty acres situate in the Township of Joachime originally granted and confirmed to Jonas Foster by the board of commissioners for ascertaining and adjusting land claims in the territory of Louisiana now State of Missouri and is the said tract of land conveyed to John W. Dennistone

John Fivdley by the said James Foster and Mary his wife
by deed bearing date the 24th day of January 1824 Recorded
in the records office of Jefferson County in book B page
128 and following and the undivided half hereby sold and
conveyed having been heretofore sold and conveyed to the
above party of the first part by Henry T Bates Trustee of the
above named John W Denniston by deed bearing date the
13th day of March in the year of our Lord one thousand eight
hundred and thirty seven To have and to hold the premises
aforesaid with all the privileges and appurtenances thereto
belonging or in any wise appertaining unto the ^{said} County of Jeff
erson and her assigns for ever Provided always and that these
present are upon this express condition that if the said Johnson
Jb Alford his heirs executors or administrators shall pay or
cause to be paid to the said County of Jefferson or her assign
ns the sum of Two hundred dollars together with the interest
that may accrue thereon in manner particularly specified
in a certain note or obligation bearing even date herewith
executed by the said Johnson Jb Alford to the said County
of Jefferson then and from thenceforth these presents shall be
void with every thing therein contained any thing herein to
the contrary notwithstanding In testimony whereof the
said Johnson Jb Alford has hereto set his hand and affi
xed his seal the date first above written signed Johnson
Jb Alford Seal Which said mortgage was on the 2nd
day of June AD 1840 duly acknowledged before John S Mathews
clerk of the County Court of Jefferson County your petitioner
would further represent to this court that the said Alford
has not performed his obligation aforesaid and has not paid
your petitioner the said sum of money nor any part thereof
your petitioner therefore prays that judgment may be rende
red herein for the debt aforesaid together with the interest
that hath accrued thereon and that the equity of redemption
in the aforesaid mortgaged property may be foreclosed and

that the same may be sold to satisfy the amount
due your petitioner as aforesaid & your petitioner will
ever pray. &c

James A Beal Atty
for Petitioner

No 35

Jeff. & Co's Court
Week Item 1842

County of Jefferson

vs
Johnson W. & Grace

Indorsed on 19th 1842

filed Jan'y 5th 1842

Proff. & Co. att'ys
to the

To the Honorable the Circuit Court of the County of Jefferson.

The petition of the county of Jefferson respectfully represents that on the first day of June in the year of our Lord eighteen hundred and forty Johnson H Alford of Jefferson County in the State of Missouri executed and delivered to your petitioner his bill obligatory in order to secure the payment of two hundred dollars which said Alford then owed your petitioner by which he bound himself six months after date of said obligation to pay your petitioner the sum of two hundred dollars with ten per centum per annum interest until paid without defalcation or discount for value received which said obligation is here to the Court shown, and also for security of said obligation gave and executed to your petitioner at the same time his certain deed of mortgage bearing date of the day and year first aforesaid in substance that is to say "This Indenture made and entered into this first day of June in the year of our Lord one thousand eight hundred and forty by and between, Johnson H Alford of the County of Jefferson and State of Missouri of the one part, and the said County of Jefferson of the other part. Witnesseth that the said Johnson H Alford for and in consideration of the sum of two hundred dollars to him in hand paid by the said County of Jefferson the receipt whereof is hereby acknowledged, hath granted, bargained & sold, and by these presents doth grant bargain and sell unto the said County of Jefferson and her assigns forever, all that certain tract or parcel of land lying and being situate in the said County of Jefferson on the waters of the Joachim Creek and described as follows to wit, the equal undivided half of a certain tract of land containing six hundred and forty acres situate in the Township of Joachim Originally granted and confirmed to James Foster, by the board of commissioners

in ascertaining and adjusting land claims in the territory
of Louisiana and State of Missouri, and is the same
tract of Land conveyed to John W Denniston. John Findley
by the said James Foster and Mary his wife, by deed
bearing date the 24th day of January 1824. Recorded in the
recorders office of Jefferson County in book B page 128 and
following. and the undivided half hereby sold and conveyed
having been heretofore sold and conveyed to the above party
of the first part by Henry P Bates Trustee of the above
named John W Denniston by deed bearing date the 13th day
of March in the year of our Lord one thousand eight hun-
dred and thirty seven. To have and to hold the premises
aforesaid with all the privileges and appurtenances thereto
belonging or in any wise appertaining unto the County
of Jefferson and her assigns for ever. Provided always
and that these presents are upon this express condition
that if the said Johnson W Alford his heirs executors or
administrators shall pay or cause to be paid to the said
County of Jefferson or her assigns the sum of two hundred
dollars together with the interest that may accrue thereon
in manner particularly specified in a certain note or obli-
gation bearing even date herewith, executed by the said
Johnson W Alford, to the said County of Jefferson, then
and from thence forth these presents shall be void with
every thing therein contained, any thing herein to the con-
trary notwithstanding. In testimony whereof the said Johnson
W Alford has hereto set his hand and affixed his seal
the date first above written (signed) Johnson W Alford *seal*
which said mortgage was on the 2nd day of June 1840 duly acknow-
ledged before John L. Bates Clerk of the County Court of Jeffe-
son County, your petitioner would further represent to this Court
that the said Alford has not performed his obligation aforesaid
and has not paid your petitioner the said sum of money, nor

any part thereof. your petitioner therefore prays that judgment
may be rendered herein for the debt aforesaid, together with
the interest that hath accrued thereon, and that the equity
of redemption in the aforesaid mortgaged property may be
foreclosed, and that the same may be sold to satisfy the
amount due your petitioner as aforesaid by our petitioner
will ever pray &c

James B Beale atty,
for Petitioner

A true Copy Attest

Wm. M. Mathews Clerk

I have entered this white man's Declaration on
Johnson & alford by reading it in his
hearing on the 8th day of February 1842
in Jefferson county Missouri

M Mop Sheriff
fee \$1.00

No 35

Jefferson Co. Court
do do do 1842

Jefferson County
do do do

Johnson & alford

for return of the outgo

filed at do on ch 15th 1842
J. M. Mop
do do

County of Jefferson, ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, GREETING:

We command you to summon John W Alford
if he be found in your County. that he be and
appear

before the Judge of our Circuit Court, on the first day of the next
term thereof, to be held at the Town of Hillsboro
within and for the County of Jefferson, on the ~~second~~^{third} Monday
of March - next, then and there to answer unto the
County of Jefferson in a plea of debt, and
foreclosure of Mortgage for the sum of two
hundred dollars and interest, a copy of whose
declaration is hereto attached
to the damage of said plaintiff

dollars.

And have you then there this writ.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in the Town
of Hillsboro this seventh day
of March, in the year of our Lord eighteen
hundred and forty two

John S. Mathews Clerk.

County of Jefferson

a

Johnson & signed

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March Term 1842

And the said defendant comes and
takes oath of the writing obliging the
plaintiff petition mentioned which is
with the ends and figures following "Dollars
200 ⁰⁰/₁₀₀. Six months after date I promise
to pay the County of Jefferson in order the
sum of two hundred dollars legal money
of the United States with interest at the rate of
ten per centum per annum until paid without
deduction or discount for taxes &c. &c. Witness
my hand this first day of June in the Year of our
Lord one thousand eight hundred and forty
two
Witness
J. S. Matthews

Johnson & signed

Which being read and heard the defendant
says that the said petition and the matter &
things therein contained are not sufficient in law
for the said plaintiff to have and recover his
action against the said defendant, and
that the said defendant is ready to verify, where
fore he moves the Court to dismiss the

petition in Dismissal

P. S. Hall
Att. for Defd

Geo. A. Ball, atty
for plaintiff

Johnson St Alfred

Jefferson County -

Deer Run
to better

file March 22/84
Prof Matthews
J.M.