

Jefferson County Circuit Court
Case Files - Civil

Box

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November 1854, No. 4

Shore, Stephen D.

vs

Foxton, William, Adm.
Skeel, Samue l

Cancel notes

3 notes for hire of slaves that
plaintiff settled in 1849

Stephen D. Shore, plaintiff
Against
William Foxton, Admin-
istrator of the Estate of
Samuel Skeel, deceased, - Defendant

In the Circuit
Court, Jefferson
County,

Plaintiff states ^{that} some time in the
years 1846, - 1847, ~~and~~ ^{or} 1848, he does not recollect
the precise date, he executed to Samuel Skeel
administrator of David Stong, three promissory
Notes, for the hire of slaves, for the amount of
about \$100.00 each, he does not recollect the
exact amount, - and that Plaintiff afterwards
in ~~the~~ March 1849, ^{at the Court House in Hillsboro.} had a full settlement
with said Skeel, by which he paid him
about \$300, as the balance due on said
Notes, ^{including the interest} and in full for the same, - but said
Skeel, not having the Notes with him, gave
his Receipt in full against said Notes, and
all demands up to that date. Plaintiff states
that he has since lost said Receipt, and
that the Administrator of said Skeel's Estate
refuses to give up to him the possession of
the said Notes. Plaintiff therefore asks the
Court to order and decree that Defendant be
required to give up to him the possession of the
said Notes, or that the same be cancelled, and
rendered ineffectual against Plaintiff by decree
of the Court, and to grant such relief as the justice
of the case demands.

Abner Green, Atty. for Plff.

Stephen D. Shore, Plaintiff, makes oath
and ~~swears~~ the foregoing Petition, and
the matters therein, as stated, he believes
to be true.

Stephen D Shore

Sworn to & Subscribed before me
June 21st 1854. Thos Fletcher clk }

1/185

In the Circuit Court
of Jefferson County

Stephen D. Shore
vs.

Wm. Weston, Adm'r of
Estate of Saml. Wheel

Settlement made
A. Moore Jun'r

Filed Sept. 14th 1832
Wm. C. Webster
Clerk

Stephen D Shore, plaintiff
Against
William Foxton, administrator
of the Estate of Samuel Skeel, defendant

In the Circuit Court
Jefferson
County

Plaintiff states that sometime in the years 1846-1847 or 1848, he does not recollect the precise date, he executed to Samuel Skeel, administrator of David Strong, three promissory notes for the hire of Slaves for the amount of about \$100.00 each, he does not recollect the exact amount, and that plaintiff, afterwards in March 1849, at the Court House in Hillsboro, had a full settlement with said Skeel, by which, he paid him, about \$300, as the balance due on said notes, including the interest, and in full for the same, but said Skeel, not having the notes with him, gave his receipt in full against said notes, and all demands up to that date. Plaintiff states, that he has since lost said receipt and, that the administrator of said Skeel's Estate, refuses to give up to him the possession of the said notes, Plaintiff therefore asks, the Court to order and decree that defendant, be required to give up to the possession of the said notes, or that the same be cancelled, and rendered ineffectual against plaintiff by decree of the Court. And to grant such relief as the justice of the case demands. Abner Green, Atty for Plff

Stephen D. Shore, plaintiff makes oath, and says, the foregoing petition, and the matters therein as stated, he believes to be true
Sworn to & subscribed before
me, June 21st 1854.

Thos. C. Fletcher clk

Stephen D. Shore

Endorsed Filed Sept 14th 1854 Thos. C. Fletcher clk

I the undersigned clerk of

the Circuit Court, within and for the County of Jefferson hereby certify that the foregoing is a true copy of the original petition and affidavit, as the same remains on file in my office

In Testimony whereof Thereto Set my hand and affix the Seal of said Court at office this fourteenth day of September A. D. 1854.



COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon William Foxton
administrator of the Estate of Samuel Steel
deceased if — he — be
found in your County, that he be and appear before the Hon.
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 fourth Monday of November
next, then and there to answer unto Stephen D. Shore

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

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this fourteenth
day of September A. D. 1834.

Thos. C. Fletcher

CLERK CIRCUIT COURT.

I Executed the within writ at the county of Jefferson
on William Foxton Administrator of the Estate of Samuel
Steel Decast. by reading the same in his presence and
hearing and also by delivering to him said Foxton a true
copy of the within writ and the annex petition as furnished
by the clerk This the 20th day of September A.D. 1854
Augustine Wiley Sheriff

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Circuit Court

Sto term 1854

Stephen D Shore

vs } deammon

Wm Foxton admr of Steel

Sherriff's fees \$ 1.00

Stephen D. Shue

vs

William Foster Adams of
Samuel Skell

The Jefferson Circuit Court
Nov Term 1854

The Defendant for answer

States that he has no personal knowledge of the facts
stated in plaintiffs petition sufficient to form a belief
He has had in his possession as administrator as aforesaid
three notes one for one hundred dollars and two for twenty
five dollars each. that he has brought suit on said notes
against plaintiff before L Johnson Justice and in the
trial of the case judgment was rendered for defendant
in that suit. Respondent further States that he is in
formed and believes that the notes last above referred
to were in the lifetime of said Skell settled or agreed
to be settled between said Skell and the plaintiff. but
that the settlement thereof was arranged in part by the
said Skell allowing to plaintiff a credit on said notes
for the amount of two claims or allowances which
the said plaintiff held against the Estate of Solomon
Stung of whom said Skell was Curator. one of said
allowances being for ninety eight dollars and the other
for twelve dollars. that plaintiff agreed to give to said
Skell receipts therefor to enable him in settlement to ob-
tain credit for same. but that said Shue never
did give the said receipts or make any transfer to
said Skell of said Claims. ^{but still holds said allowances and claims as his own property} that in equity this
respondent is entitled to have said allowances transferred
to him as such administrator. the said Shue having
received payment from said Skell for same in the
settlement aforesaid. and got the benefit of such pay-
ment on the trial before the Justice of the peace as
aforesaid. This respondent asks the Court to Compel
the plaintiff to transfer to him the said allowances

that has such administrator may collect the
same for the benefit of said estate or to render
judgment in favor of defendant against plaintiff
for the amount thereof and for such other and
further relief as may be just and equitable

John Metcalf for def^t

Am Fortin makes oath and says he believes
the above answer & the matters therein as stated
are true

Given & subscribed }
before me Nov 29th 1854 }
Thos C Fletcher }
Clerk }

J. D. Shore

"

Fortin Adm of Skeels

Answer

Filed Nov 29th 1854
Thos C Fletcher
Clerk