

Jefferson County Circuit Court

Case Files - Civil

October 1858, # 27

Box

10 Folder 41

Booth, William

vs

Thomas, Thomas
Thomas, William H

Dolt, notes

Debt \$1,052.20, \$500

\$1052 $\frac{20}{100}$. Eight Months after for value received We
or either of us promise to pay Mr Booth or order the sum of
one thousand and fifty two dollars and twenty cents with
ten per cent interest from this date lawful money of
the United States, negotiable and payable without de
falca-tion or discount, October 12th 1857 St Louis
Mo

Thomas Thomas
Wm H Thomas

\$500.00

On or before the 23th of December 1857 for val
ue received We or either of us promise to pay Mr Booth
or order the sum of five hundred dollars \$500.00. with
ten per cent interest from this date, lawful money of
the United States, negotiable and payable with defalca
tion or discount, October 12th 1857 St Louis Mo

Thomas Thomas
Wm H Thomas

I hereby extend the time of payment this note to
the twenty first day of January 1858
William Booth

The above are copies of notes in the case of Booth
v Wm H Thomas Thomas withdrawn by leave
of the Court, Oct 26th 1858

Attest Elias McNeely clk

William Booth Plaintiff

vs

Thomas Thomas &

William H Thomas } Defendants

In the Circuit Court of
Jefferson County and
State of Missouri
October Term 1858

The said plaintiff states and sheweth:

First. For a first cause of action,

- 1 That on the 12th day of October 1857 the said defendants made and delivered to this plaintiff their certain negotiable promissory note in writing ^{herewith filed and made a part of this petition} dated on that day and thereby promised to pay to this plaintiff or his order on or before the 25th day of December 1857 the sum of Five hundred dollars for value received, with ten per cent interest from date and that afterwards the time of payment of said note was extended to the 21st day of January 1858

- 11 That said note has not been paid, nor any part thereof but the said defendants are now justly indebted to the plaintiff thereon in the sum of Five hundred dollars with interest from the 12th day of October 1857.
- Second. For a second cause of action.

- 1 That on the 12th day of October 1857 the said defendants made and delivered to this plaintiff their certain other negotiable promissory note in writing ^{herewith filed & made a part of this petition} dated on that day and thereby promised to pay to this plaintiff or his order eight months after date the sum of One thousand and fifty two dollars & twenty cents, for value received, with ten per cent interest from date.

- 11 That there is now due the plaintiff thereon from the said defendants, the sum of One thousand & fifty two dollars and twenty cents with interest from the 12th day of October 1857. Wherefore the plaintiff demands judgment against the said defendants for the sum of One thousand five hundred and fifty-two dollars and

Twenty cents, with interest on Five hundred dollars thereof
at ten per cent from the 12th day of Octob^r 1837, and with
interest on one thousand and fifty two dollars & twenty cents
thereof at ten per cent from the 12th day of Octob^r 1837
and for his costs & expenses herein expended

J. A. Brown
Atty for plff

Joseph A. Brown, atty for plff and in this behalf his agent
makes oath and says that the foregoing petition and
the matters and things therein as stated are true.

Sworn to and subscribed before
me this twenty first day of Sept 1838.

J. A. Brown

Peter S. Harcke Not^y Pub.

William Booth, Esq

of

Thomas Thomas &

William H. Thomas -
agents

Recd Sept 22^d 1858
Geo O Stearns clerk

Deposited 100
24 1/2 100
100 100

paid by Mr. Atty

William Booth Plaintiff	} In the Circuit Court of Jefferson County and State of Missouri.
vs.	
Thomas Thomas &	
William H. Thomas Defendants	
	October Term 1858.

The said plaintiff states and sheweth.

First- For a first cause of action.

- I That on the 12th day of October 1857, the said defendants, made and delivered to this plaintiff their certain negotiable promissory note in writing, (herewith filed and made a part of this petition), dated on that day, and thereby promised to pay to this plaintiff, or his order on or before the 25th day of December 1857, the sum of Five Hundred Dollars, for value received, with ten per cent interest from date, and that afterwards the time of payment of said note was extended to the 21st day of January 1858.
- II That said note has not been paid, nor any part thereof, but the said defendants are now justly indebted to the plaintiff thereon, in the sum of Five Hundred Dollars, with interest from the 12th day of October 1857.

Second- For a second cause of action.

- I That on the 12th day of October 1857, the said defendants made and delivered to this plaintiff their certain other negotiable promissory note in writing, (herewith filed & made a part of this petition), dated on that day and thereby promised to pay to this plaintiff or his order, Eight Months after date the sum of One thousand and Fifty Two Dollars & twenty cents, for value received with ten per cent interest from date.
- II That there is now due the plaintiff thereon from the said

defendants, the sum of one thousand & fifty two dollars and twenty cents with interest from the 12th day of October 1857. Wherefore the plaintiff demands judgment against the said defendants for the sum of One thousand five Hundred and fifty two Dollars and twenty cents; with interest on Five Hundred Dollars thereof at ten percent from the 12th day of October 1857, and with interest on one thousand and fifty two dollars & twenty cents thereof, at ten per cent from the 12th day of October 1857, and for his costs & expenses herein expended.

J. A. Brown, Atty. for Plff.

Joseph A. Brown, Atty. for plff. and in this behalf his agent makes oath and says that the foregoing petition, and the matters and things therein as stated are true.

Sworn to and subscribed before me this } J. A. Brown.
twenty first day of Sept. 1858 }
E. S. Peter J. Hurck, Not. Pub. }

Filed Sept. 22nd 1858. Elias F. Honey Clerk.

A true Copy of the Original Petition on file in my office.

In Testimony Whereof, I hereto
set my hand and affix the seal
of said court, at office, this
22nd day of Sept. 1858.

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon *Thomas Thomas*
and *William H Thomas*

----- if they be
found in your County, that they 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 *October*
next, then and there to answer unto *William Booth*

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

Elias J Honey

Witness, *THO. C. FLETCHER*, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this *23d*
day of *September* A. D. 1858

Elias J Honey

CLERK CIRCUIT COURT.

I executed the within writ in the County of Jefferson
State of Missouri on William H Thomas & Thomas Thomas
by leaving a true copy of this writ & annexed petition as
furnished me by the clerk
at the house of residence of William H Thomas with
A free white person of the family over the age of
fifteen years for them on the 2nd day of October AD 1858

Oscar Dower
Sheriff of Jefferson Co Missouri

No 24

20 Jefferson Circuit Court

October Term 1858

15374

William Beeth

vs. 5 Defendants

Thomas Thomas

William H Thomas

Sheriff fee

\$2.00

Ch

Filed Oct 9th 1858

Adm 36 only etc

Judged vs. W H Thomas

Oct 26th 1858 for 1711.56

Remitted as to W H Thomas

Same date fresh and is
page 185-

W. Booth

vs
W. H. Thomas &
Thomas Thomas }

In Court of Jefferson County
State of Missouri

October Term 1858

Now at this day come the plff & his atty and move the
Court for Judgment on the answer of W. H. Thomas
for the reason that said answer presents no defence
to plff's petition and denies no material allegation
in said petition but admits the facts as therein
stated

J. A. Brown atty
for plff

Wm Booth

2

Wm Thomas D

Wm Thomas

Wm for the year

Wm. Booths 1858

Wm & Henry Wm

W^m Booth Plff

vs

W^m H Thomas &

Thomas Thomas

In the Circuit Court of Jefferson
County State of Missouri

Oct 1st Term 1838

W^m H. Thomas one of the above named defendants in answer
to plffs petition states that the matters and things as
in said petition stated, are true as he believes

W^m H. Thomas

J. A. Brown as agent in this behalf of the above named defendant
makes oath & says that the foregoing answer and the matters &
things as therein stated are true

Sworn to and subscribed before

me this 26 day of October 1838

Elias J. Hooley clerk

J. A. Brown

Mr. Booth Pitt

or

Mr. Thomas, and
Thomas -

Answer of Mr. Thomas

Dec. 26 1858

Mr Booth
as
H. H. Thomas &
Thomas Thomas

In the Court of Sessions
Oct Term 1858

Judgment against H. H. Thomas, on Answer
on 2 Notes

1 note for \$1052.20
Int 107.80

\$1160.00

2 note for \$500
Int 51.56

Total Oct 26-58 }

537.56
\$1711.56

Dismissed as to Thomas Thomas for
insufficient service

Memorandum
of
Insignia
against
Dr. Thomas
McCormack