

Jeferson County Circuit Court

Box

11 Fold 39

Casa Fillos - Civil

June 1859, #28

Mathews, John C.

VS

Hendrickson, William

Debt

Debt \$475 due on capital stock
subscription assigned by St. Louis &
Iron Mountain Railroad Co. to plaintiff

John C Matthews Plaintiff

Against

William Hendrickson Defendant.

In the Circuit Court

Jefferson County, Missouri

Plaintiff states that by virtue of an act of the General Assembly of the State of Missouri, entitled "an act to incorporate the St Louis & Iron Mountain Railroad Company, approved March 3^d 1851. and the several acts revised and made part and amendatory thereof, (which said acts and amendments were accepted by said Company), the said Railroad Company became a duly organized Corporation.

Plaintiff states that, in consideration that the said Corporation consented that the defendant should take five shares of the Capital Stock in said Corporation and become proprietor thereof, the said shares being each one hundred dollars, he the said defendant, did by his own proper signature, on or about the day of 185~~1~~, subscribe for and in writing agree to take five shares of the Capital Stock of said Corporation which said agreement was without condition. And the said defendant did thereby further agree with said Corporation to pay such calls on said stock as might lawfully be made from time to time by the Board of Directors of ^{said Corporation} ~~Plaintiff~~ as will appear by a copy of said subscription and writing herewith filed, the plaintiff alleging as an excuse for not filing the original thereof that the same is contained in the stock subscription books of said corporation and needed in its office for constant use,

Plaintiff further states, that on the 13th day of September 1853, it was ordered by the Board of Directors of said Corporation that ten per cent upon the said subscription of stock by defendant be called in, payable on the 15 day of November 1853 and on the same day it was further ordered by said Board

of Directors that ten per cent. of said stock subscription be called in, payable on the 15th day of December 1853, and afterwards, on the 16th day of March 1855, it was further ordered by said Board of Directors that ten per cent of said stock subscription be called in, payable on the 1st day of June 1855; and on the same day it was further ordered by said Board that fifteen per cent of said stock subscription be called in, payable on the 2nd day of July 1855, and afterwards on the 9th day of September 1856 it was ordered by said board of Directors that thirty per cent of said stock subscription be called in, payable on the 25th day of November 1856, and on the 14th day of April 1857, it was ordered by said Board of Directors that twenty five per cent of said stock subscription be called, payable on the 20th day of June 1857, all which said calls were made in due form of law and of all which the said defendant has notice pursuant to the provisions of said acts of incorporation,

Plaintiff states that said corporation performed all the conditions of said contract on its part to be kept & performed and that there is now due and unpaid on said subscription of defendant the sum of Four Hundred and seventy five dollars on account of the calls so made,

Plaintiff states that the said Corporation has assigned to him in writing the said demands against said defendant due on account of said subscription for value received, which writing is herewith filed, whereby the plaintiff has become the owner of said demands, which writing is dated the 5th day of October 1858,

Plaintiff asks judgment against the said defendant for said sum of Four Hundred and seventy five dollars together with interest thereon, according to the provisions of said acts of incorporation of the said Railroad Company from the time said calls became due, and for such other judgment as Plaintiff may be entitled to,

Hetcher atty for Plff.

Thos C Fletcher attorney for
John C Matthews Plaintiff, on oath states that the
foregoing petition and the matters therein as stated he
believes to be true

Subscribed & sworn to before
me this 18th day of February 1889

Thos C Fletcher

In Testimony whereof I hereto set
my hand and affix my notarial
Seal at St Louis

Edward Hareu H.
Notary Public



John L. Matthews

or

Wm. Mendric Moon

sett on contract signed

at present place

Wetters for sett

Attest July 21st 1859

Edw. J. Henry
Clerk

1 copy put 100
1 cts 12
mending 120
back 10

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon William Hendricks

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 ~~first~~ ^{Second} ~~day~~ ^{after the fourth day} ~~Monday~~ ^{Monday} of ~~February~~ ^{May}
next, then and there to answer unto John C. Matthews

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 ~~twenty~~ ^{third}
day of ~~February~~ ^{May}, A. D. 1859

Elias J. Honey

CLERK CIRCUIT COURT.

I Executed the within writ in the County
of Jefferson State of Missouri on the 29th
day of March 1859 by Reading the same
in the Presence and hearing of William
Hendrickson and Delivering him
a Copy of the within writ and
a Copy of Partition as furnished to
me by the Clerk of said Dower Sheriff
by J. C. Paine Deputy

No 28

1687

Jefferson Circuit Court
June Term 1859

John C. Matthews

vs } Defendants

William Hendrickson

Hendrickson vs

Matthews

doct April 11th 1859

Oliver J. Henry clerk

Sealed and put in