

Jefferson County Circuit Court
Case Files - Civil

June 1859, #48

Clark, William E.

vs.

Hendricks, Samuel C.

Foreclosure

Debt \$161.80; 131 acres in
S25,30 T41 R6 E

Box

11

Folder

51

William E Clark, Plaintiff

against

Samuel E Hendrickson Defendant. }

In the Circuit Court Jefferson County.

State of Missouri.

Plaintiff states that the defendant, on the ~~third~~^{second} day of July (1857) Eighteen hundred and fifty seven, executed to plaintiff a note (herewith filed) whereby he promised to pay plaintiff one hundred and sixty one dollars and eighty cents, twelve months after date thereof, and that on the third day of July 1857. defendant for the purpose of securing the payment of said note, executed and delivered to plaintiff a mortgage deed (which is herewith filed, Conveying to the plaintiff the following described land, situate in the county of Jefferson aforesaid and described as follows, to wit, Lot No 2 & 3 of N E quarter of Section No 25 Township No forty one of Range No five East also lot No 2 of the North West quarter of Section No 30 in Township No 41 of Range No Six East, containing together the quantity of one hundred and thirty. one acres and fifteen hundredths of an acre,

Upon the following conditions, to wit, " That whereas the said Samuel E Hendrickson has this day executed and delivered unto said William E Clark his certain promissory note in words and figures as follows to wit, \$161⁸⁰ I Effle me duly the 2nd day 1857. Twelve months after date I promise to pay to W E Clark or order the sum of one hundred and sixty one ⁸⁰/₁₀₀ Dollars

for value received, negotiable and payable without
defalcation or discount, bearing ten per cent interest
from maturity, now if the said Sam C Hendrickson his heirs
Executors or administrators shall well and truly pay
the sum of money specified in said note and every part
thereof together with all interest thereon if any when
said note shall become due and payable according to
the true tenor meaning and effect thereof, then this
conveyance and all the estate hereby conveyed shall
be void, otherwise the same shall remain in full
force and virtue in law,

Plaintiff avers, that the defendant has failed
to perform the said conditions on his part, and that said sum
of one hundred and sixty one dollars and 80 cents
and all interest due thereon remain unpaid,

Plaintiff demands judgment for the said debt
and interest and that the equity of redemption of
the defendant in and to said land may be foreclosed
and that the same, or so much thereof, as may be
necessary, be sold to pay off and discharge the judg-
-ment rendered & for such other proper relief as he
he may be entitled to receive,

W. C. Fletcher for Plff.

W. C. Fletcher attorney for Plaintiff on oath states that
the foregoing petition and the matters therein as stated he
believes to be true

W. C. Fletcher

Signed & sworn to before me

April 29 1859, Elias J. Honey

No.

Lincoln Court defd to
June Term 1859.

William D. Black.

vs.

Sam. L. Hendrickson

to foreclose mortgage.

Filed April 29th 1859
Oliver J. Honey Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Samuel C. Hendrickson

----- 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 second Monday after the
fourth Monday of May
next, then and there to answer unto William E. Clark

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 thirteenth
day of April A. D. 1859

Elias J. Honey

CLERK CIRCUIT COURT.

I executed the within writ in the county of Jefferson
State of Missouri on Samuel Hendrickson by leaving
him A true copy of this writ and petition as furnished
me by the clerk on the twelfth day of May AD 1859 at
his usual place of Residence, with A free white person
of the family over the age of fifteen years

Oscar Dovel Sheriff

No 118

do. Enclad. Court

June Term 1859

1696

William E. Clark

vs. Samuel

Samuel E. Hendrickson

Sheriff fee \$1.00

(Remains)

Filed May 16th 1859

Clk 3 Mceny clerk

268
100
368
10
268