

Jefferson County Circuit Court
Case Files - Civil

Box

15 Folder 63

Nov 1864 - No. 21

Frost, E. F. Admin
Smith, George Arthur

vs
Smith, Pheby

Debt

Debt \$100 payable to Ann Smith;
\$125 damages

E. F. Frost Public administrator
in charge of the Estate of George Asmuth }
against } In the Circuit
Theby Smith Defendant } Court of Jefferson
County, Mo.

The plaintiff states that
in the year 1863 George Asmuth delivered
to defendant one hundred dollars to be paid
by defendant to one Ann Smith who
held a note on George Asmuth, that
defendant undertook and promised to said
George Asmuth to pay said one hundred
dollars to Ann Smith.

Plaintiff states that defendant has
failed to pay said one hundred dollars
to Ann Smith on the note due from said
George Asmuth to Ann Smith, that said
note has been presented to the County Court
of Jefferson County, Mo. for allowance
against the Estate of George
Asmuth without a credit for said one
hundred dollars, & has been allowed in favor
of Ann Smith against the Estate of George
Asmuth. By reason of which the Estate
of George Asmuth has been damaged
one hundred and twenty five dollars for
which plaintiff demands judgment.

E. F. Frost - Veror.
By Thomas & Paul Attys

E. F. Frost being sworn states on oath that
the foregoing petition & the matters therein are
stated he believes to be true.

Subscribed & sworn to before }
me this 6 day of July 1864 }

Edw. Forrest owner
of George Admuth
no
Philly Admuth.

Retired July 6th 1864
Edw. J. Heaney & Co

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

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

We command you, that you summon *Phily Smith*

if she be found in your County, that she
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 November next, then and there to answer unto
E. F. Frost Public administrator in charge of the Estate of
George A. Smith

upon his original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.



Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *Sixth*
day of *July* A. D. 1864

Elias F. Honey

per J. Ed. Walker D. C.
Clerk Circuit Court.

No 21

TO JEFFERSON CIRCUIT COURT

2617

November Term, 1864

E. J. Frost admor of G. W. Smith

vs

Phely Smith

J. B. Doreau Sheriff

I executed this writ at the County of Jefferson
State of Missouri on the 6th day of July 1864
on Phely Smith by Reading this writ in her
Presence and hearing also by Delivering to her
A true copy of the within Petition as furnished
me by the Clerk

Jerome B. Doreau Sheriff

E. F. Frost, Public Admin^r
in charge of the Estate of
George A. Smith — Plaintiff

Against
Phoebe Smith, — Defendant

In the Circuit Court
of Jefferson County Mo

The Defendant for answer to the petition of
Plaintiff denies that she in the year 1863 or at
any other time received of George A. Smith
one hundred ~~and twenty five~~ dollars to be paid
by her to Ann Smith on a note she held
against said George A. Smith And Defendant
denies that she undertook or promised said
George A. Smith to pay said one hundred ~~and~~
~~twenty five~~ dollars to said Ann Smith on
said note

Defendant admits that in the year 1863
she received from said George A. Smith
one hundred dollars in part payment of a

debt said George A Smith owed to the
Defendant and her Sisters Susanas. and
Isabella Smith, for moneys they had previously
loaned and advanced to their Brother the said
George Arthur Smith. She states that said George
A Smith was indebted to her and her said Sisters,
at the time Defendant received the said one hundred
dollars in a sum exceeding one thousand dollars and
that Defendant received said one hundred dollars in
part payment of said debt, - and not for the purpose
of being applied to the payment in part of said
Ann Smiths Note against G A Smith. Defendant
therefore denies that she is indebted to the Estate
of George A Smith in the sum of one hundred
and twenty five dollars, or in any sum
whatever, and denies that said Estate
has been damaged in the sum of one

hundred and twenty five dollars or in any
sum whatever by the acts and omissions of
this Defendant.

Abner Green
Attorney for Defendant.

Phoebe Smith, Defendant, makes oath
and says the above Answer, and the matter
therein, as stated, she believes to be true

Made and Subscribed before me
at the Town of Perth in the County
of Lanark and Province of
Canada this fifth day of
November 1864

Phoebe Smith

Nicholas Stew
Mayor

Isabella Smith being present at the time
the one hundred dollars was paid, by their Brother
George A Smith hereby also affirms the same
as above to be true.

Made and Subscribed before me
at the Town of Perth in the County of
Lanark and Province of Canada
this 5th day of November A.D. 1864.

Isabella Smith

Nicholas Stew
Mayor



In Circuit Court
Jefferson County
E. T. Throat, Plf.
vs. in charge
E. T. O. D. Smith
vs.
The Co. Smith
Shuman

Filed May 11 1865
Samuel H. Smith
Att

C^d Tract. admt of George & Smith
 against
 Phelps Smith

C^d Honey Blend. Copy Sept. 11. Entered 80-11181100

Honey 50⁹⁴ Wheat 10⁴

J. B. Dorel chiefly some wh. 100.

C^d Honey made for late 1259. Jils 10.

350
 14445-

3.10

100