

Tofferson County Circuit Court

Box 25 Folder 24

Case Files

November 1869, NO. 232

Green, Abner

Williams, Joseph J.

vs

Pollock, M. E. F.

Enforce vendor's lien

128 acres in 5274224E;
debt \$600

Abner Green and
 Joseph J. Williams } Plaintiffs
 Against
 M. E. F. Pollock, - Defendant

In the Circuit Court
 of Jefferson County
 Missouri, - November
 Term 1869,

The Plaintiffs state that on the 19th day
 of July 1867, Elias Harness bargained and sold to
 the Defendant ^{the following} described several Tracts of Land
 situate in Jefferson County in the State of Missouri,
 to wit, The East half of Lot No. One of the North West
 quarter of section two, in Township Forty two of Range
 Four East, - also, the East half of Lot No. Two, of the North
 West quarter, and the West half of Lot No. One of the
 North East quarter of Section No. Two, in Township
 No. Forty two, of Range No. Four East, containing in
 all, one hundred and twenty eight acres and ⁷⁵/₁₀₀
 of an acre, For which Land the Defendant pro-
 mised and agreed to pay said Elias Harness, the
 sum of six hundred dollars, one day after the said
 Elias Harness and his wife should make, execute,
 and deliver to the Defendant a Deed for said East
 half of Lot, one, of the North West quarter of section two
 in Township 42, of Range 4 East, and should give him
 the peaceable possession of the same; and should
 also execute and deliver to said Defendant a Deed
 for said East half of Lot 2, of North West quarter, &
 the West half of Lot No. One, of the North East quar-
 ter of section two, in Township 42, of Range
 4 East, And that the Defendant on the same day
 made and delivered his Promissory Note to
 the said Elias Harness whereby he promised to
 and in consideration of the Land purchased of him as aforesaid
 pay said Elias Harness, for ~~the same~~ the
 sum of six hundred dollars, one day after he should
 get the peaceable possession of the Tract of Land first

above described, and should receive from said Elias
Harness and wife a Deed for the same, - and also, a
Deed for the last two tracts ^{of land} above described, Which
Note is now on file in the ^{Circuit} Clerk's office of said Jef-
ferson County, attached to a petition of said Elias
Harness against said M. E. F. Pollock filed in said
Office April the 6th 1868, and to which reference
can be had as an exhibit in this cause, - And
Plaintiffs state that said Elias Harness has fully
complied with the conditions of said Note by de-
livering to Defendant the peaceable possession
of the tract of Land first herein above described
and by delivering to him a Deed for the same,
and also by delivering to Defendant a Deed
for the tracts of land last above described.
And that therefore said Note has become due and
payable. And Plaintiffs state that said Elias
Harness on the day of May 1869, for a valua-
ble consideration transferred said Promissory
Note by a written assignment of the same to
the Plaintiffs, and of which the Defendant had
notice, Which written assignment is now on file
in the Circuit Clerk's office of Washington County
Missouri, - a Certified Copy of which is herewith
filed. Plaintiffs state that ^{the} Defendant at the
ough requested so to do, has failed and ~~refused~~ ^{neglected}
to pay Plaintiffs said Promissory Note, or any part
of it. Plaintiffs therefore ask Judgment for
said sum of six hundred dollars ^{and on said Promissory Note}, and the in-
terest accruing thereon.

And Plaintiffs further state that by rea-
son of the sale and conveyance of said Land, to
the Defendant as aforesaid and of the purchase
as evidenced by said Promissory Note
money of the same, remaining due and unpaid,

The said Elias Harness was entitled, at the time he assigned said Promissory Note to Plaintiffs, to a vendor's lien on said Lands to secure the payment of said unpaid purchase-money for the same; and that, by virtue of such assignment of said Promissory Note to the Plaintiffs, they have become substituted to said Vendor's rights, to a lien on said Lands for the payment of said unpaid purchase money, as against the Defendant, - and that the Plaintiffs have therefore in Equity a vendor's lien on said Lands to secure the payment of said unpaid purchase money. Plaintiffs therefore ask the Court to order and decree that their said vendor's lien be established and enforced against the lands aforesaid, - and to order that the same be sold for the payment of such judgment as Plaintiffs may recover on the Promissory Note aforesaid, and to grant such other and further relief as may be warranted by the facts and consistent with Equity.

} Abner Green, and
Joseph J. Williams
} Plaintiffs

In Circuit Court
Jefferson County

Wm. Green &
Joseph J. Williams
vs.
M. E. J. Postleack

Petition
on Mot, & to enforce a
verdict's Lien

Let summary issue
to M. Lewis County
Green & Williams
Jeffco.

Filed Sept. 6th 1869
C. F. Hancock

Abner Green, and
Joseph J. Williams - Plaintiffs } In the Circuit Court
Against } of Jefferson County
N. E. F. Pollock, - Defendant } Missouri, - November
Term 1869.

To all to whom it may concern,
Notice is hereby given, - that the above named
Plaintiffs have this 6th day of September 1869,
filed in the Clerk's Office of the Circuit Court
of Jefferson County Missouri, their petition, where-
in Abner Green and Joseph J. Williams are plaintiffs
and N. E. F. Pollock is defendant, and sued out
a summons thereon against the said Defendant,
- which suit so instituted, is made returnable
to the next November Term 1869, of the Circuit
Court, in and for the County of Jefferson and State
of Missouri. The object of which suit is to obtain
Judgment on a promissory Note given by the said
Defendant to Elias Harness, for six hundred dol-
lars for the purchase of the lands hereinafter described
and which Note has been assigned to the said
Plaintiffs; and to enforce a vendor's lien on
the following described Lands, situate in Jefferson
County in the State of Missouri, To wit, The East half
of Lot No. One, of the North West quarter of Section
No. Two, in Township Forty Two, of Range Four East,
also the East half of Lot No. Two, of the North West
quarter, and the West half of Lot No. One, of the North
East quarter of Section No. Two, in Township No. Forty
Two, of Range No. Four East, containing in all, one
hundred and twenty eight acres and $\frac{75}{100}$ of an acre,
- and to obtain an order & decree of said Court for the sale
of said Lands for the payment of such judgment as may be
obtained on said Note, as the unpaid amount of the

Purchase money for said Lands by the said De-
fendant. — Witness our hands this 6th day of
September 1869.

Abner Green
& Joseph J. Williams
Plaintiffs

State of Missouri }
County of Jefferson } as I the undersigned recorder
within and for the county and State
aforesaid do hereby certify that the
within instrument of writing was on the
6th day of Sept 1869 filed for record in
this office and is duly recorded in Book 1
Page 377

Given under my hand and seal
the day and year just above written
Elias H. Honey

305-8

Abner Green &
Joseph J. Williams
vs.

M. E. & W. C. Lock

Notice of how
our Peace & State
the record

Filed Sept 6th 1869
E. H. Honey Recorder

75-2 dec

THE STATE OF MISSOURI, } SS.
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

S. Lewis
To the Sheriff of the County of ~~Jefferson~~—Greeting:

We command you, that you summon

M. E. F. Pollock

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 ~~Sunday~~ Monday after the
fourth Monday of ~~September~~ *September* ~~next~~ then and there to answer unto

*Jas. J. Williams and Abner
Green*

upon ~~their~~ original petition, a copy whereof is hereunto annexed and
accompanies 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

Sunday day of *Sept.* A. D. 1869

Elias F. Honey
Clerk Circuit Court

By L. H. Ayers

131 No 2321

Due Nov 15 1869
TO

JEFFERSON CIRCUIT COURT.

Nov Term, 1869

Almer Green
vs J. H. Wallace
for damages

M. E. J. Pollock

at Peace Office
216 Pine St.

Original

Peace Office
where due is 40

Recd by J. H. Wallace

The within named Defendant. M. E. J. Pollock cannot be found in my County
Nov. 12th 69
Thos. McHenry

Fee \$1.00

Paid by ~~Almer Green~~ Albert Green.

A. Val.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } SS.

THE STATE OF MISSOURI,

Louis
TO THE SHERIFF OF THE COUNTY OF ~~JEFFERSON~~ GREETING:

We command you, that you summon *M. C. F. Pollock*

if he be found in your County, that he be and appear before the Honorable
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* Monday after the fourth Monday
of *March* next, then and there to answer unto

J. J. Williams & Abner Green

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

Witness, **ELIAS F. HONEY**, Clerk of our said
Circuit Court, with the seal thereof herunto affixed,
at office in Hillsboro, this *15th*

day of February, A. D. 1870

Elias F. Honey Clerk Circuit Court.

By *L. H. Ayford* Deputy.

138.
Due March 7th 70.
RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

March Term, 1870

J. H. Phillips &
John H. Allen Plaintiffs

AGAINST

W. E. Pollock

Defendant

Original

The within named Defendant W.
E. H. Pollock cannot be found in my
County St. Louis Mo March 3rd 1870

John M. Neil Sheriff
By A. Valentine Deputy

See under Copy.
Fee is carried there

A. Val.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

St Louis
TO THE SHERIFF OF THE COUNTY OF ~~JEFFERSON~~ GREETING:

We command you, that you summon

M. E. F. Pollock

if he be found in your County, that he be and appear before the Honorable
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* Monday after the fourth Monday
of *September* next, then and there to answer unto

Jos. J. Williams and Abner Green

upon *their* original petition, a copy whereof is hereunto annexed
and accompanies 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, *twelfth*
day of *April* A. D. 1870

Elias F. Honey Clerk Circuit Court.

By *L. H. Ayford* Deputy.

RETURNABLE

JEFFERSON CIRCUIT COURT.

136. Due Sept. 5-1870.

Sept Term, 1870

Geo. H. Williams
Plaintiff

AGAINST

W. D. Pollock

Defendant

W. D. Pollock

Original

at 8 a. m. - 10 a. m.
at 12 a. m. - 12 p. m.
at 1 p. m. - 1 p. m.
at 2 p. m. - 2 p. m.
at 3 p. m. - 3 p. m.
at 4 p. m. - 4 p. m.
at 5 p. m. - 5 p. m.
at 6 p. m. - 6 p. m.
at 7 p. m. - 7 p. m.
at 8 p. m. - 8 p. m.
at 9 p. m. - 9 p. m.
at 10 p. m. - 10 p. m.
at 11 p. m. - 11 p. m.
at 12 p. m. - 12 p. m.

\$1.00 Paid by Geo. H. Williams

Executed this Writ in St. Louis County on the 6th day of May 1870 by delivering a copy of the Writ and Petition as furnished by the Clerk to W. D. Pollock.

Fee \$1.00
Paid by Plff.
L. S.

John M. Craig
St. Louis County
Mo.

Abner Green and
 Geo J Williams Plaintiffs } In the circuit
 against } Court of Jefferson
 M. C. F. Pollock Defendant } county Missouri
 Sept Term 1870

Defendant states that the inhab-
 itants of said county wherein the a-
 bove case has been filed for trial
 are prejudiced against the applicant
 and that the Plaintiffs have an un-
 due influence of over the said in-
 habitants wherefore defendant prays
 the court to grant a change of venue
 in said case, to, such place as the court
 may deem just and lawful.

On this fifth day of September 1870
 personally appeared before me

clerk of the circuit court of Jeffers-
 son county M. C. F. Pollock the Defendant
 in the above case, after being duly sworn
 according to law, states that he has just
 cause to believe that he cannot have a
 fair trial on account of the causes alleged.

Subscribed and sworn to before

me this 5 day of Sept 1870

Elmas J. W. only clerk

By Lewis H. Ayers D.C.

M. C. F. Pollock, applicant

Missus Green
m E. J. Pollock

Black Sept 3-1870
Dear J H every one
say I H. Alfred. D. D.

Williams & Green In the exant
^{vs} ^{pld} Court of Jefferson
McCulloch & Company vs. Museum

To Abner Green and Jm J
Williams you are hereby
notified that an application
has been filed for a change
of venue in the above
case

McCulloch,
Defendant

Served the within on 6 day of September
by given a copy to the ^{heretof} within named above Green
and J. J. Williams in Jefferson, County Mo
A. S. 1870

per 1st

T J
Fred Washburneys
by Jacob Hoeger
Jr Capt

William & Green
vs
H. F. Polack,

Filed Sept 5th 1870
Elias J. Honey Clerk
By L. H. Alfred Deputy