

Dofersen County Circuit Court
Case Files - Civil

January 1873

Milner, Conrad
vs

Down, Eliza
Down, C. G.

Mechanica Lien

\$46.75 for tin, zinc guttering,
hardware; 2-story brick house;
lot 3 in Windsor Harbor; lot and
house sold on execution

Box

30 Folder 46

Eliza Downe H. G. Downe Her Husband
To

1872	Conrad Wuerz	Dr
May 4 th	To repairing gutter on House	2.50
Oct. 7	" 36 ft. Lin @ 15¢ pr. foot	5.40
" 7	" 1 Bay Window put in House	20.00
" 7 th	" Zinc for wash stand in House	10.00
" 7 th	" 25 ft. pipe @ 16¢ pr. foot	4.00
" 7 th	" 3 Elbows @ 20¢ each	60
" 7 th	" work on House of said Eliza and C. G. Downe	3.00
Oct. 10	" 2 lbs. glue @ 22½¢ pr. lb.	45
" 10 th	" 5 lbs. 6 penny nails @ 8¢ pr. lb.	40
" 16	" 5 lbs 20 " " @ 8¢ pr. lb	40
Total		\$ 46.75

The above account is for Labor and materials furnished by Conrad Wuerz for Eliza Downe and C. G. Downe on a Two story Brick House erected and standing on Lot Number Three containing Two & $\frac{47}{100}$ acres more or less in the Town of Windsor Harbor in Jefferson County Missouri on one acre of which said lot ~~Three~~ Three said account is intended to be a Lien namely an acre thereof on which said Two story Brick House is situated described as follows that is to say beginning at the South East corner

^{Said lot number}
of Lot Number Three, thence North 85°
West 6 chains & 74 links with the South boundary
line of said lot thence North 5° East 149
links thence South 85° East 6 chains & 74
links thence South 5° West 149 links
to the place of beginning containing one
acre, of which one acre of land
and which lot said Eliza Downe is the
owner said C. G. Downe being her
Husband and interested therein as such
by Law, and which indebtedness accrued
between the 3rd of May & the 17th of October
1872 as shown by the above account,

State of Missouri 3
County of Jefferson 3

Jo. J. Williams for Conrad Wurz makes oath
and says, that, ^{as he verily believes} the foregoing is a just
and true account after all just credits
have been given of the demand due him
^{said Wurz} from Eliza & C. G. Downe for materials
furnished and Labor done on said
Two Story brick House under a
Contract with said Eliza Downe and
Charles C. G. Downe for said Labor and
materials which said materials and
Labor were used and expended on
said Brick House on the Land

and lot above stated and on the
one acre of said lot above specifically
described and that the description
above set forth is correct as far as
can be ascertained and that said
Eliza Downe and C. G. Downe
owne the same

Sworn to and ~~Subscribed~~
Subscribed before } Jos. J. Williams
me Nov. 26th 1872 }

H. S. Bryce Clerk
By C. H. Horne Deft

Conrad Wenz
vs
Ely & Garne

Mechanics Lien

Paid Nov 27, 1872
at 10 o'clock am.
W. S. Boyce & Co
vs Ely & Garne Depts

Conrad Wuerz, Plaintiff
 against
 Eliza Downe &
 C. G. Downe, Husband of
 said Eliza Downe, Defendants } In the Circuit
 Court of
 Jefferson
 County
 Missouri

Plaintiff states that the Defendants
 owe him Forty six & 75^{cts} Dollars for Tin
 guttering, Zinc, repairing, and divers
 other items, of work, labor & materials
 the particulars of all which appear by
 the following account as well as the
 dates of the accruing thereof, viz,

1872 May 4th

Eliza Downe & C. G. Downe
 To

Conrad Wuerz		Dr.
	To repairing gutter on House	2.50
1872 Oct. 7 th	" 36 ft. Tin @ 15 ^{cts} per foot	5.40
" "	" 1 Bay window put in House	20.00
" "	" Zinc for wash stand in House	10.00
" "	" 25 feet of pipe @ 16 ^{cts} per foot	4.00
" "	" 3 elbows @ 20 ^{cts} each	60
" "	" work on House of said Eliza & C. G. Downe	3.00
" "	10 th " 2 pounds of glue @ 22 ^½ ^{cts} per pound	45
" "	" " 5 pounds 6 penny nails @ 8 ^{cts} per pound	40
" "	16 " 5 " 20 " " " 8 ^{cts} " "	40
		<u>Total = \$46.75</u>

And Plaintiff avers that said materials were

furnished by Plaintiff for Defendants at their request and said work and Labor was performed by Plaintiff for ~~defendants~~ Defendants at their request and said materials were used in and said work and Labor performed ~~on~~ in the building and repairing at the request of defendants of a Two Story Brick House erected and standing upon lot number three containing two & $\frac{47}{100}$ acres more or less in the Town of Windsor Harbor in Jefferson County Missouri and on one acre of said lot particularly described as follows viz, beginning at the South East Corner of said lot number three thence running North 85° West 6 chains & 74 links with the south boundary line of said lot thence North 5° East 149 links thence South 85° East 6 chains & 74 links thence South 5° West 149 links to the place of beginning containing one acre — That Labor was performed and said materials furnished and used in said House by Plaintiff for defendants as original contractor with for said services & Labor & materials under a contract with C. G. Downe as agent and Trustee for Eliza Downe his wife for the repairing and finishing of said House

(which was theretofore partly constructed) and that said labor & work were done upon & said materials used in the same, that said Eliza Downe was at the time said labor was done & materials furnished and still is the owner and proprietor of the House aforesaid and of the lot upon which the same is situated as aforesaid and of the one acre thereof herein particularly described as aforesaid and said C. G. Downe then was and still is her husband

That the Plaintiff for the purpose of obtaining the benefits of the provisions of the Statute under chapter 195 of the General Statutes of Missouri of ~~1865~~ Concerning Mechanics Leins did on the 27th day of November 1872 file with the clerk of the Circuit Court of said Jefferson County Missouri a just and true account of the demand due the Plaintiff for said labor & materials done upon and used in said House as aforesaid by Plaintiff after all just credits had been given (he not having been paid any sum thereon) and a true description of the lot of Land on which said House was erected together with a particular description of the one acre of said lot on which said House is situated and upon which ^{and acre of} said Lein was intended to

apply, ~~together with the House~~ embracing
also a description of said House or,
✓ so nearly a true description as to identify
the same with the name of the owner
and verified by affidavit as the Law directs
(a certified copy of which is herewith filed)
Plaintiff states that said indebtedness to him
accrued within four months next before
the filing of said account to secure said
Lein, Plaintiff states that he has a Lein
✓ on said House and the one acre of Land
on which it is situate as herein before
particularly described to secure said
indebtedness he therefore asks
Judgment against Defendants for the
sum of Forty Six & 25/100 Dollars with
interest and Costs of suit, and to enforce
✓ his said Mechanics Lein against the
said House and one acre of Land aforesaid
by a special execution against the same to
be ~~Levied~~ Levied thereon according to
the provisions of the Statute in such
cases made and provided

 J. Williams
Att'y for Plaintiff

Conrad Wuerz

m

Eliza & C. G. Downe

action to enforce a
mechanics lien

Original

Dec 20

Filed Dec 17 1877

W. J. Boyce Clerk

W. J. Boyce
W. J. Boyce
Defer

issue process to

St Louis Co. for Eliza
Downe & to Jefferson for
C. G. Downe.

L. Williams
for Sept 23.

Conrad Huey Plaintiff
 against
 Eliza Dwyer & C. J. Dwyer
 husband of said Eliza Dwyer Defendants.

In the Circuit Court
 of Jefferson County
 Missouri.

Plaintiff states that the Defendants owe him Fifty six & 2/3 Dollars for tin, guttering, zinc, repairing and divers other items of work, labor & materials the particulars of all which appear by the following account as well as the dates of the accruing thereof viz:

1872 May 4th Eliza Dwyer & C. J. Dwyer

To Conrad Huey

Dr.

1872 Oct 7 th	In repairing gutter on house	2.50
" " "	" 35 ft. tin @ 13 [¢] per foot	5.40
" " "	" 1 Bay window put in house	20.00
" " "	" Zinc for wash stand in house	10.00
" " "	" 25 feet of pipes @ 16 [¢] per foot	4.00
" " "	" 3 Elbows @ 20 [¢] each	.60
" " "	" work on house of said Eliza & C. J. Dwyer	3.00
" " 10 th	" 2 pounds of glue @ 22 ^½ ¢ per pound	.45
" " "	" 5 pounds 6 penny nails @ 8 [¢] per pound	.40
" " 16 th	" 5 # " 20 " " " 8 [¢] " "	.40

Total,

\$ 45.75

And plaintiff avers that said materials were furnished by plaintiff for Defendants at their request and said work and labor was performed by plaintiff for defendants at their request and said materials were used in said work and labor performed in the building and repairing at the request of Defendants of a two story brick house erected and standing upon Lot Number Three Con-

containing two & 2/100 acres more or less in the town of Windsor
Harbor in Jefferson County Missouri and on one acre of
said lot particularly described as follows viz: Beginning
at the South East corner of said Lot number three thence
running north 85° West 6 chains & 74 links with the South
boundary line of said Lot thence North 5° East 149 links
thence South 85° East 6 chains & 74 links thence South 5°
West 149 links to the place of beginning containing one
acre. That labor was performed and said materials fur-
nished and used in said house by plaintiff for defendants
as original contractor for said services & labor & materials un-
der a contract with C G Duane as agent and trustee for
Eliza Duane his wife for the repairing and finishing of
said house (which was therefore partly constructed), and
that said labor & work were done upon & said materials
used in the same, that said Eliza Duane was at the time
said labor was done & materials furnished and still is
the owner and proprietor of the house aforesaid and of
the lot upon which the same is situated as aforesaid
and of the one acre thereof herein particularly descri-
bed as aforesaid and said C G Duane then was and
still is her husband, That the plaintiff for the purpose
of obtaining the benefits of the provisions of the Statute
under Chapter 195 of the General Statutes of Missouri
concerning Mechanics Lien did on the 27th day of
November 1872 file with the clerk of the Circuit Court
of said Jefferson County Missouri a just and true
account of the demand due the plaintiff for said

labor & materials done upon and used in said house as aforesaid by plaintiff after all just credits had been given (he not having been paid any sum thereon) a true description of the lot of land on which said house was erected together with a particular description of the one acre of said lot on which said house is situated and upon which and acre of land his lien was intended to apply embracing also a description of said house or so nearly a true description as to identify the same with the name of the owner and verified by affidavit as the law directs (a certified copy of which is herewith filed) Plaintiff states that said indebtedness to him accrued within four months next before the filing of said account to secure said lien, Plaintiff states that he has when, on said house and the one acre of land in which it is situate as hereinbefore particularly described to secure said indebtedness, he therefore asks judgment against Defendants for the sum of Forty six ⁷⁵/₁₀₀ Dollars with interest and costs of suit and to enforce his said Mechanics lien against the said house and one acre of land aforesaid by a special execution against the same to be levied thereon according to the provisions of the Statute in such cases made and provided

Jos. J. Williams
Atty. for Plaintiff

True copy of the original

Witness, W. S. Poyce clerk

of said Court with the seal thereof
herunto affixed at office December
20th 1877.

W. S. Boyce Clerk,
By Chas. Horine Depy.

Conrad Huey Plaintiff
 Against
 Eliza Dwyer & C. J. Dwyer husband of said Eliza Dwyer Defendants,
 In the Circuit Court of Jefferson County, Missouri

Plaintiff states that the Defendants owe him Forty six & 70 dollars for tin, guttering, zinc, repainting and divers other items of work labor & materials the particulars of all which appear by the following account as well as the dates of the accruing thereof viz,

1872 May 4th Eliza Dwyer & C. J. Dwyer

To Conrad Huey

Dr.

	To repainting gutter on house	2.50
1872 Oct 7 th	" 36 ft. tin @ 12 ^{cts} per foot	3.40
" " "	" 1 Bay window put in house	20.00
" " "	" Zinc for wash stand in house	10.00
" " "	" 25 feet of pipe @ 16 ^{cts} per foot	4.00
" " "	" 3 Elbows @ 20 ^{cts} each	.60
" " "	" Work on house of Eliza & C. J. Dwyer	3.00
" " 10 th	" 2 pounds of glue @ 22 ^{cts} per pound	.45
" " "	" 5 pounds 6 penny nails @ 8 ^{cts} per pound	.40
" " 16 th	" 5 " 20 " " @ 8 ^{cts} " "	.40
	Total,	\$ 46.75

And plaintiff avers that said materials were furnished by plaintiff for Defendants at their request and said work and labor was performed by plaintiff for Defendants at their request and said materials were used in and said work and labor performed in the building and repainting at the request of Defendants of a two story brick house erected and standing

upon Lot Number three containing two & ⁴²/₁₀₀ acres more
or less in the town of Windsor Harbor in Jefferson County
Missouri and on one acre of said lot particularly
described as follows viz: Beginning at the South East
corner of said lot Number three thence running North
13° West 6 chains & 74 links with the South boundary line
of said Lot thence North 3° East 149 links thence South
13° East 6 chains & 74 links thence South 3° West 149 links
to the place of beginning containing one acre, That labor
was performed and paid materials furnished and used
in said house by Plaintiff for defendants as original con-
tractor for said services & labor & materials under a con-
tract with C. G. Dune as agent and trustee for Eliza
Dune his wife for the repairing and furnishing of said
house (which was theretofore partly constructed) and
that said labor & work were done upon & said materials
used in the same, that said Eliza Dune was at the
time said labor was done & materials furnished and still
is the owner and proprietor of the house aforesaid and
the lot upon which the same is situated as aforesaid
and of the one acre thereof herein particularly described
as aforesaid and said C. G. Dune then was and still
is her husband, That the plaintiff for the purpose
of obtaining the benefits of the provisions of the Statute under
Chapter 175 of the General Statutes of Missouri, concerning
Mechanics liens did on the 27th day of November 1877
file with the clerk of the Circuit Court of said Jefferson
County Missouri a just and true account of the

- demand due the Plaintiff for said labor and materials done upon and used in said house as aforesaid by Plaintiff after all just credits had been given (he not having been paid any sum thereon) and a true description of the Lot of land ~~and the house~~ on which said house was erected together with a particular description of the one acre of said Lot in which said house is situated and upon which and acre of land his lien was intended to apply embracing also a description of said house or so nearly a true description as to identify the same with the name of the owner and verified by affidavit as the law directs (a certified copy of which is herewith filed) Plaintiff states that said indebtedness to him accrued within four months next before the filing of said account to secure said lien, Plaintiff states that he has a lien on said house and the one acre of land in which it is situate as hereinbefore particularly described to secure said indebtedness he therefore asks judgment against Defendants for the sum of Forty six & 2/100 Dollars with interest and costs of suit and to enforce this said Mechanics lien against the said house and one acre of land aforesaid by a special execution against the same to be levied thereon according to the provisions of the Statute in such cases made and provided

Jose Williams
Atty. for Plaintiff

A true copy of the original, Witness D. S. Bryce Clerk of said
Circuit Court of the United States at office December 20 1877
By D. S. Bryce Clerk
By C. McNamee Deputy,

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

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon

C. G. Jones

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 *Second* Monday after the fourth Monday of *January* next, then and there to answer unto

Conrad Muezy

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *2nd*

day of *December* A. D. 18*72*

W. S. Boyce

Clerk Circuit Court.

By

W. H. Crine

Deputy.

I Executed the within in the county of Jefferson
State of Missouri on C. G. Downe by Delivering him
a true copy of the within Petition as furnished me
by the clerk of Said court on 20 day of Dec^r

1872

E. B. Moss Sheriff

3821

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

January TERM, 1873.

Samuel M. Mery

C. G. Downe et al

88

original

pr. 46.75
m. 1.16
\$47.91

Sherriff Fee 1.00

Book 7.

Judgment p. 88. Dec 47.91

May 1873

and to enforce lien.

Justice & Powell

217 N 4th St

St Louis

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

The State of Missouri,

St Louis

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

We command you, that you summon

Eliza Davis

if ~~she~~ 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 ~~Second~~ Monday after the fourth Monday of ~~January~~ next, then and there to answer unto

Conrad Muerz

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto af-
fixed, at office in Hillsboro, this *20th*

day of *December* A. D. 18*82*

W S Boyce

Clerk Circuit Court.

By

W H Horne

Deputy.

Copy kept
 " 2 mds
 " given
 " at St. Louis

✓

RETURNA BLE
 TO
 JEFFERSON CIRCUIT COURT.

January TERM, 1873.

Conrad Henry

vs
 Eliza Plowme et al

27

original

Executed this writ in St Louis County on the 27th day of
 December 1872 by delivering a copy of the writ
 and petition as furnished by the clerk to
 Eliza Plowme

Philip C Taylor
 Sheriff St Louis County
 by P. Bischoff
 deputy

fees \$ 1.00
 paid.

COUNTY OF JEFFERSON, MO.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

Whereas, Carroll Myers on the twenty first day of May in the year of our Lord eighteen hundred and seventy three, at our Circuit Court, hath recovered against Eliza Darnes and L. G. Darnes the sum of forty seven & 9/100 dollars for his debt and damages and whereas it was further adjudged at the same time that said Carroll Myers have special execution against the following described Real Estate to wit: at two story brick house situated on lot three of Windsor Harbors Jefferson County Missouri, to the extent of one acre viz. Beginning at the south East corner of said Lot, thence three hundred thirty eight feet north 80° west 6 chains & 74 links with the south boundary line of said Lot. Thence south 50° East 149 links, thence South 80° East 6 chains & 74 links, thence South 50° West 149 links to the place of beginning containing one acre, and if said property be not sufficient to satisfy said debt interest and costs then this execution to be levied of any other goods and chattels and Real Estate of defendants or either of them,

These are, therefore, to command you, that of the Goods and Chattels, and Real Estate of the said Eliza Darnes & L. G. Darnes you cause to be made the said Debt, Damages and Costs, and that you have the same before the Judge of said Court on the second Monday of September next, to satisfy the Debt, Damages and Costs aforesaid, and that you certify how you execute this writ, and have you then there this writ.

Witness, W. S. BOYCE, Clerk of our said Circuit Court at Hillsboro, this Eleventh day of July
A. D. eighteen hundred and seventy three

W. S. Boyce Clerk.
Chas. C. Ho. Marine Dept.

This Execution came to hand the 22 Day of July 1873 and I did on the same day levy upon and seize the following Real Estate and property as the property of Eliza Doune & C. G. Doune To wit. - A two story brick house situated on Lot 3 of Windsor Harbor, Jefferson County Missouri - to the extent of one acre, viz beginning at the South East corner of said lot number three. thence running North 85 deg. West 6 chains & 74 links with the South boundary line of said lot - thence North 5 deg. East 149 lks. thence South 85 deg East 6 Chains & 74 lks - thence South 5 deg West 149 lks to the place of beginning - Containing One acre - and having previously to the day of sale hereinafter mentioned given at least twenty days notice of the time terms and place of sale and of the property to be sold and where situate as the law directs by advertisement in the Jefferson Democrat a newspaper printed and published in Jefferson County Missouri - a copy of which advertisement is herewith returned - I did agreeable to said advertisement, at the Court House door in the town of Hillston in said County on the eleventh day of September 1873 during the session of the Circuit Court of said Jefferson County at the September term thereof for the year 1873 - expose to sale at public auction for ready money the real estate and property herein before described - and at said sale Philip Pipkin was then and the highest and last bidder for said property as herein before described at the price and sum of of Seventy Six Dollars and the same was stricken off and sold to him at and for that sum - And this Execution is returned satisfied
Sept 11 1873

J B Moseiff

No. 24

TO THE CIRCUIT COURT OF

JEFFERSON COUNTY.

September

Term, 1873.

Conrad Wueery

vs
W. G. & A. G. Doune

Indgt. May 21 1873

But to do

Amount.

47.91

Boyer C. M.

10.25

W. B. Moseiff

1.20

and Geo. B. Moseiff.

2.00

Printer
W. B. Moseiff

61.36
10.25
1.00

own

add

72.61
2.16

74.77

May 11