

Tofterson County Circuit Court
Case Files - Civil
May 1873, No. 2

Flynn, Michael

vs.

Beckett, Thomas H.

Broskie, Henry L.

Wells, Solomon

Wells, Melissa, et al

Set aside conveyance

Block 17 conveyed to defraud
creditors; other defendants
Josephine, Isabella, Lilly P.,
and Charles H. Beckett;
Kimswick

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Michael Flynn Plaintiff

vs
Thomas H. Beckett, Henry
L. Brodaski, Solomon
Wells, Melisa Wells, Josephine
Beckett, Isabella Beckett,
Lilly P. Beckett, ^{and} Chas. H. ~~and~~
Beckett, Defendants. } State of
Missouri,
Jefferson
County,
In the Circuit
Court, May
Term 1873.

Michael Flynn the above named plaintiff says that on the first day of May 1868, and for a long time prior thereto, he, plaintiff, together with one of the defendants, Thomas H. Beckett, and with David E. Perrymann, Arch. R. Taylor, William A. Matthews, were ~~several~~ sureties upon a certain bond given by one Geo. R. French to the State of Missouri, in the sum of ten thousand dollars, conditioned upon the faithful discharge of his duties by said Geo. R. French as Public Administrator of Washington County in the State of Missouri. That prior to said 1st of May 1868, said French did commit a breach of the condition of said bond by converting to his own use a large part of an estate in his hands as said public administrator, to wit the large sum of eleven hundred dollars - of the estate of one Margaret Ann Hobart, dec'd. - and that thereby the said bond became forfeited and all of said sureties liable to pay their proportionate

part of said sum so converted, of all of which said Thos H. Beckett had notice;

That afterwards, to wit at the time 186 of the Washington Circuit Court, suit was brought on said bond against plaintiff, and at the time 187 of said Court, judgment was obtained against him on said bond for 1000 dollars, interest and costs, amounting in all to about 1200 dollars.

That by law since said said ~~said~~ judgment and thereby became & now is a creditor of said Thos H. Beckett. That all his co-sureties, as well as the said Geo. R. French, the principal, are insolvent and unable to pay their proportionate part of said sum except said Thomas H. Beckett and one Arch. R. Taylor.

That with the intent to hinder, delay and defraud his creditors in general, and in particular with the intent to hinder, delay and defraud this plaintiff, a subsequent creditor, of their lawful actions, damages, debts, and demands, the said defendant Thomas H. Beckett, on said 1st day of May 1868, made executed and delivered a certain conveyance of the following described real estate, situate in Jefferson County Missouri to one of the defendants, Henry L. Brodacki, as trustee for the former wife of said Beckett, Mrs Eliza Beckett, to wit, Block 17, as laid down in that plat of the Town of Krummrich which was filed for record at the recorder's office for Jefferson County, on the 29th

of August 1866 - in which conveyance said Beckett pretends to have received 500 dollars from said Mrs Eliza Beckett, his wife, and one dollar from said Brodarski, the trustee - But plaintiff says said deed was made without any consideration, that it was voluntary, and made with the fraudulent intent aforesaid.

That said Eliza Beckett, wife of Thomas H. Beckett died in the year 1869 -

That the ~~other~~ said Solomon Wells is the husband of Melissa Wells, and that she, and Josephine, Isabella, Lilly P. and Chas. H. Beckett, the four latter of whom are minors, & for whom plaintiff prays that a guardian ad litem be now appointed, are the only heirs of said Eliza Beckett, decd. -

That all of aforesaid now claim to own said real estate by virtue of said fraudulent conveyance -

Wherefore plaintiff prays that said conveyance be declared null ^{and utterly} void as to plaintiff and as to him or those claiming under him, be set aside and cancelled - and for such other and further relief as to the court may seem equitable and just, in as much as said real estate is the only estate, real or personal in which said Thos H. Beckett has any interest, and unless said conveyance is declared void, said real estate may pass into the hands of innocent purchasers for value & the plaintiff thereby be defeated of his lawful and equitable rights. And as in duty bound, Your petitioner will ever pray -

Respectfully,
Michael T. Lipson, plaintiff -
of counsel

Michael Flynn ~~per~~

vs

Thomas H. Beckett,

Kenneth L. Bolaski,

Solomon Wells.

Meekins Wells, et al.
Debtors.

Bill in equity to
set aside conveyance.

Receivers of Rice
Also ~~per~~

Filed Jan'y 15th 1873

W. S. Boyce cc

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

The State of Missouri,

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

We command you, that you summon *Thomas H Beckett*
Solomon Wells, Melissa Wells, Josephine Beckett, Isabella
Beckett, Lilly P Beckett, and Charles H Beckett

if they be found in your County, that they 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 May next, then and there
to answer unto

Michael Flynn

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 *Eleventh*
day of *February* A. D. 1873

W S Boyce Clerk Circuit Court.

By *Chas Howine* Deputy.

I executed the within writ at the County of Jefferson
 State of Missouri on the within named Defendants Solomon
 Wells, Melissa Wells, Josephine Beckett, Isabella Beckett
 Lily P. Beckett Charles W Beckett Thomas W Beckett
 by Delivering each of them a true copy of the writ
 and Petition as furnished me by the clerk of the
 Circuit Court on the 11th day of April 1873

L B Mofshuff

Henry L. Brolaskia not found in my county

|||||

this the 15. day of April
 1873

L B Mofshuff

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3882

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

May TERM, 1873.
 Michael Dwyer
 vs

Solomon Wells,
 Melissa Wells,
 Josephine Beckett
 Isabella Beckett
 Lily P Beckett
 Charles W Beckett
 Thomas W Beckett
 Henry L Brolaskia

(original)

Michael Flynn }
 Thomas St Beckett & Co }

Boyer also.

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