

Jefferson County Circuit Court
Case Files - Civil

May 1877, No. 49

Green, M. W.

vs.

Carroll, Rose

Carroll, Edward

Carroll, Martin

Carroll, Isabel

Enforce vendor's lien

Debt on 3 notes of \$100 each for
purchase of 2 lots in Sulphur
Springs

Box 37 Folder 36



Supper of Misses Sept 1st 1883

Three months after date I promise to pay to
the order of Mr. W. Greece

DOLLARS.

One hundred

at Ten per cent per annum
Value received



No Due

John Carroll

May 26th 1873
Credits on the
Within Note.
Fifty Dollars



\$ 100 00

~~Wm. L. Sulphur Springs~~
Sulphur Springs ~~W. Va.~~
July 1st 1883

~~Five~~ Months after date I promise to pay to
the order of Wm. W. Greene

DOLLARS.

One hundred

at 100 per cent to ~~Wm. L. Sulphur Springs~~
Value received



John Carroll

No. Due

1000

1000

Five Months after date of promise to pay to
the order of Mr. W. Greene

DOLLARS.

at Ten Per Cent. Monthlies Paid
Value received



John Carroll

No. Due

M. W. Green Plaintiff

^{vs}
Rose Carrol
Edward Carrol }
Martin Carrol } Defendants
Isabel Carrol }

In the Circuit Court
of the County of Jefferson
State of Missouri.

The plaintiff states that on or about
the day of February 1873. he sold
and conveyed to one John Carrol
the ancestor of the defendants the
following described real estate to
wit Lots numbered Three (3) and four
(4) Block number five (5) in the
Old Town of Sulphur Springs.
fronting ninety six (96) feet on
Sulphur Springs street by ninety
six (96) feet to an alley ^{and} bounded
on the north by third (3) street.
The said property being well known
as the "Francis Smuckert property"
in said Sulphur Springs in
the County and State aforesaid.
That the consideration agreed to be
paid for said real estate by said
John Carrol was four hundred

and fifty dollars of which sum the said Carral paid to plaintiff one hundred and fifty dollars, and gave his three promissory notes hereto attached and made parts of this petition, for one hundred dollars each dated the first day of February 1873 and due in three six and nine months from date; that afterwards to wit on the 26th day of May 1873 said Carral paid on the first of said notes the sum of fifty dollars leaving a balance due upon said note of fifty dollars, for which with the interest thereon plaintiff asks judgment.

Plaintiff further states that the second of said notes is also due and remains unpaid and for which with interest plaintiff asks judgment.

And plaintiff further states that the third and last named note is also due and is unpaid and for which he asks judgment.

Plaintiff further states that after the making of said notes by said

Carroll and the execution and delivery of the deed to him of the property aforesaid the said Carroll departed this life on or about the 25th of February 1875 without having made any provision for the payment of the said unpaid purchase money, and leaving no estate whatever other than the above described real estate, except a very small amount of personal property not sufficient to satisfy the absolute property of said Carroll's widow - all of which has been taken by her. Plaintiff states that there has been no administration upon said Carroll's estate he having left nothing except as above stated.

Plaintiff therefore states that he has a vendor's lien upon the real estate above described for the unpaid purchase money due upon said notes as aforesaid and prays judgment for the same against said property and that the same may be ordered adjudged and decreed to be sold to satisfy said judgments & for such other and further relief as may be proper

P. P. P. P.

Plff. atty.

COUNTY OF JEFFERSON.

The State of Missouri,

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

We command you, that you summon *Rose Carroll*
Edward Carroll *Martin Carroll* and
Isabel Carroll,

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 *May* next, then and there to
answer unto

M. W. Green

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

Witness, C. THO. HORINE, Clerk of our said
Circuit Court, with the seal thereof hereunto af-
fixed, at office in Hillsboro, this *23rd* day
of *April*, A. D., 187*7*.

C. Th. Horine, Clerk Circuit Court.

419 2010
165

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

May TERM, 1877.

M. M. Green

vs

Rose Carnol

Edward Carnol

Martha Carnol

Isabel Carnol

John Williams

Sheriff's fee \$4.00

original

405,75-

226,250

713 3413

I Executed this Writ in Jefferson County Mo on the 25th Day of April 1877 by Delivering to Rose Carnol a true copy of this Writ and Petition, and on Edward Carnol Martha Carnol and Isabel Carnol by Delivering to Each of them a true copy of this Writ

John Williams Sheriff

M. H. Green

Carroll & Carroll

Now comes said Mrs - Carroll
by her atty and the said miners by their
Guardians ad litem Tho H Mcmullen and
answering the petition of Plaintiff say that
they ~~do~~ have no knowledge or information
sufficient to form a belief as to the truth of
the allegations of said petition. wherefore they
strict legal proof of all facts material to
be found affirmatively, before the relief prayed
for is granted

Tho H Mcmullen

Attorney

& Guardian

Green

²

Carroll stone

Answer

Filed May 25 1877

Le The Home

clearly

SHERIFF'S SALE.

By virtue and authority of a special execution issued from the office of the Clerk of the Circuit Court of Jefferson county, Missouri, and to me, the undersigned Sheriff, delivered in favor of M. W. Greene, and against Rose Carrol, Edward Carrol, Martin Carrol, and Isabel Carrol, bearing date August 13th, 1877, and returnable to the September 1877 term thereof, I have levied it upon, and seized the following described real estate and property, lying and being in Jefferson county, Missouri, as the property of Rose Carrol, Edward Carrol, Martin Carrol, and Isabel Carrol, and described as follows, to-wit:

Lots No. three and four in block No. five, in the old town of Sulphur Springs, fronting ninety-six feet on Sulphur Springs street, by ninety-six feet to an alley, and bounded on the North by third street, the said property being well known as the Francis Schenhart property.

And I will, on **FRIDAY, THE 14TH DAY OF SEPTEMBER, 1877**, at the Court House door, in the town of Hillsboro, in the county of Jefferson, State of Missouri, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of that day, and during the session of the Circuit Court, sell all the right, title, claim, estate and property, of the said Rose Carrol, Edward Carrol, Martin Carrol, and Isabel Carrol, of, in, and to the above described real estate and property for cash in hand, to the highest bidder, to satisfy said execution and costs. Dated at Hillsboro, this 16th day of August, A. D., 1877.

SHERIFF'S SALE.

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STATE OF MISSOURI, COUNTY OF JEFFERSON.

We it Remembered, That on this 28 day of Sept, 1877, before the undersigned Clerk of the Circuit Court of Jefferson County, Mo., came R. W. McMULLIN, who, being by me duly sworn, says the annexed advertisement was published in the "JEFF'N DEMOCRAT," a newspaper printed and published in the County of Jefferson, State of Missouri, of which he is printer, for 4 weeks, the first insertion being on the 24 day of Aug, 1877, and the last insertion on the 14 day of Sept, 1877, as follows, to-wit:

upon his arrival in New York, a convention of Free Traders is to be held at Saratoga, N. Y., September 8, to form permanent organization of the National Free Trade League, and to take such action as will bring to the attention of the Government and Congress the importance of making some radical changes in our present tariff.

Gen. Thomas D. Hoxie has been nominated as the Greenback candidate for Governor of New Jersey.

Senator Morton had a slight attack

In No. 34, Auguer 24, 1877
 In No. 35, "" 31, 1877
 In No. 36, Sept 7, 1877
 In No. 37, "" 14, 1877

(Signature)

Sworn to and subscribed before me, this

28 day of Sept, 1877.

Printer's Fee, \$ 8 } Paid
 Affidavit, \$ 0

C. P. Morine Clerk.

Received Payment,