

Jefferson County Circuit Court

Box

37 Fold - 49

Case File - Civil

September 1877, No. 18

Harrington, C. W.

Dunaway, Addie A.

Dunaway, J. F.

Minniee, Nancy E.
et al

VS

Cowan, J. Eges

Debt

Debt \$500 for purchase of
Survey 1303 T 42 R 6 E; other
plaintiff John Minniee

State of Missouri }
Jefferson County } In the Circuit Court
September Term 1877

C. W. Harrington
Adelia A. Dumirway and
J. F. Dumirway her husband,
Nancy E. Minniece and
John Minniece her husband Plaintiffs
Against
J. Epes Cowan Defendant

The Plaintiffs state that Adelia A. Dumirway and J. F. Dumirway are husband and wife, and that John Minniece and Nancy E. Minniece are husband and wife.

The Plaintiffs complain of the defendant J. Epes Cowan, and for cause of action state that on the 6th day of January 1870 they jointly sold to defendant, the undivided one fifth part of the following tract of land in Jefferson County, Missouri: to wit: all of United States Survey No 1303 in Township forty two north of Range Six East of the 5th Principal Meridian, containing 240 acres confirmed to Peter Dorion and his legal representatives; at and for the price and sum of Five Hundred Dollars; and on the day

aforesaid, executed their deeds conveying the same to him, and delivered said deeds to defendant. That no part of said purchase money has been paid by defendant, though payment has been demanded, wherefore the defendant is indebted to the plaintiffs in the sum of Five Hundred dollars, ~~for which~~

v That the plaintiffs have a lien as vendors, upon said premises, for the payment of said purchase money, which they claim in this action. Wherefore the plaintiffs demand judgment for the said sum of Five Hundred dollars with interest from the 6th day of January 1876, and that the Court render judgment directing a sale of the said land and ^{that} so much of the proceeds as may be necessary be applied to the payment of the judgment so to be rendered, with such other relief, judgments and decrees as plaintiffs may be entitled to together with their Costs.

Byrne & McCallum
Attorneys for the Plaintiffs

C. M. Harrington
Jas. L. Linn

Filed Aug 2nd 1877.
C. H. W. W. W.
Clerk

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 J Epes Cowan

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

*C. M. Harrington, Adelia H. Duniway
J. F. Duniway, Nancy E. Minniece and
John Minniece*

upon *their* 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 affixed, at office in Hillsboro, this *6th* day of *August*, A. D., 1877.

C. Tho Horine, Clerk Circuit Court.

184561

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1877.

Wm. A. Mendenhall
et al

J. E. Egan
vs
J. E. Egan

Original

John W. Williams Sheriff

for \$100

I Executed this Writ in Jefferson County Mo
on the 14th Day of August 1877 on J. E. Egan
vs J. E. Egan by Leaving a true copy of this Writ
and Petition at his usual Place of abode
With a member of his family over the
age of fifteen years

John W. Williams Sheriff

1 C. M. Herrington
2 Adelia H. Dunaway
3 and J. F. Dunaway
4 Nancy E. Minniece
5 and John Minniece
6 Plaintiffs
7 against
8 John Epes Cowan
9 Defendant
10 } In The
11 Circuit Court
12 of Jefferson County
13 State of Missouri
14
15 Sept Term 1877

11 Now comes the defendant J. Epes
12 Cowan and for answer to the petition
13 of the plaintiffs in the above entitled
14 cause, states that he has no knowl-
15 edge or information sufficient to form
16 a belief as to whether J. F. Dunaway
17 and Adelia H. Dunaway, and John
18 Minniece and Nancy E. Minniece
19 are respectively husbands and wives
20 as alleged in said petition
21

22 And Defendant denies that on the
23 6th day of January 1876, plaintiffs
24 jointly sold to defendant the undi-
25 vided one fifth part of the tract
26 of land described in said petition;
27 Denies that on the day aforesaid
28 plaintiffs executed their Deeds convey-
29 ing the same to him and delivered
30 said Deeds to defendant;
31 And Denies that he, Defendant, is
32

now, or ever has been, indebted to the plaintiffs in the sum of Five Hundred Dollars or any other sum whatever.

But on the contrary defendant states that said plaintiffs never executed and delivered any Deeds for said land to him; that he never received any such Deeds or Deed; and that he does not now claim, and never has claimed, any part or interest in said described land by, through, from or under said plaintiffs or either of them;

And that he does not now ^{hinder} and never has hindered, plaintiffs from asserting, maintaining, or exercising any rights which they may have in said land.

And defendant denies that plaintiffs or either of them, have a lien as vendors upon said land for the payment of any money whatever, as against this defendant;

and denies that plaintiffs are entitled to any judgment or decree whatever against him.

Therefore he asks to be discharged with his reasonable costs herein.

Edw Branch Cowan
Attorney for Defendant
J. Epes Cowan

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C. M. Herrington
et al
vs
J. Epes Cowan
Sept Term 1877
Answer

Filed Sept. 12 1877
Otho' Herring
Clerk

1 C. M. Herrington
2 Adelia H. Dunaway
3 J. F. Dunaway
4 Nancy E. Minniece
5 & John Minniece. -
6 against ^{Plaintiffs}
7 J. Epes Cowan -
8 ^{Def}

In the Circuit
Court of Jefferson
County, Missouri
Sept Term 1897.

10 Now comes the defendant J. Epes
11 Cowan in the above entitled cause
12 and moves the Court to rule
13 the plaintiffs in said cause to
14 give security for the costs in
15 said cause for the reason
16 that said plaintiffs are non-
17 residents of the State of Missouri.
18
19 J. Epes Cowan
20 ^{Defendant}
21 by his Attorney
22 Egan Branch Cowan

C. M. Kerrington

cal 22

J. Edgar Brown

Motion for security
 per costs.

Filed Sept. 12 1887

The Home
Cooks

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To John A. Morse & Sam Barnes

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 17th day of January, 1878, at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein C. M. McDemington et al;

is Plaintiff, and J. E. Es. Carson; and herein you are in no wise is Defendant, on the part of Plff.; to fail and bring with you certain deeds from C. M. McDemington and achens to J. E. Carson,

Witness, C. THO' HORINE, Clerk of our said Court, with the

seal thereof hereto affixed, at office, this 15th day

of January, A. D., 1878.

C. Tho' Horine CLERK.

Executed the
within ~~Penita~~
~~with~~ By Redin
to the ~~quidans~~
~~consequence~~ witness

Andrew
Owens

~~James~~
to

~~Memphis~~

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To John C. Herrington, Joshua Herrington, Frank McCreel and
J. M. Barrows,

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 17th day of January, 1878, at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein John C. Herrington et al is Plaintiff, and J. Epes Corran; and herein you are in no wise is Defendant, on the part of Peoff, to fail. And you & M. Barrows are ordered to bring with them certain deeds from C. M. Herrington and adhere to J. E. Corran,

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 7th day of January, A. D., 1878.

C. Tho' Horine CLERK.

Herrington

^{to}
Coran

P.

John C Herrington
Joshua Herrington

John H Morel } ^{Spa}
S M Barrows } ^{duces tecum}

John Williams \$2.00
Sheniff

I executed the within Sups in Jefferson County me on the 16th day
of January 1878 on Samuel the Barrows by reading the said to
him in his presence and hearing and I further executed the
same on Joshua Herrington on the 16th day of January 1878
by leaving him a true copy of the same at his usual place
of abode with a true and correct person a member of his family over
the age of fifteen years
J M Herrington
Constable

C M Herrington et al } vs the Jefferson
J Epe^r Cowan } Cir. Ct. of Missouri

We bind ourselves to pay all costs
that have accrued or that may accrue in
the above entitled cause

January 14th 1878

Thos L Mcmullen

Sam Byrnes

Herrington
Craw

and for Cash

Filed Jan'y 16, 1878
Miss Anne
Craw

STATE OF MISSOURI,
COUNTY OF JEFFERSON.

To *J. M. Barrows & John W. Horne*
vs John A. Nerrington & Joshua Nerrington

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 15th day of May, 1878, at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein J. M. Nerrington et al are Plaintiffs, and Jos. A. Horne is Defendant, on the part of J. M. Barrows being with you deeds from Plaintiffs to defendant, to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 7th day of May, A. D., 1878.

C. Thos. Horine CLERK.

Herrington et al

vs

Corran

P

J M Barrows

Jno K Morse

Joshua Herrington

Jno C Herrington

FILED

JUN

1878

L. H. Hume
CLERK.

Given that the within (Gra) at the County of Jefferson and
State of Missouri on the 8th day of May, 1878 by reading same
in the presence and hearing of J. C. Herrington

John Williams Sheriff
By J. C. Herrington

605
125
480

C. M. Herrington et al,

Jno & p^{rs} Corran,

Bill of costs due by

Byrns & Mc Mullin securities on the
bond of plffs. for costs.

C. Tho. Horine clerk, \$ 4.80

Jno Williams Juff, 1.50

Joshua Herrington wit, 3.28

S M Barrows, " 3.28

J. L. Herrington " 2.60

Due by Byrns & Mc Mullin, \$ 15.46