

DeFensen County Circuit Court
Case File - Civil
September, 1878, No. 542

Herman, Otto
Brown, M. R.

vs
Flinn, George

Mechanics Lien

#200 for stone work; 2-story
brick dwelling house; lots 1, 2,
Block 20 in DeSoto

Box 38 Folder 5

Otto Herman and
M. R. Brown - Plaintiffs } In the Circuit Court
Against } of Jefferson County
George Flint - Defendant } Mo.
September Term 1878

The Plaintiffs state that the Defendant is the owner of Lots number one and two in Block number Twenty in the City of DeSoto County of Jefferson and State of Missouri; That on the day of 1877, the Defendant made a verbal contract with the Plaintiffs by which Plaintiffs agreed with Defendant to construct and erect for him on the lots aforesaid a two story brick dwelling house, and also to furnish certain materials to be used in the construction of the said two story brick dwelling house, that for the doing of such work and the furnishing of such materials Plaintiffs were to be paid by Defendant the prices stated in the following account which shows the amount of the work done by Plaintiffs for Defendant in the building and erection of the said two story brick dwelling house and also the amount of materials for the same furnished by them therefor to wit:

George Flint Dr

To Otto Herman and M. R. Brown Dr

To 77 Perches of stone work in the building of the foundation of said House at $1\frac{1}{2}^{\text{ts}}$ per perch / 109.34
To Water Table 120 feet at 40^{ts} per foot 48.00

15 Window sills at \$1. ⁵⁰ each	22.50
3 Cellar Windows sills at 50¢ each	1.50
16 barrels of lime furnished at \$1.10 each	17.60
59500 Bricks furnished and laid up in the wall at \$9. ⁷⁵ per 1000	580.10

making a Total of Seven Hundred & Seventy nine (\$779.04)
and Dollars and four cents.

Plaintiffs state that all said materials were by them furnished to said Defendant as the same are charged for in the said account and that said work and labor was done and performed by them in the construction of and erection of said two story brick dwelling house as herein set forth, all of which work and labor done by them and which said materials furnished by Plaintiffs was done by them as original Contractor with Defendant.

Plaintiffs state that they did undertake and perform the work and labor aforesaid in the construction and erection of said two story brick dwelling house on said lots the property of Defendant and did furnish the said materials to be used in the construction of the said two story brick dwelling house and which materials were used in the construction of the same, for which the Defendant became and was indebted to Plaintiffs in the sum of Seven Hundred and Seventy nine ⁰⁰/₁₀₀ Dollars, -

Plaintiffs state that the Defendant paid Plaintiffs in cash on account of said work the sum

of Two Hundred and seventy nine and ⁴⁴/₁₀₀ Dollars leaving a balance due Plaintiffs of Two Hundred Dollars, which sum Defendant has failed to pay Plaintiffs, and which said sum of Two Hundred Dollars is still due and owing to them and for which they ask judgment.

And Plaintiff further state that on the 12th day of June 1878 and within six months from the time of the completion of said work, they filed in the office of the Clerk of the Circuit Court of Jefferson County Mo a just and true account and of the demands due Plaintiffs for the said work and the furnishing of the said materials after all just credits and offsets had been given the Defendant duly verified by the affidavit of Plaintiff and which said account is intended to be a lien on the said two story brick dwelling house and the lot on which the same is situated being Lots number one and two in Block number twenty in the City of Desoto in the County of Jefferson in the State of Missouri, on account of the work and labor done by Plaintiffs and of the materials furnished by them in the construction of said two story brick dwelling house, and stating that the Defendant was the owner of the said house and the said lots on which the same is erected.

Plaintiff state by virtue of the law con=

cerning Mechanics Liens, They have, ~~a & are~~ ~~entitled to~~ a lien on the said two story brick dwell-
 ing house and on the said lots on which said house
 is erected on account of the work and labor done
 by them and the said materials furnished in the
 construction of the same the property of Defendants,
 Wherefore the Plaintiffs pray judgment for the
 said sum of Two Hundred Dollars, and that their
 said lien be enforced against the said two
 story brick ^{dwelling} house and the lots on which the same
 is situated, and that the same be ordered sold
 for the payment of the said demand due and
 owing to Plaintiffs ~~as aforesaid~~ and for such other
 relief as may be just and proper.

Williams & Green

Attorneys for Plaintiff

Otto ~~W. Brown~~ and
 M. R. Brown

vs
 George Hunt

On Mechanics Lien

Done to Jeff. C.

FILED

AUG
 20
 1878

L. H. A. Morris
 CLERK.

L. H. A. Morris
 CLERK.

RECEIVED

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

George Mint

if found in your County, to 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 of *September* next, then and there to answer unto

Otto Herman

A. R. Brown

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

Witness, C. THO' HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *20* day of

August, A. D., 1878.

C. Tho' Horine, Clerk Circuit Court.
By C. E. Honey
Deputy

I Executed the within writ in Jefferson County Mo
on the 22nd day of August 1878 on George Flint by
delivering to him a true copy of this writ and Petition
as furnished me by the clerk

John Williams Sheriff
By John R Cook Deputy

#342
4568

RETURNABLE

-TO-

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1878.

Otto Herman

M. P. Brown

vs
Geo. Flint

Original

\$100
22

Atto Herman and
M. R. Brown Plaintiffs

against
George Flint Defendant

In the Circuit Court of
Jefferson County Mo.
January Term A.D. 1879

Now at this day comes the
Defendant and for answer to
Plaintiffs petition deny each
and every allegation in said
Plaintiffs petition not herein
after admitted,

Defendant denies that he
is the owner of the lots on
which the house mentioned
in Plaintiffs ^{Petition} belong to him
but the title to the same
~~is~~ ^{is} in his wife Ellen Flint.
He denies that said lien was
filed within six months
after said work was done.
Defendant admits that
Plaintiffs did the work
mentioned in plaintiffs
petition and says that
the ^{balance} ~~balance~~ claimed by

Plaintiffs, was fully paid
to them & in the manner
following, one J. W. Fletcher
was indebted to the Defend-
ant in the sum of Two hundred
dollars, and the Plaintiffs
agreed to take said debt
~~and~~ ^{on} said J. W. Fletcher and
the said J. W. Fletcher agreed
to settle the same with
the Plaintiffs thereby transferring
the debt owed by said Fletcher
to Defendant to said Plaintiff
and the said Plaintiffs
agreeing to take the same
~~in full payment of the claim~~ ^{on} ~~and thereby releasing and~~
settling said claim.

Wherefore said Defendant
states that said ~~claim~~ ^{debt} has
to Plaintiffs has been fully
paid and settled, Defendant
having fully answered lastly
to be discharged with costs

John L. Thomas & Co
Atty for Defendant

50
 50
 10
 25
 5
 25
 Cent. 50
 1.95

Chas Morine CLK,

3 files ¹⁵/ copy ⁸⁰/ exs ⁵⁰/ sum & copy ¹¹⁰/ \$ 2.45

Ans ³⁰/ Cont. ²⁵/ Indgt. ⁵⁰/ Dis. ³⁰/ 1.35

Fee bill ¹⁰/ Costs ⁰⁵/ sat. ⁹⁵/ 40

\$ 4.20

John Williams Shff.

Sum. ¹⁰⁰/ calls ¹⁰/

\$ 1.10.
\$ 5.30

Herman and Brown

against
George Hunt

Gusson.

FILED

JAN 17 1879

John Williams
CLERK

Do Loto Jan. 23. 1879.

Sirs.

You will please dis miss the suit
and we will pay the costs jointly

Yours Truly

Hermann & Brown

George Hunt



WRITE THE ADDRESS ON THIS SIDE - THE MESSAGE ON THE OTHER.

Meber
William Green
Hillsboro
Nev