

DeForsan County Circuit Court
Case File - Civil

Box

8

Folder

41

November 1855, #12

Allen, Thomas
Allen, Ann R

vs

Herrington, Isaac
Herrington, Isaac S.
Willemann, James

Trespass

Cut and removed timber from
U.S. Surveys 921, 922-741 123, 4 E;
\$300 damages

Thomas Allen
 Ann R. Allen Plaintiffs
 against
 Isaac Herrington
 Isaac S. Herrington Defendants
 James Wideman

In the Circuit Court
 of Jefferson County
 Missouri

The plaintiffs state that they are the owners of two tracts of land lying in Jefferson County Missouri to wit, United States Surveys No 921 & 922 in Township 41 of Ranges three and four East, further state that on or about the 1st day of January 1854 the defendants without leave and wrongfully entered on said tracts of land of which the plaintiffs were then & there owners, and defendants did then at the County of Jefferson ^{and at divers other times afterwards} ~~aforsaid~~ cut a large quantity of Cedar trees and timber of the value of one hundred dollars, which trees were standing and being on the said lands of plaintiff & in which defendants had no interest and defendants did then and there carry the same away By all which acts, plaintiffs were damaged to the amount of ~~three~~ hundred dollars for which they ask judgment
 J A Beal atty for Plaintiffs

State of Missouri }
 County of S. Louis } SS Thomas Allen being sworn
 Says that he believes the foregoing petition and the matters as therein stated are true

Thos. Allen

Sworn to and subscribed before me
 Liberty White a Notary Public In testimony
 whereof I have hereunto set my hand
 and affixed my Notarial Seal Liberty White
 Notary Public

1638

Thomas Allen &

Ann R. Allen

Ac.

Isaac Thompson

Isaac J. Thompson

James McKean

Chd

Filed Sept 19th 1855

Wm. C. McKean

Recd for \$30.00

2 copies recd
2 cents each
1 word & copy.

Thomas Allen, Ann R Allen Plaintiffs } In the Circuit
against } Court of Jefferson
Isaac Herrington, Isaac S Herrington } County Missouri
James Wideman Defendants

The plaintiffs state that they are the owners of two tracts of land lying in Jefferson County Missouri, to wit, United States surveys No 921 & 922 in Township 41 of Ranges three and four East further state that on or about the 1st day of January 1854. the defendants without leave and wrongfully entered on said tracts of land of which the plaintiffs were then & there owners, and defendants did then at the County of Jefferson aforesaid and at divers other times afterwards cut a large quantity of cedar trees and timber of the value of one hundred dollars, which trees were standing and being on the said lands of plaintiff & in which Defendants had no interest and defendants did then and there carry the same away, By all which acts plaintiffs were damaged to the amount of three hundred Dollars for which they ask judgment

J A Deal atty for Plaintiffs

State of Missouri } ss

County of St Louis } Thomas Allen, being sworn states that he believes the foregoing petition and the matters as therein stated are true. Tho Allen

Sworn to and subscribed before me Liberty Waite
a Notary Public. In Testimony whereof I
have hereunto set my hand and affixed
my notarial seal. Liberty Waite

Notary Public

I certify that the foregoing is a true copy

of the original petition and affidavit on file in
my office in said cause.

In Testimony whereof I hereto set
my hand and affix the seal
of the Circuit Court at office
Sept 11th 1855

Thos B. Fletcher
Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon Isaac Herrington
Isaac S. Herrington and James Wideman

if they be
found in your County, that they be and appear before the Hon.
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 fourth Monday of November
next, then and there to answer unto Thomas Allen and
Ann R. Allen

upon their original petition, a copy whereof is herunto annexed and
accompanies this writ—and have you then there this writ.

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this 11th
day of September A. D. 1855

Thos C Fletcher

CLERK CIRCUIT COURT.

I executed the within writ at the county of Jefferson on
James Wideman by delivering to him a true copy of the within
writ and the annexed petitions as furnished by the clerk This the
8th Day of November 1855 Isaac Herrington a Pol. bound in
my county & Isaac Herrington not found in my county,
Augustine Wiley Sheriff

No 12
to the Circuit Court
Nov term 1855.

Thomas Allen & Amos
Allen
vs } Wideman
Isaac Herrington
Isaac & Herrington
James Wideman

Sheriff's fees 150

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon Isaac Herrington
& Isaac S. Herrington

----- if they be
found in your County, that they be and appear before the Hon.
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 fourth Monday of May
next, then and there to answer unto Thomas Allen &
Amos B. Allen

upon these original petition, a copy whereof is herunto annexed and
accompanies this writ--and have you then there this writ.



Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this thirtieth
day of April A. D. 1856

Thos C Fletcher

CLERK CIRCUIT COURT.

By Ed Honey sept

Joshua R Allen
no {

Isaac Heenan & Son
Sons of Heenan & Son

a true copy of the will
Attest Tho L McLaughlin
per Ed Strong & Son

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon Isaac Herington
and Isaac S. Herington

----- if they be
found in your County, that they be and appear before the Hon.
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 fourth Monday of May
next, then and there to answer unto Thomas Allen and
Ann R. Allen

upon their original petition, a copy whereof is herunto annexed and
accompanies this writ—and have you then there this writ.

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this thirtieth
day of April A. D. 1856

Thos C Fletcher
CLERK CIRCUIT COURT.
By E. J. Honey dep

I Executed the within writ at the county of Jefferson on
Isaac Herrington by Delivering to him a true copy of the
within writ and the annexed petition as furnished by the
Clerk This the 6th day of May 1856
Isaac Herrington not found in my country
Augustine Miley Sheriff

No 30

To Jefferson County Court

May Term 1856

Thos Allen R. Allen

vs J. Duncanson

Isaac Herrington et al

113, 103

Sheriff's fees

\$1.00

Chen 80t

50
\$1.50

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon Isaac Sherrington

if - he - be
found in your County, that - he - be and appear before the Hon.
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 fourth Monday of November
next, then and there to answer unto Thomas Allen and
Ann R. Allen

upon their original petition, a copy whereof is herunto annexed and
accompanies this writ - and have you then there this writ.

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this twenty seventh
day of June A. D. 1856

Thos. C. Fletcher

CLERK CIRCUIT COURT.

By Elias H. Money, sept

I executed the within writ at the county of Jefferson
on Isaac S Herrington by delivering to him a true
copy of the within writ and the annexed petition
as furnished by the Clerk This the 25th day of
July 1856
Augustine Wiley Sheriff

No.

Jefferson Circuit Court

November Term 1856

John W. Allen

vs { also writ

Isaac S. Herrington

1+

Sherriff's fees \$1.00

Thomas Allen	}	In the Circuit Court of Jefferson County, Missouri
Ann R. Allen, - Plaintiff		
Against		
Isaac Werrington		
Isaac S. Werrington		
James Wiseman, - Defendants,		

Isaac S. Werrington and Isaac Werrington, defendants in the above cause, for answer thereto, deny that they or either of them, on the 1st day of January 1834, or at any other time, entered the land described in said Petition, & cut and carried away cedar trees & timber, of the value of \$100, or any amount of cedar trees whatever. They therefore deny that they have damaged Plaintiffs to the amount of \$300, ~~and~~ any amount whatever.

} Attest Green
Atty for these
Depts.

Isaac S. Werrington & Isaac Werrington defendants, make oath and say they believe the above Answer and the matter therein as stated are true.

Sworn to and Subscribed
before me Nov 27th 1836
Thos C Fletcher Clerk
By E F Hiney dep't.

Isaac S. Werrington
Isaac S. Werrington
his mark

in Circuit Court
Jefferson County

Thos. Allen &
John R. Allen

vs.
Joac Warrington
and others

Answer of

Joac, and Joac,
Warrington

Filed Nov 27, 1836
Thos C. Melcher
Clerk

COUNTY OF JEFFERSON.

The State of Missouri,

To William D. are

Greeting:

You are hereby commanded, that setting aside all manner of
excuse and delay, you appear before our Sheriff Court for the
County aforesaid, on the 29th day of May next
at St. Louis, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, between
the said R. Allen and Sheriff and
Jacob Herington et al are Defendants, as the said
of Plaintiff and herein you give in no more to you.

Witness,

THOMAS C. FLETCHER

Clerk of our said Court

with the Seal thereof hereto affixed, at office this

27th day of May A. D. 1857

Wm D. are Clerk.

I rec^d the within & on
Jm Davis by reading the same
in his hearing at the County
of Jefferson on the 16th day
of May 87 } Amicus Fitzgerald
Jm before me
Ct Henry Cl

De Corcoran & Co
May 1887

Johnston & Allen

as Jm
Isaac Thompson et al

for Jm
Jm Davis

Amicus Fitzgerald

COUNTY OF JEFFERSON.

The State of Ill,

To

Allen Wilm Davis, Isaac J. Hoenery &

Greeting:

You are commanded, that acting aside all manner of

excuse and delay, you be before our Vicaral Court for the

County aforesaid, on 27th day of April next

at Stillwater, that there to testify, and the truth to say in a

clearing matter of every now pending in our said Court, wherein

Thomas & Co. Allen are Plaintiff and

Isaac Hoenery et al are Defendants on the part

of ~~COY.~~

herein you are in no wise to fail.

Given at St. Louis

THOMAS C. FLETCHER, Clerk of our said Court

At the Court thereof hereto referred, at office this

29th day of March A. D. 1858

Isaac J. Hoenery

Clerk.

COUNTY OF JEFFERSON.

The State of Missouri,

To

Allen Wilson, Wm Davis, Isaac S. Hoerning &
Hileman

Greeting:

You are hereby commanded, that settling aside all manner of
excuse and delay, you appear before our District Court for the
County aforesaid, on the 27th day of April next
at St. Albans, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, between
Thomas R. Allen and himself and
Isaac Hoerning et al as Defendants on the part
of ~~of~~

and herein you are in no wise to fail.

Given & sworn

Witness, ~~THOMAS S. FLETCHER~~, Clerk of our said Court

with the Seal thereof hereunto affixed, at office this

29th day of March A. D. 1858

Alon J. Henry

Clerk.

I Executed the within writ on Isaac of A. S. Harrington
on the 24th day of April 1858 by reading in his presence
and hearing and on James Wideman on same day leaving
a true copy at his usual place of abode with a free white
person of the family over the age of fifteen years
Augustine Wiley Sheriff

John Paul

April Term 1858

John Paul

Isaac Harrington et al

for self
Allen Wilson

Wm. Davis

Isaac A. Harrington

James Wideman

Shall pay 2 sh 8100

Alvine paid fees 1 sh 5005

Shen 805
25
7305

I executed the within writ at the County
of Jefferson on and when Allen Wilson by vice
of Jefferson to him in presence and hearing
the 23rd day of April 1858 Wm. Davis not found
John Paul

COUNTY OF JEFFERSON.

The State of Missouri,

To

Greeting:

You are hereby commanded, that setting aside all manner of
excuse and delay, you appear before our Circuit Court for the
County of Jefferson, on the 28th day of April, A.D. 1858,
at St. Louis, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, wherein
Thomas A. Mearns is Plaintiff and
John A. Livingston is Defendant on the part
of Defendant and hereby, you are so commanded.

Witness, THOMAS C. FLETCHER, Clerk of our said Court,

with the Seal thereof hereto affixed, at office this

26th day of April A.D. 1858

J. A. Mearns
Clerk.

I Executed the within writ on
John Rowe on the 26th of April 1848
By Reading in his presence and
hearing ^{of} George Wiley
Somon before me

Of Justice of the Peace

Chas. Dean 1838.

Shomon willson "

W. W. W. "

John

for Defendant
John Rowe

4 Mileys fees 15 cts

COUNTY OF JEFFERSON.

The State of Missouri,

To ~~Wherewith~~ Permit

Greeting:

So You are hereby commanded, that selling roads all manner of
~~roads and~~ delay, you appear before our Seiwick Court for the
 County aforesaid, on the 29th day of April 1858

~~And~~ ~~that~~ then and there to testify, and the truth to say in a
 certain matter of controversy, now pending in our said Court, wherein
 the plea is

Writ and

Demurrer that we

Defendants on the part

of Plaintiffs and herein you are so wise to put.

Witness, WILLIAM J. JEFFERSON, Clerk of our said Court,

with the Seal thereof hereto affixed, at office this

27th day of April A. D. 1858

Geo. J. Henry

Clerk.

Allen
as
Herrington

Spa for Munro & Prewitt

March

050

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *James A. Haining* *vs.* *James H. Wilson*
Allen Wilson, Jm Davis John Reese

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our *Severe* Court for the County aforesaid, on the
Seventh 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 *Thos and Anna R Allen*
Plaintiff and *James Haining* *vs et al* Defendant on the
part of *Plaintiffs* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

28th day of *April* A. D. 1859
Elias F. Honey
Clerk.

I executed the within ~~Spec~~ in the County of Jefferson
State of Mo on the 13th day of May AD 1859 on Allen
Wilson and Wm Davis by reading the same within their
presence and hearing and on John Rowe by leaving him a
true copy of this ~~Spec~~ at his place of residence with a free
white person over the age of fifteen years

Oscar Dover Sheriff

To Circuit Court
June Term 1859

Mrs. Allen et al

vs
Isaac Herington et al

for Jeff.

Isaac A S Herington

James Wickman

Allen Wilson

Wm Davis

John Rowe

Sheriff fee \$ 150
cts

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Saml. Hemminger

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Secuit* Court for the County aforesaid, on the

5th day of June

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 *The Allen et al*

Plaintiff and *Hauschington et al*

Defendant on the

part of *defts* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court

with the Seal thereof hereto affixed, at office this

day of

June

A. D. 1859

Elias Honey

Clerk.

I executed the within Spee in the County
of Jefferson on Samuel Herrington by
reading it to him on the 7th day of June
1859
Oscar Dover Sheriff

J. Allen vs
Oscar Herrington
Sheriff fee \$0.50