

Jefferson County  
Case File - Civil  
May 1857, #31

Circuit Court

Box

8

Folder 70

Lackey, Hugh  
vs  
Gay, Edward J  
Maxfield, Hiram

Ejectment

462 acres in Survey 377742, 4345, 6;  
\$1000 damages

Hugh Vackey plaintiff

vs.

Edward J. Gay and Abram Matfield defendants

In the Jefferson County Circuit Court  
May Term 1857. Jefferson County ss.

Plaintiff states that by virtue of a Deed from Augustine Wiley as Sheriff of Jefferson County Missouri, herewith filed, he was on the 30<sup>th</sup> day of November AD 1854 entitled to the possession of the following described premises to wit: Lot No 25 containing one hundred and sixty acres also Lot No 23 containing one hundred and sixty acres also Lot No 35 containing one hundred and forty two  $\frac{74}{100}$  acres said lots being in survey 877 Townships 42 & 43 Ranges 5 & 6 situate in Jefferson County Missouri and being so entitled to the possession thereof that the defendants afterwards to wit: on the first day of April - AD 1857 entered into and upon said premises or a part thereof, to wit: Lot number 35 containing 142  $\frac{74}{100}$  acres of said survey 877 aforesaid and unlawfully withhold from him said plaintiff the possession thereof to his damage One Thousand Dollars

Wherefore plaintiff prays judgment that the defendants be dispossessed of and from said premises to wit: Lot No 35 of said survey 877 and that he may be put in possession of the same and also for his damages rents and profits

W. H. Hart

for plff.

State of Missouri }  
County of St. Louis } ss

Hugh Lackey plaintiff makes  
oath and says he believes the above petition and the  
matters as therein stated are true.

Sworn to and subscribed before  
me this 25<sup>th</sup> day of April 1857

John B Evans

Not. Pub.

Hugh Lackey

JOTARY  
\* \* \*  
JUL 10



Levin's Court

May 1857

Alfred Vastey

At.

Levin's Court

Levin's Court

Levin's Court

Levin's Court

Levin's Court

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Levin's Court

Levin's Court

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Edward J. Gay  
and Hiram Maxfield

----- 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 Hugh Lackey

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

Elias J. Honey  
Witness, ~~THO. C. FLETCHER~~, Clerk of our said Circuit  
Court, with the seal thereof hereto affixed, at  
office, in Hillsboro, this First  
day of May A. D. 1857

Elias J. Honey

CLERK CIRCUIT COURT.

I Executed the within writ at the county of Jefferson on the  
 5th Day of May 1857 by Delivering to Wiram Maxfield a true  
 copy of the within writ and the annexed petition (as furnished  
 by the clerk) - Edward J. Gay is not found in my county  
 Augustine Wiley Sheriff

Vol. 31

Jefferson Circuit Court

May Term 1857

1642

Hugh Lackey

vs } Summons

Edward J. Gay

Wiram Maxfield

Sheriffs fees

Serve writ \$1.00

Return writ 50

at New Ort \$1.50

Discharged Oct 7th 1859  
 by Placeriffs Book 804  
 page 291

Douglas Lackey Plff

vs

Edward J. Gay and

Miriam Warfield Defs.

In the Jefferson County Circuit Court

May Term 1857

Jefferson County, Ky.

The Defendants for answer to the petition of Plaintiff, deny that the Plaintiff was by virtue of the Sheriff's deed therein mentioned, or otherwise entitled to the possession of the premises in said petition described or any part thereof, as set forth in said petition: And they deny further that they unlawfully entered into and upon said premises, or that they unlawfully with-hold the same or any part thereof from said Plaintiff, or that said Plaintiff is damaged by any act of Defendants.

The Defendants therefore pray judgment against Plaintiff for their costs in this behalf expended.

D. B. Garesche & R. A. Bakewell  
with C. Ripkin, for Defendants.

Edward J. Gay, - one of the above named Defendants being duly sworn, on his oath says, that the foregoing petition and facts therein as stated, are, he believes, true.

Sworn & subscribed before me

this 25<sup>th</sup> August 1857

R. A. Bakewell

Notary Public.

Edward J. Gay

Wash Sackey

"

Edward J. Gay val.

Owner of Defendants.

Filed Sept 2nd 1857  
Ellis & Moorey  
clerk



County of Jefferson, sct.

THE STATE OF MISSOURI,

To any Judge or Justice of the Peace or other Judicial Officer

of the State of *Illinois*, Greeting:

We, reposing special trust and confidence in your integrity and circumspection, do authorize and require you, that you cause to come before you, such person or persons as shall be named to you by *Hugh Lackey*

Attorney or Agent, and him or them examine upon his, her or their corporal oath, (to be by you administered,) touching their knowledge of any thing that may relate to a certain matter of controversy, now pending in our Circuit Court, for the County of Jefferson, wherein *Hugh Lackey* is

plaintiff,

and *Edward J. Gay and Hiram Mayfield* are

defendant,

on the part of the Plaintiff; and having so reduced the said depositions so taken by you, as aforesaid, in writing, you are required to send the same, together with this commission, enclosed under your seal, to our said Circuit Court, with all convenient speed.

*Elias J. Moneys*

Witness, ~~JOHN S. MATHEWS~~, Clerk of our said Circuit

Court, at *Hillsboro* — this *21<sup>st</sup>*

day of *April* in the year of our Lord one thousand eight hundred and

*fifty Eight*

*Elias J. Moneys*

Clerk C. C.

St Louis Sept 30 1859

Mr E. H. Honey Ak  
Cii. Ch. Jefferson Co.  
Hillsboro Mo.

Dear Sir

You will please  
dismiss the case of Hugh Lackey vs. Edw. J.  
Gay et al. at the cost of the plaintiff, the same  
having been compromised. The other two cases will  
go on. Mention this fact to Mr Abner Green. of  
Counsel for plaintiff.

Very Resp. Yours

Johnson & Tucker

Mr C. J. Honey  
Hillsboro

Pa.

Johnson & Tucker,

*Attorneys at Law.*

N.E. cor. of 3<sup>d</sup> & Olive Sts.

(Over Bank of St. Louis)

ST. LOUIS, MO.

Thos. C. Johnson.  
Jos. W. Tucker. }