

Jefferson County Circuit Court
Case file - CIV 1

Box

12 Folder

12

December 1859, No. 9

Burgan, Isaac
Burgan, Elizabeth

VS

Allen, Thomas
Perry, Samuel

Ejectment

213 acres in U.S. Survey 908;
depositions

Isaac Burgan & Elizabeth Burgan his wife Plaintiffs
against

~~Exat~~ Thomas Allen & Patrick Byrne Defendants.

In the Circuit Court.

Jefferson County State of Missouri

Plaintiffs state that by act of Congress there was confirmed to the heirs and legal representatives of Isaac Heldebrand deceased, a tract of six hundred and forty acres of land situate on the waters of Big River in the County of Jefferson in the State of Missouri, being united States survey number nine hundred and eight, that the heirs and legal representatives of said Isaac Heldebrand were his two sons Abraham Heldebrand and Isaac Heldebrand Jr. and a daughter Elizabeth, the plaintiff, who has since intermarried with Isaac Burgan,

Plaintiff states that on the 12th day of November 1857 they were entitled to the possession of one third part of said tract of land, and being so entitled to the possession thereof that the defendant Patrick Byrne afterwards, to wit, on the first day of March 1858. entered into and upon "the lower" or eastern third part of said survey containing two hundred and thirteen acres and one third of an acre, and unlawfully withholds from the plaintiffs the possession thereof. That said defendant Thomas Allen claims to be the owner of said eastern third of said survey.

Plaintiffs demand judgment for the recovery

of the possession of the one third part of said $213\frac{1}{2}$ acres
of land and for such other relief as they may be
entitled to receive, Fletcher for Plff.

This C Fletcher attorney for plaintiffs on
oath says that the foregoing petition and the matters
therein as stated he believes to be true,

Signed & sworn to before me

April 29th 1859. & again
suborned to as amended before me
14th 1859
Chas J. Honey Clerk

This C Fletcher

No.

Circuit Court

Jefferson County
June Term 1859.

vs
Maac Morgan & wife

Thomas Allen &
~~Patrick Depone~~
Daniel Perry

Filed April 29th 1859

Chas J Hooley Clerk

Filed as amended June
14th 1859 Chas J Hooley Clerk

Isaac Burgan & Elizabeth Burgan his wife Plaintiffs
against

Thomas Allen & Samuel Perry Defendants.

In the Circuit Court.

Jefferson County State of Missouri.

Plaintiffs state that by act of Congress there was confirmed to the heirs and Legal representatives of Isaac Heldenbrand deceased, a tract of six hundred and forty acres of land situate on the waters of Big River in the County of Jefferson in the State of Missouri, being United States Survey number nine hundred and eight, that the heirs and legal representatives of said Isaac Heldenbrand were his sons, Abraham Heldenbrand, and Isaac Heldenbrand, Jr. and a daughter Elizabeth, the plaintiff, who has since intermarried with Isaac Burgan.

Plaintiffs state that on the 12th day of November 1857 they were entitled to the possession of one third part of said tract of land, and being so entitled to the possession thereof, that the defendant, Samuel Perry afterwards, to wit; on the first day of March 1858 entered into and upon "the lower" or western third part of said survey containing two hundred and thirteen acres and one third of an acre and lawfully withholds from the plaintiff the possession thereof. That said defendant, Thomas Allen claims to be the owner of said Eastern third of said survey. Plaintiffs demand

Judgment for the recovery of the possession of
the one third part of said $213\frac{1}{3}$ acres of land, and
for such other relief as they may be entitled to
receive
Hitcher for Plff.

Thos C. Hitcher, Attorney for Plaintiffs on oath
says that the foregoing petition and the matters
therein as stated he believes to be true

Signed & sworn to before me

April 29th 1859 & again sworn } Thos C. Hitcher
to as amended. before me.

June 14th 1859

Elias J. Honey Clerk

A true copy of the original petition and
affidavit on file in my office

In testimony whereof I hereto
set my hand and affix the
Seal of said Court July 14th
A D 1859

Elias J. Honey Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Samuel Perry

----- 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 ^{second Monday} ~~fourth~~ Monday after the
next, then and there to answer unto Isaac Burgum &
Elizabeth his wife

upon ~~their~~ 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 fourteenth
day of July A. D. 1859

Elias J Honey

CLERK CIRCUIT COURT.

I executed the within writ in the County of Jefferson
State of Missouri on Samuel Perry et al by Delivering him
A copy of this writ and annexed petition on the 15th day
of October AD 1859 as furnished by the clerk

Oscar Dover Sheriff

No 9

To Jefferson Circuit Court

December Term 1859.

2443

James Morgan & wife

vs } Defendants

Samuel Perry et al.

Shorff fee \$1.00

Filed Oct. 24th 1859

Oliver S. Hooley
Clerk

Received by agreement of parties

COUNTY OF JEFFERSON, SS.

The State of Missouri.

Saint Louis
To the Sheriff of the County of ~~Jefferson~~ -- Greeting:

We command you, that you summon Thomas Allen

----- 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 ~~second~~ ^{second} Monday after the ~~fourth~~ ^{fourth} Monday of November
next, then and there to answer unto Isaac Burgum &
Elizabeth his wife

upon ~~their~~ 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 fourteenth
day of July A. D. 1859

(L.S.)

Elias J. Honey

CLERK CIRCUIT COURT.

CLERK CIRCUIT COURT

1854

1854

1854

1854

THO. C. FLETCHER

1854

1854

Isaac Burgeau trustee
vs
Thomas Allen et al
Copying set for defendant.
a true copy of the writ
Attest. E. J. Honey et al

22

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Patrick Byrne

if he be
found in your County, that he do 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 ^{second Monday after the} fourth Monday of May
next, then and there to answer unto Isaac Burgeis
and Elizabeth

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

Elias S. Honey

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 April A. D. 1859

Elias S. Honey

CLERK CIRCUIT COURT.

I executed the within writ in the county of Jefferson
State of Missouri on Patrick Byrne by delivering
him a true copy of this writ and petition as furnished
me by the clerk on the twelfth day of May AD 1859

Oscar Dover Sheriff

No 46

St. Jefferson Circuit Court

June. Term 1859

vs.
Jacob: Dargan wife
vs. Defendant

Patrick Byrne et al

Sherriff's fee \$1.00

Subscribed 16th 1859
Chas. M. Mery Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

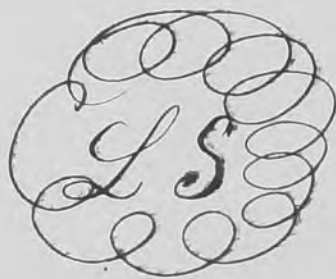
Saint Louis

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

We command you, that you summon Thomas Allen

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 ~~second~~ Monday after the fourth Monday of May next, then and there to answer unto Isaac Borgan and Elizabeth his wife

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



Elias J Honey

Witness, ~~the Clerk~~ Clerk of our said Circuit Court, with the seal thereof hereto affixed, at office, in Hillsboro, this thirtieth day of April A. D. 1859

Elias J Honey

CLERK CIRCUIT COURT.

Joac. Morgan mfe

no.

James Allen

Copy petition and
Defendant

A true copy of the
attest. E. J. Honey. Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

Saint Louis

To the Sheriff of the County of ~~Jefferson~~—Greeting:

We command you, that you summon Thomas Allen

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 second Monday after the
fourth Monday of May
next, then and there to answer unto Jaac. Burgar,
and Elizabeth his wife

upon their 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 thirteenth
day of April A. D. 1859

Elias J. Honey

CLERK CIRCUIT COURT.

No. 46.

Jefferson Circuit Court

June Term 1859

Jacq. Burgeon vs wife

vs } Summons

Thomas Allen et al.

not in the city

~~Not found in my library~~

M. A. Leno

Thomas Allen not found in my
library - Jun 17th 1859 M. A. Leno

M. A. Leno

Isaac Burgan &
Elizabeth Burgan Plaintiffs

against
Thomas Allen & Samuel Berry

In the Circuit Court
of Jefferson County
Missouri

The defendants deny that the plaintiffs were entitled to the possession of the premises as stated in the petition at the time therein stated or at any other time prior or since.

They deny that defendants is entitled of them unlawfully withholds from the plaintiff the possession of the premises as stated in the petition.

And defendants further state that about the year 1805 Isaac Heldebrand and his family were living on the land in controversy which was then public land belonging to the United States, that Isaac Heldebrand claimed to have a confirmation from the government for the tract on which he then lived by virtue of settlement & cultivation and as the head of a family.

That said Isaac being desirous of having the land confirmed, entered into a written contract with William Russell which is here exhibited as a part of this answer and dated July 23^d 1805 by the terms of this written agreement said Heldebrand obligated himself to convey to William Russell one third of the land that might be confirmed by the government, and further stated that the land was situate on negro fork of the Mernmac which is now called Big River and further ~~agreed~~ ^{agreed} that if said Russell will use all his endeavors to the best of his understanding to obtain a complete title to as much land as Isaac Heldebrand and his family were entitled to by virtue of his settlement and improvement and pay all expenses of getting the land confirmed, then said Heldebr

and was to convey to Russell one third of the land confirmed & to be taken off of the upper or lower end so as not to include any part of Heidebrand's improvement. Defendants state that the consideration of the promise and agreement of Heidebrand and to convey to Russell the one third of the land when confirmed, was the undertaking and services of said Russell to procure a confirmation of the settlement, right and claim of Heidebrand & family to a confirmation as settlers on said land.

The defendants further show that after the execution of said written agreement, William Russell attended to the claim and at his instance and on his application to the ~~board~~ Board of Commissioners, the government confirmed the claim of Heidebrand to his heirs for 640 acres of land which is the same land referred to in the obligation or letter bond aforesaid of 23 of July 1805 ^{and confirmed with the terms of the bond} that Isaac Heidebrand departed this life in a short time after the execution of the letter bond & before making a conveyance to Russell for one third of the land as stipulated.

After the death of Isaac Heidebrand and confirmation of the 640 acres of land, the widow and heirs of Isaac Heidebrand and William Russell divided the land according to the obligation of Isaac Heidebrand and one equal third thereof at the lower or eastern end of the tract was laid off for William Russell and for a period over forty years have all the heirs and widow of Isaac Heidebrand acquiesced in the division and that plaintiff Elizabeth has resided near the land in controversy since 1805 and acquiesced in

and known of the division among the heirs & widow of Isaac Heldebrand, without paying taxes or interfering with Russells claim

Defendants further state that Russell by his deed of date of 12 of May 1855 conveyed to Allen the defendants all his right title & estate to the 640 acres confirmed as aforesaid, that Russell from 1810 to the date of sale to Allen and also Allen since to the present, have paid the taxes on the tract of land set apart ^{as} aforesaid claimed adverse ownership and title under claim of title and kept off trespassers and ^{exercised} other notorious acts of ownership, so that plaintiffs are barred and estopped by all of those transactions from setting up claim.

Defendants further state that Perry the defendant is tenant under Allen and

Defendants deny any knowledge or information sufficient to form a belief of the statement in the petition that Elizabeth Burgum is a daughter of Isaac Heldebrand & require proof

In consideration of the premises, the defendant Thomas Allen prays this Court to quiet his title, and for a decree diverting plaintiffs of title to the lower or eastern third of United States Survey 908 and for a decree vesting title of the same in Allen the defendant & restrain plaintiffs from prosecuting their suit for the recovery of the possession of the premises and for all other & further relief as may be proper & right and as may be necessary &c

J. A. Beal Atty for Defts

J. A. Beal Atty for Allen & Perry makes oath & says that the foregoing answers & the matters therein stated he believes to be true

Subscribed before me July 9th 1860
Elias J. Honey, Clerk

J. A. Beal

Burgan wife

as

Allen & Son

Lawyer

Filed July 9th 1860

Geo J Honey
Clerk

Joane Burgan
vs Elizabeth Burgan

vs.

Thomas Allen

In the Lewis and Clark
Court of Jefferson
County
State of Missouri

TO THE

above named defendant

Take Notice, That depositions of witnesses in the above entitled cause, to be read in evidence
on the part of the Plaintiff will be taken at the residence
of Samuel McEldebrand

in the County of

Allen and State of Missouri on the first
day of September 1860, between the hours of eight o'clock in the forenoon, and six
o'clock in the afternoon, of that day; and that the taking of the same will be continued from day
to day at the same place, and between the same hours, until completed

Wm O. Fletcher
att'y for Plt

Burgan & wife
vs

Thos Allen

I have this day received a true copy
of the within notice on behalf of the
plaintiff and do hereby waive all further
notice and agree that the deposition for
plaintiff may be taken at the time and
place within named

Joac Morgan and wife
Eliabed Morgan

vs.

~~State of Illinois~~
Jho Allen & S Perry

In the Leicester
County of Hofferson
State of Illinois

TO THE above named defendant

Take Notice, That depositions of witnesses in the above entitled cause, to be read in evidence
on the part of the Plaintiff will be taken at the residence of
Samuel Weddebrand

in the County of

Hofferson and State of Illinois on the third
day of Sept Tember 1860, between the hours of eight o'clock in the forenoon, and six
o'clock in the afternoon, of that day; and that the taking of the same will be continued from day
to day at the same place, and between the same hours, until completed

Thos. C. McTear
att for defts.

and wife
vs
Cockrill

I have this day received a true copy
of the within notice and on behalf of
the defendant agree that depositions to
be read in said cause may be taken at
the time & place within named,
August 20 - 1860.

J. A. Deane (Att'y)
for the alien

Deposition of a witness, produced sworn and examined on the third day of September in the year of our Lord 1860, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon at the residence of Samuel Heldebrand in the County of Jefferson and State of Missouri before me Nathan Sullens a Justice of the Peace within and for said County of Jefferson, in a certain cause now pending in the Circuit Court of the County of Jefferson in the State of Missouri, between Isaac Burgan and Elizabeth Burgan his wife plaintiffs and Thomas Allen defendants, on the part of the plaintiffs, the said plaintiff being represented at the taking of the same by Thomas Leitcher and the defendant by James A Beal, Jonathan Heldebrand of lawful age, being produced sworn and examined on the part of the plaintiff deposed and said, I am seventy seven years of age, I was twelve or thirteen years old when I came to this neighborhood near where Maddox's mill now is, and have been here ever since, I knew Isaac Heldebrand he settled on a tract of land down on Big river, I think his tract adjoined Abraham Heldebrand's survey, I think it was in 1806 or 1807. that Isaac Heldebrand died, he left a widow and three children, his widow was a daughter of Adam House, her name was

"Peggy," his children were two boys and one girl, the girl was named Betty, I have known her ever since she is now the wife of Isaac Burgan after the death of Isaac Heldebrand his widow "Peggy" married old Mike Skell, they lived on the same place where she had lived with her first husband, for a good long time, crop examined by Mr Seal, Peter Heldebrand was killed by the Indians as I understood before I came here, his children were Isaac, Abraham David and Elizabeth, said Elizabeth is now alive she first married Nathan Sullens Senr after whose death she married John McCourtney Peter Heldebrand's claim of land is the same now claimed by Israel Lee or his heirs near Maddox's mill on Big River in this county, [The plaintiffs counsel here admits the fact, for all the purposes of this suit and the case of the same plaintiffs against Starks & Cockrill in same court, that Elizabeth Burgan resided within two miles of the land in controversy until the death of Skell her first husband and has resided within eight or nine miles of it ever since,]

I knew William Russell a surveyor, many years ago, knew him to survey land on Big River, many years ago, thinks he surveyed for Isaac and David Heldebrand

his
Jonathan Heldebrand
mark

Subscribed and sworn to before me on

the day at the place and within the hours first aforesaid,

Nathan Sullens J.P.

I Nathan Sullens a Justice of the Peace within and for the County of Jefferson in the state of Missouri, do certify that in pursuance of the annexed notice came before me at the residence of Samuel Meldebrand in said county Jonathan Meldebrand who was by me duly sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, that he was examined and his examination reduced to writing by Thos L Fletcher at the request of Mr Beal & Mr Thomas attorneys present, and was subscribed by him in my presence on the day between the hours and at the place in that behalf first aforesaid, and his deposition is herewith returned, and I do further certify that said witness resides in the county of Jefferson aforesaid,

Nathan Sullens Justice

Fee paid by plaintiff \$1

It is agreed that the foregoing deposition may be read in the case of Burgan & wife against Etarks & Cockrill in the Circuit Court of Jefferson County as though taken in that case.

Thos L Fletcher atty for Beal
John L. Thomas " " Dept

James Morgan wife

as { separate ones of Geo. H. H. H.

has ad. H. H.

Recd. in hand of J. P. H. H.

Sept 4th 1860. opened &

filled by me Dec. 6 1860

John & Honey Clerk

Isaac Burgan & Elizabeth Burgan Plaintiffs

against
Thomas Allen & Samuel Perry Defendants,
In the Circuit Court.

Jefferson County,

The plaintiffs for replication to the answer of defendants state, that they have not sufficient knowledge to enable them to form a belief as to the execution of a contract or agreement by Isaac Heldebrand in his life time with William Russell on the 23^d day of July 1805 or at any other time whereby said Isaac Heldebrand obligated himself to convey to said Russell one third of the land that might be confirmed by the Government to him as alleged in the answer of defendants and required strict proof of the same.

Plaintiffs state that if any such contract or agreement was ever entered into by Isaac Heldebrand with said Russell the same was wholly without consideration and was procured by said Russell by fraud and misrepresentations, plaintiffs deny that said Russell attended to or procured a confirmation of the land in controversy to the heirs of Isaac Heldebrand, or that he ever paid any money or rendered any services or gave anything whatever for said land, but state the fact to be that the heirs of said Isaac Heldebrand employed Edward Hempstead an attorney who resided in St Louis to procure their confirmation that he gave the notice, produced the proof and procured for them a confirmation of one hundred arpens of land which confirmation was subsequently enlarged by an act of Congress to embrace six hundred and forty acres as were all claims of a similar character, without any attention care or labor of Russell.

Plaintiffs deny that there was ever any partition or division of said land between Russell and the widow & heirs of Isaac Heldebrand, or that they ever acquiesced in or recognized any claim of Russell or the defendants to any

part of said land as alleged in the answer of defendants they also deny that Russell or any person claiming under him has been in possession of said land claiming the same adverse to plaintiffs until the defendant Perry went into the possession in 1858,

Plaintiffs further state, that said Contract or agreement, if ever made by said Isaac Heldebrand, not being proved or recorded nor accompanied by possession of the land, but kept upon and secreted from public gaze by Russell and the defendant for a period of upwards of fifty years, is so stale that defendants cannot in equity procure its enforcement, because the plaintiffs say that said said Russell nor those claiming under him have not brought their action to enforce said agreement within twenty years after the cause of action accrued, nor have they brought their said action within ten years after their cause of action accrued

Wetche for Plffs.

Thomas. G. Wetche Attorney for said plaintiffs being duly sworn upon his oath states that the foregoing application and the matters therein as stated he believes to be true,

Thi G. Wetche

Signed & sworn to before me
Sept 20th 1860.

Elias J. Hoarey

Clerk,

Isaac Burman wife

or

Thomas Allen and

Relic's action to
seize and recover

Filed Sept 20 1866

Allen & Burman Att

Isaac Burger wife

vs
Thomas Allen et al

Plaintiffs come and move the Court to require the defendant to make their answer more certain and to elect ~~the~~ upon which ~~defenses~~ they will rely. And ^{for} causes thereof assign the following as set

1 The answer alleges 1st a partition between the said William Russell and the widow and heirs of of the said Isaac Hetherington deceased after the death of the said Isaac and in the 2nd place a partition between the said William Russell in the lifetime of the said Isaac

2nd Reason Equitable legal defenses are improperly blended together in the answer

3 Reason said answer ~~is not~~ is not sufficiently certain

Wm Hester atty
for Plaintiffs

Leave Douglass
to
show Allen that
protection to Campbell
defendants to make sure
from certain and
to elect his defence

Black Dec 12th 1860
Allen & Hooley
clerk

Exhibited

And for further answer to the
plaintiff petition and in bar to
~~his~~ their claim the said defendant
says that in the year 1808 or about that
time William Russell under advice
the defendant claim title purchased of
I saw Heltterbrow the surveyor and
the person from whom as heirs the
plaintiff claim title for a good and
valuable consideration to wit his care
labor skill and diligence in procuring
the compravention of the claim of the
said Isaac Heltterbrow to the tract of
land containing six hundred and forty
acres, of which the tract in controversy
is the third part, and also in considera-
tion of the said Russell paying all
the expenses of attending the comprave-
ntion and the surveying of the same and
the said William Russell having in all
things performed his part of his said
undertaking in reference to the procuring
the compravention & surveying said
land the said Isaac Heltterbrow set
apart one third part of said tract on the
eastern end to the said William Russell
and the said William Russell ^{and his representatives} ~~from~~ from
the time said land was so set apart to
him by the said Heltterbrow held the same
as his own without any claim being set
up by the heirs of said Isaac or his
representatives to said third part. And
so defendant say that by the law in force
from the year 1800 to the year 1811 the
said Russell acquired an independent estate

estate in the land in controversy it being
the third part of the compensation set apart
to him -

Snipell & Beal
atly for def

As A Beal attorney for defendant makes
oath and says that the foregoing ^{amendment to} answer
and the matters therein as stated he believes
to be true -
J A Beal

Sworn to before me

Decr 11th 1860

Elias & Hooley Clerk

Joan Burgen &
wife

against

Allen & Perry

Answer &
amended answer

Filed Decr 11th 1860

Elias & Hooley
Clerk

And for further answer in this
behalf the said defendants say that
cause of action of the said plaintiff did
not accrue within twenty years before
the commencement of this suit.

And for further answer in this behalf
the said defendants say that the cause
of action of the said plaintiffs did
not accrue within ~~two~~ two years
before the commencement of this suit
wherefore they pray judgment.

Burt & Fripell
for defendants

M Fripell atty for defendants
make oath and say that the foregoing
answer and the matters therein
as stated are believed to be true.

Shown to before me

Decr 18th 1860

Chas J Honey

M Fripell

W. H. Hargrave & Co.
Agents -

of Quincy & others

St. Louis
Shawnee

St. Louis Dec 18th 1860
Chas. J. Hargrave Clerk

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *George & Smith, Mark Stephens, Mrs Mark Stephens, Eliza Cornwell, &c &c* GREETING :

You are Herely Commanded, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the

11th day of June 1862 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 *Isaac Burgan* is

Plaintiff and *Thomas Alden et al* Defendant on the

part of *defendants* 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

15th day of *May* A.D. 186*2*

Elias F. Honey
Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1862

Maudie Burgan wife

vs
Thos Allen et als

for Debt

Geo A. Smith M27

Mark Stephens M27

Mr. Stephens M27

O. Cornwall M27

Geo A. Herisly M27

Sheriff fee \$2.50

Presented the within paper in the County of Jefferson in favor of
Smith, Mark Stephens & Thos Stephens, versus Cornwall & Herisly
of Kentucky by sending it to them on the 27th day of February 1862 -

Done at Court House

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Franklin Stephens, also Frank Stephens & Son*
vs *A. H. Hoadly*

GREETING :

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
1st day of *June* 186*3* 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 *saac. Ferguson and wife are*
Plaintiff and *Thomas Allen et al are* Defendant on the
part of *defendant* 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

4th day of *May* A.D. 186*3*

Elias F. Hoadly
Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1863

Isaac Bargar wife

vs
Thos. Allen et als

for debt

Wm. Stephens

vs Wm. Stephens

Geo. A. Smith

vs A. Hensley

Sheriff Fees \$2.00

I, Espectad the within writ on motion of Thomas
Allen, & Henry D. Parker Handley and the vs on
George A. Smith on the 24th day of May 1863 by
Reading the above in their presence & hearing
Jesse W. Dyer Sheriff.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Joseph Sheddley, D. Potter, Heirs
Oliver Brownwell

GREETING:

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
11th day of June 1863 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 *Agnes Burgean wife and*
Plaintiff and *Thomas Allen et al are* Defendant on the
part of *Defendants* 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

4th day of *May* A.D. 1863

Elias F. Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1863

Grace Burgean wife

vs
Thos. Allen et al

for debt

Joseph Medley

D. Pitzer

vs
H. H. H. H.

Oliver Cromwell

Sheriff Fees \$1.50

Expended the within sum on D. Pitzer & Oliver
Cromwell on the 6th day of May and on Joseph Medley on
the 27th day of May 1863 by receiving the same in
his presence and hearing

Joseph D. Storer Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

William Chandler, Daniel Hemmington

GREETING :

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

10th day of June 1863

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 *Joac Burgan mfe* are

Plaintiff and *Thomas Allen et al* are 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

23^o day of *May* A.D. 186 *3*

Elias F. Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

June Term, 1863

Isaac Burgan wife

Thomas Allen et als

for debt

Wm Chandler & 27

Sam Herrington

Sheriff Fees \$100

I, Esquire, do hereby certify that the within and above named
Isaac Burgan wife and Thomas Allen et als are the
27th day of May 1863

James B. Brown Sheriff

Isaac Burgan wife and Thomas Allen et als are the
27th day of May 1863

Isaac Bungan wife

vs
Thomas Allen voters

County, Mo. June 1863

Thomas Allen for Supplemental answer states that one Peter Heldebrand was the father of Isaac Heldebrand and departed this life many years ago & left surviving him four heirs Isaac ancestor of plaintiff. Abraham David & Elizabeth that on the death of Peter Heldebrand he owned a tract of land on Big River ^{now} Survey 897 that this land descended to his four heirs that Isaac Heldebrand ancestor of plaintiff owned one fourth of said Survey 897. That said Isaac departed this life without disposing of his interest in this tract and ~~one~~ fourth of said land descended to the ~~the~~ plaintiff and Abraham and Isaac Heldebrand.

Defendant further states that the land in controversy also descended to said plaintiff & the two brothers they ~~lands~~ said Abraham, Isaac & Plaintiff amicably & without suit divided their fathers land among them as follows to wit Abraham & Isaac & took their full share of all the fathers land two thirds of Survey 908 which Isaac the father owned in his own right at his death and the

Elizabeth plaintiff took as her full share
of all of her father's land the one
undivided fourth part of Survey 897
whereon said Isaac the father owned at
the time of his death as one heir of
Peter Heldebrand deceased that this div-
ision & partition as aforesaid was consum-
mated about 35 or 40 years that said
plaintiff Abraham & Isaac at the same
time of partition among themselves made
partition with W^m Russell and set apart
to him one third of Survey 897 908
under and by virtue of a previous contract
for title made by Isaac the father with
W^m Russell for services in and about
the confirmation of the tract aforesaid.

That said Elizabeth first married
one David Hull about 1822 that
she & David Hull about 24 Dec 1824
by deed conveyed two thirds of land it being
one undivided fourth of Survey 897
to Abraham Heldebrand & thereby affirming
^{& satisfying} the division so made as aforesaid between
her & her two brothers & William Russell
and Abraham & Isaac took possession
of two divided thirds of Survey 908, ^{1/10th part of 1/3} and
since conveyed the same so divided thereby
ratifying & confirming the division their
possession of said lands has for
many years been enjoyed by parties

who so purchased of the heirs of Isaac
Heldbrand for a long period of time
~~from the present~~ under the partition
and division aforesaid.

J A Deal
Atty for Defendant

J A Deal states on oath that
the foregoing Supplemental answer to the
matter therein as stated he believes
to be

J A Deal

Subscribed & sworn to }
before me June 12 1863 }
Chas J Hooley Clerk }

Living with

as

cellar 21st

the Philanthropic Association

Filed June 12th 1863

Eliza J. Rowley

Eliza

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Joseph Woodley

GREETING :

You are *Hereby* Commanded, That setting aside all *by John C. or* manner of excuse and delay, you appear before our Circuit Court for the County ~~of said~~ *Jefferson*, on the

17th day of August 1863

at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our ~~said~~ *County*

Court, wherein

Thomas Burgett

Plaintiff and

Thomas Woodley are Defendant on the

part of *defendants* 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

14th day of *July*

A. D. 1863

William Woodley

Clerk.

TO JEFFERSON CIRCUIT COURT.

Term, 186

Isaac B. Bryant & Wife
vs
Allen & Perry
Per Deft
Joseph Medley

Sheriff Fees \$00 00

I Execute the within writ on Joseph Medley
by leaving a true copy of this writ at the
usual place of Abode with, & under the hand of
his family over the age of 15. This 15th Day of
Aug 1863

Levenne D. Dyer Sheriff

Isaac Bengam &
Elizabeth Bengam

vs

Thos Allen & others

} in the Circuit Court
of Jefferson County
Missouri

vs Isaac Bengam & Elizabeth Bengam

Gen. You are hereby notified that depositions of
witnesses to be read in evidence in the above cause
on the part of the defendants will be taken at the
office of J. A. Neal Attorney at Law in Hollister
Jefferson County Missouri on the 1st day of Aug
next 1863 between the hours of 8 o'clock in the
forenoon and six o'clock in the afternoon and if not complet
ed on that day they will be continued from day to
day at the same place & between the same hours
till completed

J. A. Neal Atty for def
endants

Bungen wife

to

Allen & Perry

Notice to be returned

Sheriff's fees \$ 1.00

I, Executed this writ on Isaac Bungen and wife by
Delivering to each of them A true copy of this
writ this 11th Day of August 1863

J. B. Doney Sheriff

Oliver Morgan
Elizabeth Morgan Plaintiffs
vs
Thomas Allen
Charles Perry Defendants

In the Circuit Court of the
Southern District of New York

Is the above plaintiff's year and
herely notified that Depositions of witnesses to be read
in evidence in the above cause on the part of the
~~Defendants~~ will be taken at the office of James A
Neal in the Town of Hildesheim, Jefferson County
Wisconsin, on the 7th day of October 1863, between
the hour of 8 o'clock in the forenoon and six o'clock
in the afternoon and if not satisfied on that day
they will be continued from day to day at the same place
and between the same hours till satisfied

J. A. Neal Attorney for Defendants
Charles Perry

Burgan wife

vs

Allen & Perry

Notice of Deposition

Deposition of Witnesses produced, sworn & examined, on the 7th day of October A.D. 1863. between the hours of 8 o'clock in the forenoon & six o'clock in the afternoon of that day at the office of James A. Neal, in the Town of Union Jefferson County State of Missouri - before me the undersigned County Court Justice of Jefferson County - in a certain cause now depending - in the Circuit Court of Jefferson County State of Missouri - between Isaac Morgan & Elizabeth Morgan Plaintiffs and Thomas Allen & Samuel Berry defendants, on the part of the defendants -

Joseph Medley of lawful age, being produced, sworn & examined, on the part of the defendants, deposes & says that - that he has known Elizabeth Morgan - some thirty eight or 40 years when he (Witness) first came to Jefferson County - he is acquainted with Isaac Helderbrand's tract of land said to be Survey 908 - Michael Hull Sr. lived on the upper part of said tract - & continued to live upon the same for several years - after Hull left the land - Allen Trully occupied the same as tenant of Hull - after Trully left a man came into possession by the name of McDaniel - Michael Hull Jr. occupied the land after McDaniel left - and after Michael Hull left - he thinks ^{or believes} John Hull occupied the same, does not recollect who came into possession after John Hull left - but some person came in as tenant, and next it was occupied by James Wiley - he believes then that the upper third was transferred to ~~John~~ Cocherill - the defendant.

— occupants of ^{the upper third of} the land. More tenants of Michael
Hull Sr. — he further states that Michael Hull Sr.
and his tenants, claimed to hold said lands
in their own right — adverse to all other persons —
When I came to the County Elizabeth Burgan one
of the plaintiffs was then married to David Hull
and lived about two miles from the tract of land
in controversy — does not recollect how long she lived
there but thinks some 5 or 6 years — after Hull's
death — she remained at same place — until she
married Isaac Burgan — after her marriage with
Burgan — she resided on Hedge Creek some five
or six miles from the lands in controversy —
during all the time said Elizabeth neither
lived upon said land or occupy the same —
after Michael Hull sold to Starks Cochran
said Cochran or his tenants have occupied
the upper third — Michael Hull Sr. deeded the mi-
ddle third to his son Michael Hull Jr. — some years
ago — that Isaac Helderhand, Abraham Helderhand and
Elizabeth Burgan were the reputed children of
old Isaac Helderhand the original settler —
When (Witness) first came to the County the tract
of land appeared to be divided — as follows — Young
Abraham Helderhand had the upper third — Isaac
Helderhand the middle third and the lower third
was reserved for William Russell — old Peter
Helderhand had four children (to wit) Isaac
Abraham, David & Elizabeth — (Witness) knows the
tract of land said to be the Peter Helderhand tract
which is about 4 miles from the tract of land
in question — That Peter Helderhand was the reputed
grand father of Elizabeth Burgan — and father of

- of Isaac Helderhand (original Settler of the land in
Controversy- after the transfer from Michael Hull
Sr to Michael Hull Jr. ^{Michael Hull Jr} he improved said third ~~part~~
and occupied the same several years- then transferred
the same to Capt Dewit- Who afterwards (as he
understood) transferred to Oliver Cromwell- Which
lands is still occupied by said Cromwell-
- from the time Michael Hull sold the upper third
of said tract of land- the same has been occupied
by said Cochran or his tenants- The lower part of
said tract is occupied by Saml. Berry, (Witness
heard said Berry say he ~~occupied~~ ^{bought of Thomas Allen}

2. State how the land belonging to the heirs of Isaac Heidelberg were divided among the heirs including their interest derived from their grand father Peter Heidelberg.

Answer - I understood from Michael
Hull Abram Helderhand & Grace Helderhand that
they divided the land among themselves - Abram
took the upper part of his Father's tract of land
Grace Helderhand the Middle part, and the lower
was reserved for Mrs Russell - that Elizabeth (Mainiff)
was to have her Father's interest in the Peter Hel-
derhand Tract of land which was one fourth part
which interest she sold her & husband to Judge
Helderhand for two hundred dollars (as witness)
understood from the parties aforesaid - last alone
named - This Question and Answer thereto

named— This Question and Answer thereto
 objected to by Mannings Counsel—as being
 illegal and incompetent— Mr. Hull wife
 of Michael Hull & Moore off ^{to Texa,} & said to be dead
 as he understood—

Crop - Examination by Ref.

Witness does not know of his own knowledge that
said tract was ever surveyed into three equal parts
meaning Survey 908. When witness speaks of the
upper part of said tract he means up Big River
when he first knew Michael Hull living in said
upper part of said land there were about twenty
acres^{in cultivation} which was near the upper line. There was
no clearing either on the middle or lower part
of said tract. The lower part of said tract, has
not been occupied since more than three or four
years. Sam Berry was the first who occupied
the lower part of said tract by living upon it.
Said Berry made the first improvement to his knowl-
edge that was made. When he went to live upon it
Michael Hull Jr was the first person, who lived upon
the middle part of said land, which was some
20 years ago. Thinks Young Michael Hull
occupied said land, some 4 or 5 years before he
sold it. dont recollect whether or not the upper
part of said tract, was occupied & cultivated every
year. never heard any of the parties under Michael
Hull make any contract with said Hull.
Witness knows of no lines ever being established by
the parties aforesaid upon the lands aforesaid. The
Peter Heldshaw tract had been divided. It was
some ten or twelve years after he first knew Michael
Hull living on the upper part of said land before
he knew of any person occupying the middle part of
said tract. never heard said Elizabeth Morgan
say that she had taken her share of her father's
estate in the Peter Heldshaw tract and never
heard the heirs make any contract to that effect.

I never knew any person to live on the lower part of said Survey 908 - from Michael Hull commenced to live on the upper part down to the time when said Derry took possession of said lower part -

Re Examination

Michael Hull Jr & those who occupied the upper part of said Survey - claimed only the one third - and Michael Hull Jr and those claiming under him, claimed only the one third of the middle part -

(All this statement under the re examination 2 & answer is objected to by Plaintiff as being illegal & incompetent
Subscribed & sworn to before me, Joseph ^{his} Medley
on the day & at the place, and
within the hours first aforesaid

G. I. Johnston County
Court Justice -

I Gabriel I Johnston County Court Justice - within & for the County of Jefferson & State of Missouri do certify that in pursuance of the notice notice came before me at the office of James A. Beal, in ^{in Brierly} the County and State aforesaid, Joseph Medley, who was by me sworn to testify the whole truth of his knowledge touching the matter in controversy aforesaid - that he was examined and his examination reduced to writing & subscribed by him in my presence, on the day between the hours & at the place in that behalf ^{first} aforesaid

and his said Deposition is now here with return,
and I further Certify, that said Joseph Medley is
a resident of said County of Jefferson in said State
of Missouri. Given at the office of James A
Beal in the County of Jefferson and State of
Missouri this 7th day of October A.D. 1863 -



G. L. Johnston
County Court
Justice

August 1867

to

Allen & Perry

Deportation of Joseph Smith

E. J. Whitman's fee \$5.00
Joseph Smith's fee \$1.00
Chas. B. Smith's fee 2.50
Deport. Steward's fee 2.50
for expenses \$7.50

Purporting to be } separate ones for shipment to
the Alleghenies }

C. J. Morley Esq
Clerk, Sec. Council

Recd purchased of A. J. Johnston
Oct 9th 1863 C. J. Morley
Sept. 6th 1863

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

James Hampton & Son. Daniel Hampton & Son

GREETING :

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

10th day of December 1863 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

James Hampton vs

Plaintiff and

Heiman Albrecht vs

Defendant on the

part of

Plaintiff

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

30th day of *Jan* A. D. 186*3*

Elias F. Honey

Clerk.

TO JEFFERSON CIRCUIT COURT.

December Term, 1863 3

Isaac Burgan

vs
The Allen et al

for Debt
vs
Isaac Herrington Sr
Saml Herrington

100 Dollars & 1/4 \$1.00

I executed this writ on John Herrington Sr
by reaching the same in his presence and
hearing this 80th of November 1863 and ordered
Herrington in the 8th day of December 1863 by
Reaching the same in his presence and hearing

Gerome B Damer Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

*Joseph Woodley, Washington Stephens
Charles Cornsfield, Geo. A. Smith,*

GREETING:

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
11th day of December 1863 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 *Joseph Burgean and wife are*
Plaintiff and *Thos. Allen, et al are* Defendant on the
part of *defendants* 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

27th day of *Nov* A. D. 186 *3*

Elias F. Honey
Clerk.

TO JEFFERSON CIRCUIT COURT.

Dear

Jan, 1863

Isaac Burzan
vs
The Attorney at
law for debt

For Medley
Wash Stephens
O. Comwell
Geo A Smith

J B Danner shff & 2, ad

I. Excuse that this won't be on for Medley G. Danner with
Wash Stephens & Oliver Comwell by receiving
the same in their presence and hearing this
1st day of December 1863

Isaac Burzan
Attorney

Isaac Burgon & wife
S. S. Cockrill et al

In the Jefferson Circuit
Court

We Thomas C. Fletcher
as Attorney for Plaintiffs & John L. Thomas, as
Attorney for Defendants do hereby agree that the
subscribed statement of Mrs. Elizabeth M. Courtney
taken in our presence by mutual consent
may be read by either party as evidence on the
trial of the above entitled cause. This
5th day of December A. D. 1860.

Thos C Fletcher atty for Plff.

John L. Thomas atty for Defs

Statement of Mrs. Elizabeth M. Courtney taken
on the 5th day of December A. D. 1860, by mutual
consent of the Attorneys for the parties in the
above entitled cause.

Mrs. Elizabeth M. Courtney states that she is about
76 years of age—that she was born on Big River
near Maddox's mill in Jefferson Co. Mo.; that
Peter Heltbrond Sr. was her father; that the said
Peter Heltbrond had three sons & one daughter
(herself); that the names of the three sons, were
Isaac, Abraham & David; that Isaac Heltbrond
the son of said Peter had three children named
respectively, Elizabeth, who afterwards married
David Mull, & after Mull's death, married Isaac
Burgon, Isaac Jr. & Abraham Jr.

She does not recollect the date of the death of said Isaac Sr. that at his death the three children of said Isaac Sr. were all small: that after the death of said Isaac Sr. his widow, Margaret married Michael Hull Sr. ~~that she was present~~ ^{she was present} at the wedding of said Margaret & M. Hull Sr. Isaac Hettibond Sr. that the maiden name of said Margaret was Margaret Hauser; she was present when Mrs. Burgon, the daughter of said Isaac Sr. was born: that her two brothers, Abraham & Isaac & David were uneducated & could not write their names never went to school any: that her brother Abraham went to school one year & became a very good scholar: that she lived on the Abraham tract of land during the years 1813 & 1816 inclusive; that she frequently visited the family of Michael Hull Sr. with the three children of said Isaac Sr. then lived: that said Isaac Sr. was married before she was: that in 1815 Elizabeth Hettibond now Elizabeth Burgon was a young woman: that said Elizabeth Burgon is the eldest of said Isaac's three children: that said Margaret & M. Hull Sr. after their marriage lived on the Isaac Hettibond place for a number of years: that said Margaret & M. Hull Sr. were married a number of years before she was married the last time in 1816 & had a number of children, that David Hull, who was a brother of Michael Hull Sr.

man said Elizabeth Hettebrand now Elizabeth Burgen
that Dave Hull this mother at the time of his &
said Elizabeth's marriage lived upon the Isaac Helli-
brand tract of land & lived there some time after
his marriage: that Michael Hull & was then
living at the Big Springs; that at the date of
the marriage of said Elizabeth & ^{David Hull} ~~Isaac Burgen~~
said Michael Hull was not living on the said
Isaac Hettebrand tract, that said Michael
& Peggy moved back & forward two or three
times from the Isaac Heldebrand place to the
Houses Spring, dont recollect where they
lived when Betsey & Burgen were married
think they lived then at the Houses Spring
when Betsey Burgen was first married
I was a widow, that is when she married
Dave Hull; I used to see Abe the son of Isaac
ride a horse which I heard it said he got
from old Mike Hull for his interest in the land.

while Isaac Heldebrand's children were small
I think in 1811 or about that time I heard them
talk and they each claimed this or that piece
of land as little children will do. Betsey
said the land up at the Peter Heldebrand place
belonged to her, old Peggy the mother of Betsey
used to have that talk and say the land there
belonged to the boy and that up the river to
Betsey. Mike Hull & old Peggy were not married
when they used to have that talk. Peggy the widow

of Isaac Meldebrand & the widow of Michael null moved
away to Texas and I heard she was dead some time
ago. have no doubt she is dead.

It is also agreed between Thos C Fletcher attorney
for Isaac Burgan & wife and James A Beal attorney
for Thomas Allen & other defendants in the case
of Elizabeth & Isaac Burgan plaintiffs
against said Allen & Samuel Perry defendants
in the Circuit Court of Jefferson County
that the foregoing statement of Mrs
Elizabeth McCourtney may be read in
on the trial in said cause with like effect as though
the same were her deposition regularly
& legally taken, with exception to the incompetency
and illegality of the evidence
Dec 6th 1860

Thos C Fletcher
att'y for Burgan & wife

J A Beal att'y
for Allen

Burgess and wife
as S. S. Steward of Mt. Carbon
S. S. Rockwell

Received per hand of the Cash
when S. S. Steward, opened &
closed by me Dec 6 '1868
Geo. S. Honey Creek

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

*Wesley, Washington, Stevens, Oliver Brown-
mell, George A Smith*

GREETING :

Now are hereby Commanded, That setting aside all

manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the
1st day of February 1864 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 *Joac Burman & Wife* are
Plaintiff and *Thomas Allen et al* are Defendant on the
part of *Def* 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

24 day of *March* A. D. 1863

Elias F. Honey
Clerk.

TO JEFFERSON CIRCUIT COURT.

Decr Jan, 1863

Isaac Burgan & Wife
vs
Thomas Allen et als

for Debt

J Medley
Wash Stevens
Oliver Cromwell
~~George A Smith~~

26 cups put @ 50¢ / 1.00 2 lent the ul 1.00	2 00
8 Spas 4.00 ans new 25¢ cont 25 aff 0.30	4 80
amens an 25 Supp ^{an} 25 Repub 25-4	75-
miles 25¢ Ind 5-50	75-
3 mts 3.36 cups 20	3 60
dumps Byrne 50, leave 10¢ appu an 15-	75-
leave 10 Cont. 25 Leave 10 Cont. 25-	70
dumps at 50. cents 254 Indes 50 car 25-	125-
	14.60
0 Doves 2 Seams	2 00
5 mts	<u>2 50</u>
	4 50

13 Doves mts 50	0 50
16 Spas	8 00
balls	50
	9 00
St Sullen 20 by Pff	1 00
by 2 Johnson 20 by dept	5 00
Co Bran drift	25-
A Stewart	25-
200 Mouldy	1 90 2.50
	4 40
Mark Stephens	4 50
Mo Hendy	2 50
W Chandler	3 50
Sam Herrington	2.00
Chamrill	2 60