

June 1864

Johnston, Abraham
Johnston, Theresa A.

vs

Moss, Clayborn T.
Moss, Lawson K.
Moss, Emily
McCreery, John W., et al

Title

160 acres in S2T41R4E; other
defendants Maryland J. McCreery,
Adeline M., John H. Hollenbeck,
Elizabeth E., Mark, Dora, Andrew,
James, T.H. Moss

Abraham Johnston &
Theresa A Johnston
vs

Clayborn T Moss
Lawson L Moss
Emily Moss

John W & Maryland McCreary

Adeline & John H Hollensbeck

^{Elizabeth} C. Moss, ^{Lora} Mark Moss, ^{Andrew} D. Moss, ^{A. Moss}

J H Moss and James Moss

In the Circuit
Court of Jefferson County
Missouri

The plaintiff states that many years ago one Mark Moss owned the following land in Jefferson County Mo viz The West half of the South West qr of Section 2 T41 R 4 East containing 80 acres and the North East qr of the South West qr of Section 2 Township 41 Range 4 East containing 40 acres and the South West 1/4 of the South East qr of Section 2 Township 41 Range 4 East containing 40 acres, that at the May Term 1848 of the Circuit Court of Jefferson County Mo, these lands were sold on execution against said Moss that Mark Moss furnished the money to C T Moss for the purpose of buying said land for the benefit of said Mark Moss during his life time and at his death for the benefit of the wife and children of said Mark Moss, that in pursuance of this agreement C T Moss purchased at said Sheriffs sale the said land with the money of Mark Moss, that since the purchase of said land Mark Moss and his wife and children have had the benefit, use and occupation of said land, up to the death of Mark Moss in 1862 and since the death of Mark Moss his wife and part of his children still occupy and enjoy the lands

afforded with the consent of C T Moss in pursuance of the arrangement of Mark Moss for that purpose.

Plaintiffs further state that about the year 1855, Judith Moss held in her name $83\frac{25}{100}$ acres of land belonging to Mark Moss situate in Jefferson County Mo to wit, The North half of the South East $\frac{1}{4}$ of Section three Township 41 Range 4 E, that for the purpose of providing a means of support for said Mark Moss during his life and at his death for a provision for his children, said Mark Moss caused Judith Moss to convey this tract of land to C T Moss in express trust for Mark Moss and if not disposed of to a third party, then to hold in trust for the heirs at law of Mark Moss on his death.

Plaintiffs further state that C T Moss during the life of Mark Moss purchased of Stephen Smith with the money of Mark Moss Lot No one of the North East $\frac{1}{4}$ of Section 3 Township 41 of Range 4 East containing 80 acres as will appear by conveyance of Jan 1882, Plaintiff states that Mark Moss furnished the purchase money to C T Moss to purchase this tract of land of Stephen Smith for the use and benefit of Mark Moss during his life and at his death for his heirs at law and his wife, that the deed was taken in the name of C T Moss, to hold the title for Mark Moss & his heirs, that in pursuance of these several agreements and arrangements between Mark Moss & C T Moss, said Mark Moss lived upon the farm on said lands during his life and thus he enjoyed the benefit thereof as also had possession of all the said lands during life with the consent of

C T Moss who on all occasions acknowledged the trusts reposed in him to hold the title of said lands in his name for his father during his life and for his wife and children after his death

Plaintiffs state that Mark Moss died about the year 1862, that on his death, the equitable title to said lands and the resulting trusts therein descended to his heirs at law subject to his wife's dower, that said Mark Moss left surviving him his wife Emily, and the following heirs viz: Thers A who married Abraham Johnston, Clayborn T Moss, Lawson L Moss, Adeline who married John H Hollenbeck Maryland who married John W McCreary, E Moss, Mark Moss, D Moss, A Moss, J H Moss and James Moss.

Plaintiffs pray the Court to divert ~~the title~~ C T Moss of the title to said lands and to vest the same in the heirs and children of Mark Moss aforesaid, ^{subject to widows dower} and for all other proper relief and orders as may be right & necessary

J A Paul
Atty for Plaintiffs

Abraham Johnston being sworn states on oath that the foregoing petition & the matters therein as stated he believes to be true

Subscribed & sworn to
before me this 5th day
of July 1864

J A Johnston

Elias F Honey *ck*
per J Ed Walker



Abraham Johnson et al

vs

J T Moss et al

Set for trial to land

Filed April 25th 1864

Chas J. Honey
Recorder

529 haw

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

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

We command you, that you summon *Clayborn T Moss, Laura S*
Moss, Emily Moss, John W & Maryland J McCreery
Adeline M & John H Hollensbeck, Elizabeth Moss
Mark Moss, Dora Moss, Andrew Moss, T H Moss
and James Moss 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 second Monday after the fourth
Monday of *May* next, then and there to answer unto
Strahorn Johnston & Theresa A Johnston

upon *their* original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *Twenty Sixth*
day of *April* A. D. 1864

Elias F. Honey
Clerk Circuit Court.



TO JEFFERSON CIRCUIT COURT

Filed June 1, 1864

Abraham Johnston

Theresa A Johnston

vs } Defendants

L. J. Mc off

L. L. Mc off

Emily Mc off

Geo W. McCleary

Maryland McCleary

Adeline Hollenbeck

John C Hollenbeck

Eley L. Mc off

Frank Mc off vs Thers

Wm D. Dyer Sheriff \$ 8.50

I, executed this writ on 6, J. Mass by ~~John~~ on the 12th day of May, 1864 at the county of Jefferson State of Missouri by leaving a true copy of this writ annexed petition as furnished me by the clerk, at his usual place of abode with a white person of his family over the age of 15 years also on the same day on L. J. Mass Emily Mass Maryland Mcclary John C Hollenbeck Elisabeth Mass V. Frank Mass by leaving a true copy of this writ at each of their usual places of abode with a white person of their families over the age of 15 years also on the same day by delivering to him a true copy of this writ. Adeline Hollenbeck is dead

Wm D. Dyer Sheriff

Abram Johnston & wife

vs

C. J. Map et al

Now at this day comes the Defendants
in the above entitled Cause & move
the Court to rule Plaintiffs to security for
the costs for the following reasons.

1. The officers of the Court are in danger
of losing their costs.

2. The Plaintiffs are insolvent & unable
to pay the costs.

Hedney
for Defts.

A. Hunter trustee

3

E. S. Clark et al

Proctor for claims
for cards,

Office June 8 1864
E. H. Honeywell

Abraham Johnston & others }
vs } In the Jefferson Circuit
C T Moss et al } Court

To the Jefferson Circuit Court
Arthur Hollenbeck, Sanford
Hollenbeck, Cecelia Hollenbeck and James
Hollenbeck, & Jane Hollenbeck state that
their mother Adeline M Hollenbeck one of
the defendants in the above cause has died
and they pray the Court to make them
parties plaintiffs in their mothers place
and to appoint Guardians ad litem
Arthur Hollenbeck
Sanford Hollenbeck
Cecelia Hollenbeck
James Hollenbeck
Jane Hollenbeck

Abraham Schuster

189

C. J. Moscovitz

motion to enter the
house of assembly in Hall
outside privacy -

Filed Jan 11 1894
C. J. Moscovitz

Abraham Johnston
 Thoma & Johnston
 Co. 3. Woodstock } Due Bill

Heavy clouds 10 days previous 1¢
 Last week 50¢ and 1¢ 10 days 2¢
 Protein 25¢ had 9.50¢
 Or else 20¢ will 20¢ doche to 20
 bucks, 15¢ also 15¢ down paid, 50
 the bill 25¢
 J. B. Dorey they

385
 850
 14.35