

Defferson County Circuit Court
Case File - Civil

Box 18 Folder 26

November 1866

Thomas, John

vs

Hunt, Isaac

Ginglen, James

Set aside dead

118 acres in S28, 29 T40 R3E

John L. Thomas, Plaintiff	} In Jefferson County Court Nov. Term 1866.
vs	
Isaac Hunt & James Gingles, Defendants	

Plaintiff states that on the 30th day of September 1861, Isaac Hunt, one of said defendants, was seized in fee simple of the one undivided half of the NE 1/4 (East of Big River), Sec. 29, Town 40, Range 3, E. Containing $43\frac{14}{100}$ acres: ~~also one undivided half of the NE 1/4 of the NW 1/4 of Sec. 20, Town 40, Range 3, E. containing 30 acres, & also one undivided half of the NE 1/4 of NW 1/4 Sec. 28, Town 40, Range 3, E. containing 75 acres.~~ That on the day last aforesaid the said Isaac Hunt was largely indebted to divers persons, & much so that he was broken up, & utterly insolvent. That being so broken up & insolvent he conceived the design of hindering, defrauding and delaying in his creditors in the collection of their debts, and in order to effectuate such design he without any consideration whatever on the said 30th day of September 1861, executed to Solomon Hunt, his father, a deed purporting to convey the above described land to him the said Solomon: that it was the intention of the said Isaac in executing said conveyance to his father, to cover up

his property & put it beyond the reach of his creditors and at the same time enjoy the secret use & benefit thereof: & that on the 17th day of April 1866, said Isaac Hunt procured a conveyance from his father to one James Gingles, another of said dependants for the land aforesaid for which nothing was paid by the said Gingles, who is the father-in-law of the said Isaac Hunt. Plaintiff charges that the said Gingles took said conveyance from said Solomon for said land with a full knowledge of all the facts as above stated with the intent to aid and assist the said Isaac in covering up his property more effectually & that the said Gingles holds said land in secret use and trust for the benefit of the said Isaac and not for his own use.

Plaintiff further states that on the 10th day of Oct. 1861, one Moses Gulton obtained a judgment in the Jefferson County Court against Isaac Hunt & Executor of the Estate for \$109.¹⁶/₁₀₀ - upon which an execution afterwards issued against the lands & tenements of the said Isaac by virtue of which execution the Sheriff of said County lived upon the above described land and on the 12th day of January 1863, sold some

aguably to law to satisfy said 4th section at which said James A. Beal became the purchaser and did on the 18th day of May 1866, receive the deed of said Sheriff therefor which is herewith filed and that said Beal has since conveyed said land to Plaintiff.

Plaintiff further says that the deed aforesaid from the Sheriff aforesaid to James A. Beal conveyed to said Beal the undivided one half of said land - being all the right, title and interest which the said Isaac had in the same.

Plaintiff therefore avers that the deed from Isaac Hunt to Solomon Hunt & the deed from Solomon Hunt to James Gingles were without consideration & were intended by the parties thereto to cheat & defraud the creditors of the said Isaac of just demands & that by reason thereof the Plaintiff is the equitable owner thereof by virtue of the Sheriff's sale & deed aforesaid & the deed from said Beal to him.

Plaintiff prays the Court to set aside the deed of said Isaac Hunt to Solomon Hunt dated the 30th day of Sept, 1861 and also the deed from Solomon Hunt to James Gingles dated April 17th 1866, to divest the said Gingles of any title he may have

in and to the undivided half prairie land
& to vest ~~therein~~ therein Plaintiff.
Thomas Pro Se

John L. Thomas makes oath & says that
he believes the above petition & the matters
as therein stated are true - and that
defendants are non-residents of the State
of Missouri.

Sworn to & subscribed before } John L. Thomas
me Aug. 8th 1866.
(Henry F. Ahlness)
Notary Public.

Filed 1866
2476
John L. Thomas

vs
Isaac Grunt &
James Ginglem

Filed August 18th 1866

Samuel A. Kappay

Clerk