

Jefferson County Circuit Court
Case Files - Civil

November 1867, No. 11

Beal, James A.

vs

Jefferson County

Thomas, John L., Trustee

Stillbrink, Henry

Lohrenz, Henry

Subrogate lien

Lien on 129 acres in S4T40R4E
and one lot in Hillsboro securing
\$1,200 note

Box 20 Folder 60

James A Beal Plaintiff
vs

Jefferson County
John L Thomas, trustee
Henry Stillbrink
Henry Loreusz defendants

In the circuit
Court of Jefferson
County
Missouri

The plaintiff states that on
the 18th day of August 1863 Henry Still
brink borrowed the sum of \$1200 from
the County Court of Jefferson County, of
School funds ^{at that time} & executed his ^{note} ~~contract~~ to Jefferson
County, for \$1200 with ten per cent ^{interest} ~~interest~~
per annum, at twelve months with James
A Beal & Andrew Mental as Securities
and at the same time said Stillbrink made
a deed of Trust & conveyed to John L Thomas,
Trustee for Jefferson County to secure
the payment of said debt & interest; the
following Real Estate situate in Jeff
erson County Mo viz

The East half of lot No one of the north
East q^r of Section 4 Township 40 Range 4
East containing 49¹/₂ acres of land

The South West q^r of the North East q^r of
Section 4 Township 40 Range 4 East. 140 acres.

The South half of lot one or the South East q^r
of the North West q^r of Section No 4 Township 40
Range 4 East containing 40 acres

Lot No 24 in Block No. 6 in the Town
of Hillsboro

Plaintiff further states that in 1864 Jefferson County brought suit on said note of \$200 & recovered judgment at the May Term 1865 against said Stillbriek.

J. A. Beal & Andrew Mendenhall for the debt interest & costs, that said Beal paid off & satisfied the said judgment on execution on or about the 11th of November 1865 by paying to plaintiff \$1511.64, that said Stillbriek was the principal in the debt on which said Beal was security & which said Beal paid as security as aforesaid and that John L. Thomas held as trustee for Jeff Co. to secure said debt interest & lien and deed of trust on the above property & that there was a power in said deed of trust for said trustee to sell the property to satisfy said debt & interest. That on said Beal's payment of said debt interest he was in equity entitled to the lien of Jefferson County & the said trustee & to be subrogated to all of these rights & interests. That said Stillbriek has not yet refunded to plaintiff any part of said sum so paid, wherefore in as much as plaintiff is without adequate remedy and in consideration of the premises, he prays the Court to subrogate him to the lien of Jefferson County & the trustee in and to

said lands under said deed of trust made
as aforesaid and for judgment order and
decree of sale of said Real Estate to
satisfy the said indebtedness & interest
and to marshal the assets & securities
of Jefferson County & the Trustee for
payment & satisfaction of the same & in
case of inability of said County
& the Trustee to make said property
& funds available to satisfy ~~the~~ the
same through ~~their~~ fault, negligence or
misconduct, then for judgment against
Jefferson County & John L. Thomas
and for all other orders judgments
decrees or other proper relief as plain-
tiff may in equity & good conscience be
entitled to.

Plaintiff states that Henry Schreyer has
purchased ~~the~~ the ~~off~~ still bank. The three
tracts of land first above described
since the execution of said deed of trust
& payment by said Real. but that
said Schreyer has not paid the per-
chase money and also had notice before
the purchase of the facts in this
petition charged & of the payment
by said Real of the said indebtedness
and of said Real's equitable right to
subrogation to the lien aforesaid & is not
an innocent purchaser. A copy of the deed from still bank
to John L. Thomas trustee is ~~herewith filed~~
J. A. Seal

James O. Deal
vs
Jefferson County

Filed July, 1941

Chas. J. Henry
By B. M. Hume

Deft

Cap. Feb.	- \$1.00
Geo	- - 30
Robt	- - 1.00
4 copies	- 40
docs	- - 10
file	- - 03
stamp	50
misc	16
	<u>3 65</u>
Sherriff	8 00
	<u>\$16 65</u>

12071

TO

JEFFERSON CIRCUIT COURT.

November Term, 1867

James B. Dick
vs
summons

Jefferson County
John L. Thomas vs
Henry Stelbrink
Henry Lorenz

Original

John Williams Sheriff
for \$3.00

Oct 10.

I Executed this Writ in Jefferson County Mo on
the 10th Day of Oct 1867 By Delivering to
John L Thomas a true copy of this Writ and Petition, and
By Delivering to Henry Stelbrink and Henry
Lorenz a true copy of this Writ as furnished
to me by the Clerk

John Williams Sheriff