

Jefferson County Circuit Court
Case Files - Civil
November 1867 No. 120

Box 20 Folder 65

Ryan, Patrick

vs.

Dempsey, Mary Ann

Dempsey, Michael

Title

160 acres, lot 31 Survey 877

State of Missouri Jefferson County
In the Jefferson Circuit Court
November Term 1867

Patrick Ryan Plaintiff
against
Mary Ann Dempsey }
& Michael Dempsey } defendants
her husband.

Plaintiff states that on the first day of January 1838 he was the owner in fee simple of the following described tract of land situated in Jefferson county in the State of Missouri to wit, 160 acres of land being lot 31 part of survey 877 and bounded on the North by lot 35. South by lot 25 East by lot 32 & West by lot 30 of said survey. That he never parted with his said title thereto except as herein stated. That on the 6th day of April 1843 the St Louis Court of Common Pleas rendered a judgment for a large amount in favor of William Rippe and against this plaintiff & others. That by virtue of an execution proceeding from said court & judgment the Sheriff of Jefferson County sold said land on the 24th day of November 1846 and conveyed it to the defendant Mary Ann

who was the daughter of Plaintiff ~~and~~
~~and then remarried~~ Plaintiff furnish-
ed the money to ~~make~~ said pur-
chase and procured the deed to
be made to said Mary Ann in trust
for him. Said sale did not
satisfy the said judgment. and
said Russell sued out from
said Court another execution on
said judgment and had it levied
on the interest of Plaintiff in said
land and on ~~December 27 1854~~ ^{May 27 1851} the Sheriff
of Jefferson County sold the same on
said execution and made a deed to
Thomas Allen. That on the day
of ~~1856~~ Plaintiff purchased
said land from said Allen and
obtained a deed therefor from him
and his wife. ^{copy of} Said executions and
a copy of said judgment ~~and~~ and of
the deeds aforesaid ^{or the originals will be} herewith filed
marked exhibits 1. 2. 3. 4. & 5.

Plaintiff has been in possession of
said land ever since the rendition
of said judgment & before. Deft
Mary Ann never had any interest
therein except as his trustee. She
now refuses to recognize his rights

as he estab'g the trust and openly
threatens to cheat him out of said
property.

Plaintiff therefore prays a decree dis-
vesting said defendants of all right
title & interest in & to said land and
vesting the title in him as fully as it
was before said first named exe-
-cution sale - and for all other proper
relief -

Josiah S. McCallum

& James C. Moody,

Attys for Pltff

120

Patrick Ryan

or

Mary Ann Dempsey
Michael Dempsey

postage

20¢

Petition

Filed Oct 17 1867
D. J. Downey Clerk

Filed by Clerk of Court

J. S. MacCallum &
J. C. Moore
for petitioners

State of Missouri Jefferson County,
In the Jefferson Circuit Court.

November Term 1867,

Patrick Ryan Plaintiff

against

Mary Ann Dempsey and
Michael Dempsey her husband defendants



Plaintiff states that on the first day of January 1838, he was the owner in fee simple of the following described tract of land situated in Jefferson County in the State of Missouri to wit: 160 acres of land being Lot 31. part of Survey 877, and bounded on the North by lot 30 South by lot 25 East by lot 32 & west by lot 30, of said survey. That he never parted with his said title thereto except as herein stated. That on the 6th day of April 1843, the St. Louis court of Common Pleas rendered a judgment for a large amount in favor of William Russell and against this plaintiff & others. That by virtue of an execution proceeding from said court & judgment, the Sheriff of Jefferson County sold said Land on the 24th day of November 1846 and conveyed it to the defendant Mary Ann who was the daughter of Plaintiff and then unmarried plaintiff furnished the money to make said purchase, and procured the deed to be made to said Mary Ann in trust for him. said sale did not satisfy the said

judgment - and said Russell sued out from
said Court another execution on said judg-
ment and had it levied on the interest of
Plaintiff in said Land and on May 27th 1851
the Sheriff of Jefferson County sold the same
on said execution and made a deed to Thomas
Allen - That on the day of plaintiff
purchased said Land from said Allen and
obtained a deed therefor from him and his
wife - copies of said executions and a copy
of said judgment and of the deeds aforesaid
or the original will be herewith filed marked
Exhibits 1. 2. 3. 4. & 5. Plaintiff has been in
possession of said Land ever since the rendition
of said judgment & before Deft. Mary Ann
never had any interest therein except as his
trustee - She now refuses to recognize his
rights as her cestuique trust and openly threatens
to cheat him out of said property.

Plaintiff therefore prays a decree divesting
said defendants of all right title & interest
in & to said Land and vesting the title in him
as fully as it was before said first
named ~~execution~~ execution sale and for
all other proper relief

Josiah S. McClellan
& James C. Moody
attys for Pltff

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

Witness my hand and the seal
of said Court at office this
October 17th 1867,

Edw. P. Mangum Clerk

THE STATE OF MISSOURI, } SS.
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

St. Louis
To the Sheriff of the County of ~~Jefferson~~ Greeting:

We command you, that you summon *Mary Ann Dempsey*
and Michael Dempsey her husband

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 ~~Sixth~~ Monday after the
fourth Monday of September 1867 next, then and there to answer unto
Patrick Ryan

upon *his* original petition, a copy whereof is hereunto annexed and
accompanies 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

17 day of *October* A.D. 1867

Elias F. Honey
Clerk Circuit Court.

69 No 120 on petition

25th 20

JEFFERSON CIRCUIT COURT.

November Term, 1867

Patrick Hogan

v. } Dammons

Mary Ann Sempsey

Michael Sempsey

Mary Sempsey lives in a
Shanty in rear of White
above signboard

Michael Sempsey

Rail R. Stables of

Secord St. on 16th

25-199

Executed this writ in the County of St. Louis on the 28th day
of October 1867 by delivering a copy of the writ and petition as
furnished by the Clerk to Mary Ann Sempsey and further
Executed this writ in the County of St. Louis on the same day
by delivering a copy of the writ as furnished by the
Clerk to Michael Sempsey

John McNeil Steff
Der & C. O. P. & By P. Bischoff Esq
by Atty

Patrick Ryan plt of Jefferson County
vs } Circuit Court
Mary Ann Dempsey & } at Nov. Term 1867
Michael Dempsey dfts }

Defendants demur to plaintiffs petition in said case and for reasons thereof assigns the following

- 1 The petition does not state facts sufficient to constitute a cause of action
Prudly for dfts

By an & Attorney
Remuner to
petition of Bell

Filed Nov 3rd 1867
E. A. Harvey Clerk

Bryan p^{lt} } W Jefferson County
at } Circuit Court
Dempsey et al d^{ft} } Dep. County Mo
} Fall Term 1867

The Said defendants ask the
court to require Said plaintiff
to give security for costs of said
action & for reason thereof, —
— alleges that plaintiff is "not
a resident of this State."

Thomas & Bruck, for d^{fts}.

Wm. H. H. H.

By an
act

Deming et al

Motion requiring
discovery for costs

Filed Nov 6 1889
C. H. Honeywell

Patrick Ryan, Plaintiff
Against
Mary A. Dempsey et al
Defendants

In the Jefferson Circuit
Court.

Now at this day come said Defendants by
an answer to the petition of the Plaintiff admits
that said land described in said petition was
sold by the Sheriff to Mary A. Ryan now
Mary A. Dempsey as is alleged by Plaintiff - but
they aver that said Sheriff received said deed
to her by direction of Plaintiff with the intent on
the part of the Plaintiff to hinder & delay his
creditors & they deny the right of Plaintiff now
to come in & take advantage of his own
wrong.

Defendants aver that Plaintiff's right of action
if any he can have has long since been barred
by the Statute of limitations, & that has not
been raised or preserved of said land within
the years next before the filing of this petition.

J. J. Brock & J. H. Thomas
Atty for Defendants.

Patience Ryan

2

Wang S. Banphoegethe

Answer

Orlando Mar 11th 1868

Edw. H. Hancy Esq

Patrick Ryan, - Plaintiff } In the Circuit
 Against } Court of Jef-
 Mary A. Dempsey, } ferson County
 Michael Dempsey, } Defendants } Missouri
 May Term 1868

The Plaintiff for Replication to the Answer of Defendants, filed on the 11th March 1868, denies that said Sheriff executed said Deed for the Land in Controversy, to Mary Ann Ryan, (by direction of Plaintiff) with the intent on the part of the Plaintiff to hinder and delay his Creditors, - and denies that such averment of Defendants, if true, would be any defence to this action.

Plaintiff denies that his right of action is barred by the Statute of limitations, - and denies Defendants allegation, "that Plaintiff has not been seized or possessed of said Land within ten years next before the filing of his petition". - Plaintiff avers that he has been seized and possessed of said Land ever since, & before, said Execution sale, - and he avers that the Defendant, Mary A. Dempsey never refused to recognize the rights of Plaintiff as her cestique trust, until within the last five years next before the filing of this suit, - Plaintiff therefore prays a decree for said Land, and all proper equitable relief,

in the premises as in the original petition
prayer.

}
}
}
}

Jonah S. McAllellan
James C. Moody, assn
Abner Green, Attorneys
for the Plaintiff



David Ryan

28,

Mary A. Sampson
Michael Sampson

Publication

Giles May 20th 1828.
J. R. M. C.

Patrick Ryan, Plaintiff

Mary A. Dempsey et al

The defendants come & demur to the petition of the Plaintiff for the following reasons.

1. Said petition does not state facts sufficient to constitute a cause of action.

2. The petition states that defendants have no interest in the land - have no deed to the land sued for & were never in the possession of it & therefore this suit is not properly brought.

John L. Thomas
Atty for Defendants.

3. The original petition alleges that the land was sold to Mary A. Ryan his daughter and in the amended petition he charges that it was sold to his wife, Mary A. Ryan.
Thomas.

Edw. K. Ryan

3

Mary A. Murphy & Co

Denver -

Bills May 20th 1888,
J. H. Finney & Co,

Atlanta

Patrick Ryan, - Plaintiff	} In the Circuit County of Jef- ferson County Missouri May Term 1868
Against	
Mary Ann Dempsey,	
& Michael Dempsey, her husband, - Defendant	

Amended petition filed by leave of
the Court.

Plaintiff states that on the first day of January 1838, he was the owner in fee simple of the following described tract of Land situate in Jefferson County in State of Missouri, to wit, One hundred and sixty acres of Land, being Lot No, Thirty one, part of Survey No. 877, and bounded on the North by Lot Thirty five South by Lot 23, East by Lot 32, and West by Lot 30, of said Survey, - That he never parted with his title thereto except as herein stated. That on the 6th day of April 1843, The St. Louis Court of Common Pleas rendered a Judgment for a Large amount in favor of William Russell and against this Plaintiff and others, That by virtue of an Execution proceeding from said Court and Judgment the Sheriff of Jefferson County sold said Land on the 24th day of November 1846, and conveyed the same to Mary Ann Ryan, the wife of this Plaintiff. That the Plaintiff furnished the money to make said purchase and procured the Deed to be made to said Mary Ann Ryan in trust for Plaintiff. That said sale did not satisfy said

Execution and Judgment, and said William Russell sued out from said Court another Execution on said Judgment and had it levied on the interest of Plaintiff in said Land, and on the 2^d day of May 1851 the Sheriff of Jefferson County aforesaid, sold the same on said Execution and made a Deed to Thomas Allen for said Land That on the 15th day of March, 1853, Plaintiff purchased said Land from said Thomas Allen and obtained a Deed therefor from him and his wife, - Copies of said Executions and a Copy of said Judgment and of the Deeds aforesaid, or the originals will be herewith filed marked exhibits, 1, 2, 3, 4, & 5, & Plaintiff has been in possession of said Land ever since the rendition of said Judgment and before, The Defendant, Mary Ann Dempsey, or her husband Michael Dempsey never had any interest whatever in said Land, - She being an ^{illegitimate} daughter of Plaintiff, now claims title to said Land merely from identity of name with Plaintiff's former wife, - ^{assets title and} and now threatens to cheat Plaintiff out of said property, & Plaintiff therefore prays the Court to make a decree divesting said Defendants of all title, right or interest whatever in and to said Land ^(if any they have) and vesting the title to the same fully in the Plaintiff - as it was before said first execution sale and for all other proper relief, C

Josiah S. McBlellan and
James C. Moody & Abner Green
Attorneys for the Plaintiff

In Circuit Court
of Jefferson County

Patience Ryan

vs.

Mary Ann Thompson
Michael Thompson

Answered
Petition

Giles May 20th 1868
G. A. Stearns Clk

Ryan vs Dempsey et al

If the Court finds from the evidence that the title was placed in the wife of Plaintiff & that she is now dead & that Mary Ann Dempsey is not an heir of Mrs. Ryan second then the judgment should be for defendants.

If the Court finds from the evidence that P. Ryan at the Sheriff's sale in 1846 of the property in controversy bought the same & paid the purchase money himself & had the title placed in Mary Ann Ryan with the intent to hinder & delay his creditors then Plaintiff cannot recover & the judgment should be for defendants.

Bar Ryan

Money & Disbursements

Money Clerk, each pet, \$1.00 milt, each 20¢

\$2.20

12 files 60¢, Sowers 20¢ each 20¢, motion 20¢ rule 20¢

1.40

Shovel and 20¢ Sowers to answer pet, 20¢ Sowers 20¢ rule 20¢ Reps 20¢

1.00

3 rule 20¢ ~~original~~ pet no files. 20¢ apptn, 10¢

.50

non-suit 35¢ Judge 50¢ each 20¢ S. 10¢ Judge 10¢

1.15

marking each 25¢ the S. 10¢ each 50¢

.85

each 10¢ to average 10¢ each 5¢

\$2.35

for McMill Sheriff, each 20¢ ft,

2.00

John Williams Sheriff each

\$1.40

Amount paid by O'Hagan

\$4.40

Ryan
vs
Simpson

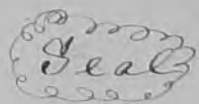
Free Bill

To all to whom these presents shall come I James
M^cCollock Sheriff of the County of Jefferson in the State
of Missouri send Greeting. Whereas on the 9th day of April
in the Year of our Lord Eighteen hundred and fifty one
a plenary Execution was issued out of the office
of the Clerk of the Saint Louis Court of Common
Pleas directed to the Sheriff of the County of
Jefferson, and was to me said Sheriff delivered
which said Execution was founded upon a Judgment
of said Court rendered on the 8th day of April Eighteen
hundred & forty three, in favor of William Russell and
against Patrick Ryan, William Carroll, Richard Woran,
James Supple, Charles Young, and Patrick Swineys.
By virtue whereof I the said Sheriff did on the
10th day of April A D 1851, at the County aforesaid
levy upon, and seize the following described Real
Estate, as the property of said defendant Patrick Ryan
to wit: One hundred and sixty acres of land being lot
thirty one (31) which is part of Survey No 877 and is
bounded on the North by lot No 35, South by lot No 35,
East by lot No 32 and West by lot No 30 of said Original
Survey No 877 and which said Tract of 160 acres of land
so seized and levied upon, and the corners lines and
boundaries thereof is more fully described by the
Conveyance of the same to the said Patrick Ryan by
Commissioners authorized to do so. of record in the
recorders office of the county of Jefferson in Book II pages
391 & following, to which reference is made as the
best identification and description of the tract of
land hereby levied upon, and did on the said 27th
day of May 1851 Expose the same to Sale at Public Sale
to the highest Bidder for Cash at the Court House
doors in the Town of Hillsboro in said County
between the hours of nine O'clock of the forenoon.

and five o'clock in the afternoon of said day and while the Circuit Court for said County was in Session having previously given twenty days notice of the time and place of sale. and what Real Estate was to be sold and where situated by six hand bills signed by me said Sheriff and put up at six public ^{places} in different parts of the County of Jefferson. A copy whereof accompanies this deed as part hereof, and at said sale so made as aforesaid, Thomas Allen, became and was then and there the highest and last bidder for said Real Estate and the same was stricken off and sold to him at and for the price and sum of One hundred ~~and thirty two~~ dollars ~~and fifty cent~~ ~~(132.50)~~ which sum the said Thomas Allen has to me in hand paid the receipt whereof is hereby acknowledged.

Now Therefore Know Ye, that I James M Colloch Sheriff as aforesaid. for and in Consideration of the premises and of the said sum of money paid by the purchaser as aforesaid, I do hereby assign transfer and convey unto him the said Thomas Allen all the right title interest claim demand and property of him the said Patrick Ryan the defendant. of in and to the aforesaid Real Estate, that I could or of right ought to convey by virtue of the said execution advertisement, and the power and authority in me vested by law as Sheriff as aforesaid. To have and to hold the same unto him the said Thomas Allen his heirs and assigns forever.

In witness whereof I the said sheriff have hereunto set my hands and affixed my seal this 28th day of May Eighteen hundred and fifty one

James M Colloch Sheriff 

Sheriff's Sale

By virtue and authority of a writ of Pluries Fine Facies, issued out of the office of the Clerk of the Saint Louis Court of Common Pleas in the State of Missouri, returnable to the next September term of said Court directed to the Sheriff of the County of Jefferson and to one said Sheriff delivered in favor of William Russell and against Patrick Ryan, William Carroll, Richard Horan, James Suple, Charles Young, and Patrick Sweney. I did on the 15th day of April A D 1857. levy upon and seize as the property of Patrick Ryan one of said defendants, the following described tract of land. Situated in the County of Jefferson in the State of Missouri, to wit a tract of one hundred and sixty acres of land being lot No (31) thirty one which is part of Survey No 877. and is bounded on the North by lot No 35. South by lot No 35 East by lot No 32 and West by lot No 30 of said Original Survey No 877. and which said tract of land so seized and levied upon and the corners lines and boundaries thereof is more fully described in the conveyance of the same to the said Patrick Ryan by Commissioners Authorized to do so recorded in the records office of the County of Jefferson aforesaid in Book D page 39. Following reference thereto had will more fully appear. And I will on the 27th day of May next. between the hours of 9 O'clock in the forenoon and five O'clock in the afternoon of that day at the door of the Court House in the town of Hillsboro in said County of Jefferson publicly sell all the right, title, interest, property, and estate of said Patrick Ryan of in and to said Real Estate, to the highest bidder for Cash to satisfy said Execution and Costs. Given under my hand this 15th day of April A D 1857

James McColloch Sheriff

State of Missouri } In the Circuit Court.
County of Jefferson } Do it remembered, that on this
31st day of May A.D. Eighteen hundred and fifty
one, in open court personally appeared James
McColloch, Sheriff of Jefferson County, and ack-
nowledged the execution of the foregoing instu-
ment in writing to be his act and deed, which
acknowledgment is entered on the records of said
Court of that day in Book 203 page 214.

In Testimony whereof I hereto set
my hand and affix the seal of
said Circuit Court at office
date aforesaid Tho. C. Fletcher

Clerk Cir Ct

Jefferson County, Mo.

I the undersigned Clerk of the Circuit
Court and Ex Officio Recorder in and for said County
do hereby certify that the preceding instrument in
writing was filed for record in my office on the 3^d
day of June 1851. and is truly Recorded in Book 20
page 306 & fol

Witness my hand and official seal
at Hillsboro June 3^d 1851.

Tho. C. Fletcher

Recorder



Patrick Dwyer
 Esq
 of Sheriff's
 No 1 Ward
 Thomas Allen



April 27. 1852

Allen

Allen

Filed June 3^d 1851
 Wm. H. Metcher
 Recor

Filed and April 1852
 In Case of

ack 50
 cost 50
 Recor do 145
 3,45
 2,100
 Receipt for and

Address of Ryan Building

This deed made and entered into this fifteenth day of March eighteen hundred and fifty three between Thomas Allen and Ann R. his wife and Patrick Ryan all of the county of St. Louis Mo. Witnesses, that the said Thomas Allen and Ann R. his wife parties of the first part for and in consideration of the sum of Three hundred dollars to them paid by the party of the second part, the receipt whereof is hereby acknowledged, doth grant bargain and quit claim into the said party of the second part his heirs and assigns all the right, title and interest of the said parties of the first part of, in and to the following piece and parcel of land lying in the County of Jefferson State of Missouri to wit, a tract of land containing one hundred and sixty acres being lot N 31 which is part of a large tract of survey N 877 which said one hundred and sixty acres is bounded north by lot N 35, south by lot N 25, East by lot N 32 and West by lot N 30 of said original survey N 877 and is now particularly described in conveyance of same to Patrick Ryan by com. authorized to do so of record in Book D pages 391 & following in the Clerks office of Jefferson County Circuit Court, and which said tract of land was advertised & sold by the Sheriff of Jefferson County May 28. 1857 and purchased by the said Thos. Allen, to have and to hold the afore described premises together with the appurtenances therunto belonging unto the said party of the second part his heirs and assigns forever and the said parties of the first part unto the said party of the second part do quit claim all their right title and interest, which they may have acquired to the said premises free from the claim or demand of the said parties of the first part and of any and all persons claiming under them.

In testimony whereof the parties of the first part have hereunto set their hands and affixed their

seals, the day and date above mentioned.



Thos. Allen {L.S.}

A. R. Allen {L.S.}

State of Missouri }
County of St Louis } ss.

Be it remembered that
on this Twenty Seventh day of August 1853
before me the undersigned a Notary Public in
and for the County aforesaid came Thomas
Allen and Ann R. his Wife who are personally
known to me to be the same persons whose
Names are subscribed to the foregoing
instrument and severally acknowledged the
same to be their act and deed for the
purposes therein mentioned. And the said
Ann R. Allen having been by me first
made acquainted with the contents of the
foregoing conveyance acknowledged on
an examination separate and apart from
her husband that she executed the same
and relinquished her dower in the
real estate therein mentioned freely
and without compulsion or undue
influence of her said husband

In Testimony Whereof I have hereunto
set my hand and Official seal the
day and Year last above written
Josiah H. Shear
Notary Public St Louis Co

State of Missouri, Jefferson County, ss.

I, Elias F Honey Clerk of the Circuit Court and *ex-officio* Recorder, within and for the said county, do hereby certify that the foregoing instrument of writing was filed for record in my office on the 13th day of September 1867, and that the same is truly recorded therein, in Book 4 Page 140

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of said Circuit Court, at the office in Hillsboro, the date last aforesaid

Elias F Honey Recorder.
Jy C. D. Brown Dep

Thos. Allen
P wife
deed to

J. Ryan
deed to

Filed Feb 18th 1867,
D. A. Denny
Recorder

paid

State of Missouri }
County of St. Louis } ss.
In the St. Louis Court of Common Pleas
April 6th 1843.
Petition to foreclose mortgage.

Wm. Russell

vs.

Patrick Ryan, William Carroll.
Richard Moran, James Supple
Charles Young and Patrick Sweeney. }

And now at this day come again the parties afore-
said by their respective attorneys, and no jury
being required all and singular the premis-
es are by them submitted to the court which
being seen and heard and by the court here
fully understood the court doth find that
said defendants do owe ^{to} the plaintiff the
sum of three thousand and sixty dollars
and fifteen cents it being the amount of
principal and interest at the rate of ten
per centum per annum, found to be in
arrear and unpaid on the foreclosure of a
certain mortgage executed by the said
Patrick Ryan to the said Plaintiff. There-
fore it is considered by the court that said
Plaintiff do recover against said defendants

his debt and interest aforesaid with interest thereon at the rate of ten per centum per annum together with his costs and charges in this behalf expended and have thereof execution: and the court doth further order that said Mortgaged premises to wit "a lot of land situate in the south west corner of Block (or square) number fifty six (56) in the City of St. Louis and County of St. Louis to wit a lot of exactly forty seven feet wide by one hundred and twenty five feet long English measure neither more nor less in the South West part of said Block number 56 and which said lot is bounded on the west by Third St. of said City of St. Louis and fronts thereon exactly forty seven feet English measure, and is bounded on the south by Spruce street and fronts to the same one hundred and twenty five feet English measure, and bounded on the north by another lot still owned by said Russell, the said northern boundary being in part in and with a brick partition wall of a brick building, leaving the south part of said brick building including part of the brick partition wall therein, upon said lot, together with all

the buildings and improvements thereon
and all the rights privileges and appurte-
nances ⁱⁿ thereto belonging" he sold to
pay and satisfy the judgment aforesaid
and that if the proceeds of such sale be
not sufficient to pay and satisfy the same
then that the residue thereof be levied and col-
lected of the other goods and chattels, lands
and tenements of the said Patrick Ryan.

Upon which judgment an ^{alias} execution issued
in tenor and form following to wit:

County of St. Louis set.
The State of Missouri

To the Sheriff of the
County of Jefferson Greeting - Whereas Wil-
liam Russell on the 6th day of April in
the year of our Lord ~~one thousand~~ ^{eighteen}
hundred and forty three at our St.
Louis Court of Common Pleas before the Judge
thereof recorded judgment against Patrick
Ryan, William Carroll, Richard Horan
James Supple, Charles Young and Patrick
Sweeney for the sum of three thousand
and sixty six dollars and fifteen cents
for his debt and interest being the amount
found to be in arrear and unpaid on the

foreclosure of a ^{certain} mortgage executed by the
said Patrick Ryan to said William
Russell together with his costs and charges
in that behalf expended which judg-
ment was to bear interest at the rate of
ten per centum per annum. - And where-
as it was further ordered by our said
Court that the Mortgaged property
mentioned in the petition of said William
Russell ~~to~~ be sold to pay and satisfy the
said sum of money so found to be due
that is to say three thousand and sixty six
dollars and fifteen cents with costs and in-
terest at the rate of ten per cent. per annum
on the said sum so found to be due un-
til paid. - And it was further ordered by
our said Court that if the Mortgaged
premises aforesaid be not sufficient to
satisfy said debt interest and costs then
the residue to be levied of the other goods
and chattels, lands and tenements of the
said Patrick Ryan all of which appears
to us of Record. And whereas on sale of
the said Mortgaged premises made by the
Sheriff of our County on the 11th day of March
Eighteen hundred and forty ~~four~~ (after
paying costs) the sum of two thousand
four hundred and twenty four dollars

and sixty two cents only was made leaving a balance due on said 11th day of March Eighteen hundred and forty four of nine hundred and twenty six dollars and eighty three cents

These are therefore to command you that of the goods and chattels, lands and tenements of the said Patrick Ryan in your bailiwick you cause to be made the aforesaid sum of nine hundred and twenty six dollars and eighty three cents with interest thereon from the 11th day of March, Eighteen hundred and forty four (the date of the sale of the mortgaged premises) part and parcel of the aforesaid judgment that you have the same before the Judge of our said Court on the 1st. Monday of February next to render to the ^{said} plaintiff the debt aforesaid and that you certify to our said Judge how you execute this writ and have you then this writ.

(S. 22)

Witness, Nathaniel Paschall, Clerk of our said Court at St. Louis this seventh day of October, One thousand eight hundred and forty six

Sgd. N. Paschall, Clerk.

I John Hammond sheriff of the
County of Jefferson in the State of Mis-
souri do hereby certify that I received
this execution and levied the same the
executed this Execution on the 22nd day of October 1846 by leaving the within execution on the following land to wit, one hundred and
sixty acres of land in the County of Jefferson in Survey No 877 bounded on the north by Lot No. 35 on the south by lot No. 25 east by lot No
32, on the west by lot No 30 in said Survey of No 877 and I did advertise the same for sale on the 24th day of November 1846 at the
Court House door in the town of Hillsboro by putting up 6 six written land bills up in six of the most public places in said
County at least twenty days before the day of sale and I did offer the said tract of land above described as the land of the said Patrick
Ryan the defendant on the 24th day of November 1846 at the Court House door in the town of Hillsboro before a large concourse
of People at public outcry and Mary Ann Ryan Jr. being the last and best bidder for the aforesaid tract of land the same was struck
off and sold to the said Mary Ann Ryan Jr. for the price and sum of five Dollars November the 24th 1846

John Hammond Sheriff
of Jefferson County Mo.

And afterwards an ~~all~~ Execution issued
in tenor and form following, to wit:

County of St. Louis

The State of Missouri

To the Sheriff of the County of Jefferson
Greeting. Whereas William Russell on the
sixth day of April in the year of our Lord
Eighteen hundred and forty three at our St. Louis
Court of Common Pleas before the Judge thereof
recovered judgment against Patrick Ryan
William Carroll Richard Horam
James Supple, Charles Poing and Patrick
Sweeney the sum of three thousand and
sixty six dollars and fifteen cents for his
debt and interest being the amount found
to be in arrear and unpaid on the fore-
closure of a certain mortgage Executed
by the said Patrick Ryan to the said Wil-
liam Russell together with his costs and
charges in that behalf expended, which

judgment was to bear interest at the rate of ten per centum per annum and whereas it was further ordered by our said Court that the mortgaged property mentioned in the petition of said William Russell, be sold to pay and satisfy the said sum of money so found to be due, that is to say three thousand and sixty six dollars and fifteen cents with costs and interest at the rate of ten per centum per annum on the said sum so found to be due until paid.

And it was further ordered by our said Court that if the mortgaged premises aforesaid be not sufficient to satisfy said debt interest and costs, then the residue to be levied of the other goods, ^{and} Chattels, lands and tenements of the said Patrick Ryan all of which appears to us of Record. And whereas on the sale of the said Mortgaged premises made by the Sheriff of our County on the 11th day of March 1844 (after paying costs) The sum of two thousand four hundred and twenty four dollars and sixty two cents only was made leaving a balance ~~of~~ due on the said 11th day of March Eighteen hundred and forty four of Nine hundred and twenty six dollars and Eighty three cents. These, again are therefore to command you that of the goods

and chattels, lands and tenements of
the said Patrick Ryan in your Baili-
wick you cause to be made the afore-
said sum of nine hundred and twenty
six dollars and eighty three cents and
with interest thereon from the 11th day of
March Eighteen hundred and forty four
(The date of the sale of the mortgaged
premises) part and parcel of the aforesaid
judgment, that you have the same before
the judge of our said court on the third
Monday of September next to render to
the said Plaintiff the debt aforesaid
and that you certify to our said Judge
how you execute this writ and have you
then there this writ.

Seal

Witness Philip Tippet clerk
of our said Court at St. Louis
Ninth day of April A.D. 1851.
Igo. Philip Tippet

By virtue and authority of the foregoing writ of fi-
fa I did on the 15th day of April A.D. 1851
levy the same upon and seize as the property
of said defendant Patrick Ryan all the rights,
title, interest, estate, claim, demand and prop-
erty of said defendant Patrick Ryan of
in and to a tract of one hundred sixty

acres of land, being lot number thirty one
(31) which is part of survey no. 877 and is
bounded on the north by lot number 35
South by lot number 25, East by lot No.
32 and west by lot No. 30 of said original
Survey No. 877 and which said tract of
160 acres of land so seized and levied upon
and the corners, lines and boundaries thereof is
more fully described by the conveyance of the
same to the said Patrick Ryan by com-
missioners authorized to do so of record
in the Recorder's Office of the County
of Jefferson in Book 2, pages 391 & following,
to which reference is made as the best iden-
tification and description of the tract of land
hereby levied upon and did on the said 15th
day of April 1851 advertise the same for sale
by giving twenty days notice of the time and
place of sale and what real estate is to be
sold and where situate by at least six hand
bills signed by me and put up in public
places in different parts of the County of
Jefferson where said land lies (a copy
whereof is herewith returned) and I did on
Tuesday the 27th day of May agreeable to
said advertisement at the Court House
in the town of Hillsboro' in Jefferson Co-
unty between the hours of 9 o'clock in the

forenoon and 5 O'clock in the afternoon
of said day and while the Circuit Court
for said County was in session, exposed to
sale by public vendue openly the said
Real Estate and Thomas Allen became
and was then and there the highest bidder
for the same and the said Real Estate
was stricken off for the price and sum
of one hundred dollars full payment of
which said bid and purchase money
has been to me made, no other property
found to levy on.

May 27th 1861.

Jas. James McColloch
Sheriff

The judgment upon which this execution was
has been assigned to Thomas Allen

Attest. P. Tippet Clerk Com. Pleas

Rec'd. this 10th April 1851

Jas. James McColloch Sheriff.

The written notice of the sale referred to in
the Sheriff's return is in the words and fig-
ures following to wit:

Sheriff's Sale.

By virtue and authority of a writ of Fieri Facies,
issued out of the Office of the Clerk of the St.

Louis Court of Common Pleas, in the State of Missouri, returnable to the next September Term of said Court directed to the Sheriff of the County of Jefferson and to one said Sheriff delivered in favor of William Russell and against Patrick Ryan, William Carroll, Richard Moran, James Suple, Charles Young and Patrick Sweeney, I did on the 15th day of April A. D. 1851 levy upon and seize as the property of Patrick Ryan one of said Defendants the following described tract of land, situate in the County of Jefferson, ^{Missouri} State of Missouri, to wit: a tract of one hundred and sixty acres of land being lot No. (31) thirty one, which is part of Survey No. 87th and is bounded on the North by lot No. 35, South by lot No. 25, East by lot No. 32, and west by lot No. 30 of said original survey No. 87th, and which said tract of land so seized and levied upon, and the corners, lines ^{and} boundaries thereof is more fully described in the conveyance of the same to said Patrick Ryan by Commissioners authorized to do so recorded in the Recorder's Office of the County of Jefferson aforesaid in Book D, pages 89/8 following - reference thereto had the same will more fully appear. And I will on the 27th day of May next between the hours of

9 o'clock in the forenoon and five o'clock in the afternoon of that day, at the door of the Court House, in the town of Hillsboro, in said county of Jefferson, publicly by auction, sell all the right, title, interest, property ^{now} estate of said Patrick Ryan of in ^{ma} to said real estate to the highest bidder for cash to satisfy said execution and costs. Given under my hand this 15th day of April, ^{A.D.} 1851

Jas. M. Culloch
Sheriff

State of Missouri
County of St. Louis. I the undersigned Clerk of the St. Louis Circuit Court, having charge of the Record and Papers of the late St. Louis Court of Common Pleas, Certify that the foregoing is a true copy the Original Judgment rendered by said St. Louis Court of Common Pleas in the case of William Russell vs Patrick Ryan et al, as also of the writs and Process Executions issued on said judgment with the Sheriff's return thereon, as the same remain of record and on file in my Office.

In Witness Whereof I have signed
and affixed the Seal of said St. Louis Circuit Court the 11th day of October 1867
F. A. Schneider Clerk

William Russell

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Laurel Regard

Copy sent to Mrs. Jones

M. Russell paid 4.00