

Tofferson County Circuit Court
Case Files - Civil

Box

24 Folder 47

November 1869

Ogle Lydia Ann, gdn
Ogle, James Robert

vs

Wright, Henry M.

Specific performance of contract

convey title to lot in Hemetite
purchased from defendant by
William Ogle, now deceased

Lydia Ann Ogle, and
 James Robert Ogle, By }
 his Guardian Lydia }
 Ann Ogle, Plaintiffs }
 Against }
 Henry M. Wiatt, - Defendant.

In the Circuit
 Court of Jefferson
 County Missouri,
 November Term 1869.

The Plaintiffs, Lydia Ann Ogle, widow of
 William Ogle deceased, and James Robert Ogle, (a
 minor son and heir of said deceased,) suing by his Mother
 and natural Guardian, the said Lydia Ann Ogle,
 state that the said William Ogle, some time
 in the year 1867, made a verbal Contract with
 the Defendant by which he purchased of the
 Defendant a Lot of Land, situate in the Town of
 Hemetite, in Jefferson County Missouri, and de-
 scribed on the Plat of said Town as ~~the~~ ~~lot~~ ~~the~~
~~fractional Block No. seven, being one hundred~~
~~and feet in length and twenty five feet in width,~~
 as laid off on the Plat of said Town, now on file
 in the Recorder's Office of said Town; for the price
 and sum of Five hundred and twenty five dollars,
 - That said William Ogle, ^{at different} ~~several~~ times in the year
 1868, made several different payments on said
 Contract, amounting in all to two hundred
 and five dollars, - That soon after said purchase,
 the Defendant delivered to said William Ogle
 the possession of said Lot of Land, then having
 on it a small cabin, - and that said William
 Ogle while in such possession by virtue of said
 purchase, went on to improve the same, and did
 make thereon, valuable and lasting improve-
 ments, by repairing and making additions to
 said dwelling House, and building a Smoke house,

Kitchen or cooking House, and fencing in said Lot with
fainlings, thereby rendering said premises, tenable
and much more valuable, - Plaintiffs state
that by the terms of said Contract, Defendant agreed
to convey said Lot of Land to said William Ogle
whenever he should complete the payment of the
same, - and that at the time of the death of
said William Ogle, in the fall of 1868, there re-
mained only twenty dollars unpaid on said
Contract for the purchase of said Lot of ground,
And Plaintiffs ^{state} that said William Ogle left ^{the said James Robert Ogle} ~~sur-~~
viving him only one child and heir to whom his
property descended, subject to the dower rights
of his widow, the said Lydia Ann Ogle, - And
Plaintiffs state that since the death of the
said William Ogle, they have been ready & willing
and have offered to pay Defendant the sum
of twenty dollars the balance due on said
purchase of said Lot of Land, and have de-
manded of him to make them a Deed for the
same, - but that the Defendant refused so to
do, and still refuses to perform his Contract
by conveying said Lot of Land to the Plaintiffs.
Plaintiffs state that they are still ready & willing
and here tender to Defendant said twenty dollars,
the balance of said purchase money, or whatever
balance may be found by the Court to be due, And
Plaintiffs therefore asks that the Defendant be
compelled to convey said Lot of Land to the
Plaintiffs, or that the Court will do it for
him, - and to grant such other and fur-
ther relief as may be just and equitable,

James Robert Ogle
By Lydia Ann Ogle, his
Mother & Natural Guardian
Robert Green, Attorney for Lydia
Ann Ogle

In the Circuit Court
Jefferson County

Lydia Ann Ogle &
Jas. Robert Ogle
vs. Emanuel
D.S.

Henry M. Watt

Petition
for specific performance

Let Summons issue
A Green
for Plffs

Filed Oct 23rd 1869
Elias L. Honey et

THE STATE OF MISSOURI,
COUNTY OF JEFFERSON. SS.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

Henry M. Hyatt,

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 15th Monday after the fourth Monday of Nov

Next, and then and there to answer unto

Lidia Ann Oglesby

upon *their* original petition, a copy whereof is herunto annexed and accompa-
nies this writ, and have you then there this writ.

Witness ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereto affixed, at office in Hillsboro, this 23^d
day of Oct, A. D. 1869,

Elias F. Honey

B. L. H. Agford Sh.
Clerk Circuit Court

2728

Jefferson Circuit Court

Nov. Term 1869

John A. Ogden
Petitioner

vs
Respondent

A. M. Whitt

(Orig)

Served on the 29th day of October 1869

Served on the 29th day of October a D 1869 at Jefferson Co.
Mo by Delivering to the within named Defendant, A. M. Whitt
a copy of his Writ and Petition as furnished to me by the Clerk
of the Circuit Court

Fee 1.00

Frederick Luskmeier Sheriff
by James S. Johnston

Special Deputy