

Jefferson County Circuit Court

Box 30 Folder 8

Case Files - Civil

September 1872

Holken, Adolph

vs

Glass, Fredrick

Glass, Louisa

Set aside doed

122 acres in 53174225E, horses,

Cattle, wagons, plows

Adolph Hocken, Plaintiff } In the Jefferson
 Against } Circuit Court.
 Frederick Glas, and } Sept. Term 1872.
 Louisa Glas, Defendants }

Plaintiff states that heretofore viz: on the 27th day of February 1871 he was seized in fee simple of the real estate herein after described as also the personal property herein after mentioned: that he ~~was~~ had at that time no children or other descendants nor has he any now: that however his wife Caroline Hocken, had a daughter who was ^{married} ~~made~~ to Frederick Glas both of whom are made Defendants: that he at that time was enfeebled in mind and body by age and sickness: that his wife Caroline had acquired a great influence over him: that she and her daughter, the above named Louisa Glas and her son-in-law Frederick Glas combined conspired and confederated together to cheat and defraud Plaintiff of said land and personal property and persuaded him to execute and to said Defendants dated February 27th 1871 conveying to them the following

described real estate and personal property lying and being in Jefferson County Missouri viz: The $S\frac{1}{2}$ of Lot 2 of the NW $\frac{1}{4}$ and Lot 2 and the $N\frac{1}{2}$ of Lot 1 of the SW $\frac{1}{4}$ of Section 31 Township 42 N. Range 5 E. Containing one hundred and twenty two ⁵⁰/₁₀₀ acres except a parcel of ground upon the dwelling house is situate and two acres of ground adjoining said dwelling house now enclosed by fence which was reserved during the natural lives of the said Plaintiff and his wife Caroline the said Defendants to have the right to occupy the said dwelling house jointly with Plaintiff. and also ~~the~~ three head of ~~horses~~ horses, three head of Cattle, two wagons, and all plows harness and all other farming implements then owned by the Plaintiff.

Plaintiff further states that he files a copy of said and with this petition and prays that it may be taken as a part thereof, the original being in the possession of Defendants and not in the possession or under ~~his~~ the control of Plaintiff.

Plaintiff further states that although said deed recites a consideration of fifteen hundred dollars, as paid by defendants to him for said land and personal property nothing in fact was paid or agreed to be paid but said consideration is false, yet Plaintiff alleges that the defendants ^{by the advice of} ~~in conjunction with~~ the said Caroline in order to quiet the apprehensions and fears of the Plaintiff secured and delivered to him a bond under their hands dated February 27th 1871 which is herewith filed and prayed to be taken as a part of this petition by which they bound themselves then him, executor and administrators to pay Plaintiff or his wife Caroline one hundred dollars per annum as long as they or either of them should live or in default thereof said land was to revert to Plaintiff and defendants were to deliver to him said personal property or pay him the value thereof, estimated at Two hundred dollars,

Plaintiff further states that by said deed he was stripped of all his property both

real and personal and that Defendants have the joint possession of his dwelling house, and ~~garage~~. He states that Defendants have wholly failed to comply with their agreement to pay him one hundred dollars annually by reason whereof the consideration for said land and personal property has totally failed.

He further states that said deed was obtained from him by the undue influence exercised over him by his wife Caroline and Defendants he having no independent legal advice at or before the execution of said deed. and without any consideration whatever.

Therefore Plaintiff prays the Court to cancel, annul, and set aside said deed and revert the title to said real and personal property in Plaintiff and for other proper relief.

John H. Thomas & Bro
Atty for Plaintiff.

Adolph Hecker

vs

Frederick Glas et al

Petition to set aside
dec.

Filed Aug 17th 1872
W^m Bryce Clerk

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

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon *Frederick Glas* &
Louisa Glas

if ~~they~~ be found in your County, that he be and appear before the Honorable 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 *September* next, then and there to answer unto

Adolph Hocken

upon *his* original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then there this writ.

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto af-
fixed, at office in Hillsboro, this *Nineteenth*
day of *August* A. D. 18*72*

W. S. Boyce Clerk Circuit Court.

By _____ Deputy.

I Executed the within in the county of Jefferson State
of Missouri on Frederick Glass and Louisa Glass ^{by}
^{of the within and by}
Delivering each of them a true copy as furnished
by the Clerk of said court on the 21 day of Sept 1872

J. B. Moss Sheriff

By T. A. Williams
Deputy

385-9

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

September TERM, 1872

Adolph K. Brecken

= vs =

Frederick Glass &
Louisa Glas

Original

Sheriff Fee 2.00

136, 163, 226

Leaves to and - Cont -

Sept 1872

Copy
Adolf Hoecken & wife
TO
Frederick Glas

WARRANTY DEED.

This Indenture, Made on the Twenty Seventh day of February A. D.
One Thousand Eight Hundred and Seventy one by and between Adolf Hoecken & Caroline

his wife

of Jefferson County State of Missouri Parties of the First Part, and

Frederick Glas and Louisa his wife

of the County of Jefferson in the State of Missouri Parties
of the Second Part:

Witnesseth, That the said Parties of the First Part, in consideration of the sum of
\$1500⁰⁰ / 100 fifteen hundred Dollars

to them paid by said Parties of the Second Part, the receipt of which is hereby acknowledged, do by
these presents **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM**, unto the said Parties of the Second
Part, their heirs and assigns, the following described lots, tracts or parcels of land, lying, being and
situate in the County Jefferson and State of Missouri, to-wit: All The South
half of lot number two of The North West quarter and The
lot number two and the north half of the lot number one
of the South west quarter of section thirty one in Township
forty two (42) North of range five (5) East in the district of
lands subject to sale at St Louis Missouri containing
one hundred and twenty two acres fifty seven hundredths
of an acre except a parcel of ground upon which is
situate a dwelling house and two acres adjoining
said dwelling now enclosed by fence which I reserve during my
natural life and the life of my wife Caroline the parties of the
Second part have the right to occupy said dwelling house jointly
with the parties of the first part the parties of the first part also sell
to the parties of the second part three head of ~~horses~~ horses three head of
cattle and two wagons all plows and harness which are now
owned by me together with all other farming implements,

To Have and to Hold; the premises aforesaid, with all and singular the rights, privileges, ap-
purtenances and immunities thereto belonging, or in any wise appertaining, unto the said Parties of the Second
Part, and unto their heirs and assigns **Forever**; the said Adolf Hoecken & Caroline
Hoecken hereby covenanting that They are
lawfully seized of an indefeasible Estate in fee, in the premises herein conveyed; that they have
good right to convey the same, that the said premises are free and clear of any incumbrances done or suffered
by them or those under whom they claim; and that they
will **Warrant and Defend** the title to the said premises, unto the said
Parties of the Second Part, and unto their heirs and assigns **Forever**, against the lawful claims
and demands of all persons whomsoever.

In Witness Whereof, The said Parties of the First, have hereunto set their hand, and seal
the day and year first above written.

Signed, sealed and delivered in presence of us.

A. Yerger



Adolf Hoecken LS
Caroline Hoecken LS

LS.
LS.

STATE OF MISSOURI, } SS.
County of Jefferson
February
A. D. 1877, before the undersigned, a County Court Justice
within and for the County of Jefferson
and State of Missouri, personally came Adolf Horken and Caroline Horken
who are personally known to me to be the same persons whose name is subscribed to the foregoing instrument of writing as part thereof, and acknowledged the same to be their act and deed for the purpose therein mentioned. And the said Caroline Horken
being by me first made acquainted with the contents of said instrument, upon an examination separate and apart from her husband, acknowledged that she executed the same, and relinquishes her dower in the Real Estate therein mentioned, freely and without fear, compulsion or undue influence of her said husband.
In Testimony Whereof, I have hereto set my hand and affixed my official seal at my office in the day and year first above written

Anton Yerger County Court Justice
Filed + Recorded 22nd March 1877 in Book 5 pages 39

STATE OF MISSOURI, } SS.
County of _____
18____, before the undersigned, a _____
said, personally came _____
of writing, as a party thereto, and acknowledged the same to be _____
further declared _____
to be single and unmarried.
In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in the day and year first above written.

Jefferson Democrat News, Book and Job Printing Office, Hillsboro, Mo.

WARRANTY DEED.

FROM _____
TO _____

Filed for Record the _____
day of _____, A.
D., 18____, at _____ o'clock, M.
Recorded in Book _____, at
Page _____.

Recorder. _____
Deputy. _____
Recorder's Fees, \$ _____

Filed Aug 17 1877
W. S. Boyce Clerk

STATE OF MISSOURI, } SS.
County. } RECORDER'S OFFICE.

I, _____
Recorder of said County, do hereby certify that
the within instrument of writing was on the _____
day of _____ A. D.
18____, duly filed for Record in this office, and is
only Recorded in the Records of this office, in
Book _____ at Page _____

IN WITNESS WHEREOF, I have
hereunto set my hand, and affixed
the seal of said office, at
this _____
day of _____ A.
D., 18____

Recorder. _____
Deputy. _____

STAMP DUTIES.

When the Consideration is

Any amount not over \$ 500.....	\$0 50
Over \$ 500 " " 1,000.....	1 00
" 1,000 " " 1,500.....	1 50
" 1,500 " " 2,000.....	2 00
" 2,000 " " 2,500.....	2 50
Every additional \$500 or fractional part thereof.....	50