

Jefferson County Circuit Court
Case Files - Civil
September 1874, No. 34

Baskett, Theresa
Baskett, James L.

vs.

Dyer, Eugenia C.
Dyer, William S.

Ejectment

240 acres in S17, 18 T39R4E;
\$2,000 damages

Box 33 Folder 20

Theresa Buskett, and her husband
James L. Buskett; Plaintiffs
vs. Defendant —

In the Circuit Court
County of Jefferson and
State of Missouri —

Eugenia C. Dyer and her husband
William S. Dyer, Defendant.

September Term
A.D. 1874 —

The Plaintiffs James L. Buskett and Theresa Buskett allege that they are lawfully husband and wife.
And the said plaintiffs for their cause of action come and say that on the 24th day of February A.D. 1874, at low tide the County aforesaid the said plaintiff Theresa Buskett, wife of James L. Buskett, was entitled to the possession of the following described premises and land lying in the County of Jefferson and State of Missouri, viz: the west-half of the North-west quarter of Section Seventeen (17) and the North-east quarter of Section (18) Eighteen, all in township number (39) thirty-nine north range 4 Four East, and containing together two hundred and forty acres, more or less, with the improvements thereon and the appurtenances belonging, and being so entitled to the possession thereof said defendant afterwards, on the 24th day of February A.D. 1874, entered into the aforesaid premises and land as hereinbefore described, unlawfully, and yet unlawfully withholds from the plaintiff Theresa Buskett the possession of the aforesaid premises to her damage in the sum of two thousand dollars. And said plaintiffs further aver that the monthly value of the rent and profit of the land aforesaid is one hundred dollars per month. Wherefore plaintiffs demand judgment for the use of said Theresa Buskett, for the recovery of the premises aforesaid, and damages for the unlawfully withholding of the same from plaintiff Theresa aforesaid, and one hundred dollars per month —

Filed Aug 28 78 1/4
W D Boy & Co



for rent and profit, from the rendition of judgment until the possession of the premises is delivered to Plaintiff for the use aforesaid, and for other proper relief.

2nd Count. And the said Plaintiff, for further cause of action in this behalf say that on the 24th day of February A.D. 1874, at Court the County aforesaid, the said Plaintiff Theresa, wife of James L. Bussell; aforesaid, being seized in fee and thereby being entitled to the possession of the following land lying lying in the County of Jefferson and State of Missouri, viz: the West half of the North-west quarter of Sec. 17 (17) Section, and the North-east (1/4) q. of Section (18) Eighteen all in Township No (39) thirty-nine north Range (4) Four, East, and containing together two hundred and forty acres, was unlawfully deprived of the possession thereof by defendant, and being entitled to the possession of said premises, said defendant afterwards went on the day and year last aforesaid unlawfully entered upon the said premises and has ever since retained possession unlawfully and yet unlawfully withheld the possession from Plaintiff Theresa Bussell to her damage in the sum of five thousand dollars. And said Plaintiff aver that the monthly value of the rent of the premises aforesaid is at least one hundred dollars. Wherefore Plaintiff judgment for the recovery of the premises, that said defendant be ejected, that damages for the use of said lands be adjudged from the time Plaintiff right of action accrued, and for all other proper relief.

Chas. B. Henry

Atty for Plaintiff.

Theresa Bussell.

James L. Bussell.

Theresa Russell et al.

vs. J. L. L. in
Eschmühl-

Engenia C. Dyer et al.

Chas. B. Howay
Atto. for Plaintiff.

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 *Eugenia C Dyer*
and William S Dyer

if they be found in your County, that they 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 *Theresa Buskett and*
James S Buskett

upon *their* 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
affixed, at office in Hillsboro this *28th*
day of *August* A.D. 1874

W S Boyce Clerk Circuit Court.

By *Chas. Horner* Deputy

34 3869

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1874.

Burkett & Burket

vs

Dyer & Dyer

Exhibit

original

Aug 28 12 Served R

I executed this writ At the County of Jefferson Mo on the 28th day of August 1874 by delivering a true copy of this writ ~~and~~ ^{Petitions} as furnished me by the Circuit Clerk to Wm S Dyer and I further executed this writ at the same time and place by delivering a copy of this writ to Eugenia Dyer.

T. B. Wolf Sheriff

By Wm T. Mockbe Deft

Theresa Busket and her husband
James L. Busket, Plaintiffs

^{vs.}
Eugenia C. Leyer and William S. Leyer, Defts.

In the Circuit Court of
Jefferson County, Sept. 1, Term 1874

Defendants for answer to plaintiffs petition
State that they have no knowledge or infor-
mation sufficient to form a belief whether or not
James L. Busket and Theresa Busket
are married to each other or whether or not
they are lawfully husband and wife.
Defendants deny that on the 24th day of
February A.D. 1874 or at any other time in the
County of Jefferson Mo. or any other place
that the said plaintiff Theresa Busket
wife of James L. Busket (as alleged in the
petition) was entitled to the possession
of the following described premises and
land lying in the County of Jefferson
and State of Missouri, viz: The west
half of the North west-quarter of Section
Seventeen and the North east-quarter
of Section Eighteen all in Township
number thirty^{nine} north Range four East
and containing together two hundred
and Forty acres more or less, with
the improvements thereon and the
appurtenances belonging.

Defendants deny that afterwards on the 24th day of February 1874 or at any other time they unlawfully entered ~~and~~ into or upon the aforesaid premises and land and deny that they yet unlawfully withhold from the plaintiff Theresa Bustell the possession of the aforesaid premises and land to the damage of the said Theresa Bustell in the sum of ~~of~~ two thousand dollars or any sum of money whatever. Defendants deny that they on the 24th day of February 1874 or at any other time unlawfully entered upon said premise and land or that they unlawfully withhold the possession of said premises and land from said Theresa Bustell. Defendants aver that said Theresa Bustell ~~is the wife of~~ ~~alleged~~ of said James R. Bustell; never owned nor was ever entitled to the possession of the premises and land above described. Defendants deny the allegation of plaintiffs that the monthly rents and profits of the land aforesaid is one hundred dollars per month or any other sum.

Defendants deny that plaintiffs are entitled to judgment for the use of said Theresa Bustell

for the recovery of the premises aforesaid
and for damages for the unlawfully withhold-
ing of the same from plaintiff
Theresa Buskell - and for one hundred dollars
per month or any other sum, for rents
and profits as claimed in plaintiffs petition

Defendants for answer to the second Count
of plaintiffs petition deny that on the
24th day of February A. D. 1874 or at any
other time, at the County of Jefferson aforesaid
or any other place the said plaintiff Theresa
Buskell was seized in fee and of the
following land viz: the west half
of the North west quarter of Section
Seventeen, and the North East quarter
of Section eighteen in Township No 39
North of Range four East - containing 2 $\frac{1}{4}$
acres. Defendants deny that said Theresa
Buskell is now or ever was entitled to the
possession of said land. Deny that
~~that~~ she was unlawfully deprived
of the possession of said land by these
defendants or either of them. Defendants
deny that they or either of them on the day
and year last aforesaid or at any other
time unlawfully entered upon said premises

and they deny that they have ever since
or at all retained possession unlawfull or
unlawfully with hold the possession
from the plaintiff Theresa Buskett
to her damage in the sum of five thousand
dollars or any other sum.

Defendants deny that they at any time unlaw-
fully entered upon said premises or that
they at any time unlawfully deprived
said plaintiff Theresa Buskett of the
possession of said premises Defendants
deny that the monthly value of the rent
of said premises is one hundred dollars
or any other sum. and deny that
they plaintiff are entitled to recover
the possession of said premises or any
damage as alleged.

J. H. Vail and
Henry F. Ahlner,
Attorneys for defendants.

Theresa Buskett and

L. Buskett

vs.

L. Seyer & W. S. Seyer

Answer.

Theresa Buckshot and her
husband James L. Bus,
Pet, plaintiffs,

vs.

Eugenia E. Dyer and
William S. Dyer, de-
fendants,

Ejectment.

Verdict of defen-
dants.

Filed Dec. 9 1894

W J Bryce

Clerk

Buckett & Buckett } Notes & Cases.
 Dyer & Dyer }
 Boyce Clerk.

Files²⁵ copy let.⁶⁰ & cos⁵⁰ writs & 2 copies^{1.20} \$ 2.55

and²⁰ leave to amend²⁰ leave to ans.²⁰ cont²⁰ .85-

and filed²⁰ and Dyer²⁰ replication²⁰ cont²⁰ .85-

Horne [cont.²⁰ Compromise³⁵ Judgt.⁵⁰ 1.00

FB¹⁰ Costs²⁰ docket⁴⁰ .75

1 Sp²⁰ issue joined²⁰ Leave to withdraw note²⁰ min²⁵ ~~45~~ ~~6.35~~
 45 \$ 6.80

FB Mop Shff.²⁰
 2 writs^{2.00} calls²⁰ 3 Sp^{1.50} 3.70

John Gifford 1 day 28 miles 3.24

Will Polite 1 " 28 " 3.24

6.48
 16.98

Each Case. \$ 6.80

writs^{2.00} calls²⁰ 2.20

\$ 9.00

16.98

25.98

Busstell & Busstell

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Hygen & Hygen

Free Bill