

Jefferson County Circuit Court
Case Files - Civil
May 1876, No. 68

Box 35 Folder 60

Butz, Frederick

vs.
Blank, William

Debt

Debt \$460 balance due for purchase
of 77 acres in U.S. Survey 1832

Frederick Buff, Plaintiff } In the Circuit Court
against } of Jefferson County
William Blank, Defendant } Mo. May Term 1878.

Plaintiff states, that on the sixth day of July A.D. 1869 he sold to Wm Blank this defendant a parcel of Real Estate situate in Jefferson County Missouri and particularly described as follows, viz: Lot number three of the subdivision of United States survey number eighteen hundred and thirty two containing seventy seven and sixty seven hundredths acres, and executed and delivered a deed therefor; for which this defendant agreed to pay the sum of nine hundred and twenty-five dollars as the purchase price for said land, and at the time of said sale and delivery of deed this defendant paid to plaintiff the sum of three hundred dollars of said purchasing price, and then and there executed his two promissory notes payable to plaintiff of some date with said deed from plaintiff to defendant for the residue of said purchase money, one note for three hundred dollars, payable one

year after date with interest from
date at the rate of six per cent ~~per~~
per annum from date and one
note for three hundred and fifty dollars
payable two years after date with
interest at the rate of six per cent
per annum from date. And to better
secure said purchase money this plaintiff
required of William Blank this
defendant a deed of trust recon-
veying said land to plaintiff &
~~in trust to~~ ^{in trust to} ~~the~~ secure the purchase money
remaining unpaid and due in
one and two years as aforesaid. And
said deed of trust was duly recorded
in the Recorder's office of Jefferson
County Missouri in Land Record Number
two at page four hundred and ninety three
and afterwards, on the seventeenth day
of October, ¹⁸⁷⁰ before either of said notes
had become due and payable William
Blank this defendant conceived a fraudulent
intention, and to further his purpose
of defrauding this ^{plaintiff} ~~defendant~~ he voluntar-
ily paid defendant ~~two~~ two hundred
and fifty dollars of said residue
of purchase money leaving a balance

✓ due of said purchase price of
four hundred and sixty dollars
and said William Blank this defendant,
✓ in pursuance of his fraudulent de-
sign, by gross fraud and misrepresentations
induced plaintiff to enter satisfaction
of the notes ~~secured by the~~ given for the
purchase money aforesaid and endorse
a release on the margin of the re-
cord at the page and in the book
aforesaid and to deliver up to defendant
his said notes, which satisfaction and
release was procured through the
connivance of defendant and wholly
without consideration in fact.

And since defendant ~~fraudulently~~
~~often~~ succeeded in getting possession
of his notes as aforesaid and a release
of the property; though without consideration
he persistently refuses to pay said
balance of purchase money and the
interest due thereon.

Plaintiff further states that
William Blank, this defendant is
still the owner of said land as vendor
of plaintiff.

Wherefore plaintiff demands
judgment against the said

Atty for Pluff

Yours Blend

action for Dr. A.

Whissam Press
W. Jeffcoats,

Sam Byrd
at the top

Filed April 21 1876.

Chickadee

Clark

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 *William Blank*

if he 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 *May* next, then and there to answer unto

Frederick Butz

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

Witness, C. THO. HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *21st* day of *April*, A. D., 1876.

C. Tho. Horine, Clerk Circuit Court.

68
4216

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

May TERM, 1876

Frederick Smith

vs

William Blank

Original

1876

Shupfer

5746, 573, 627.

I Execute this writ at the County of Jeff-
erson in the State of Missouri this 22nd
day of April AD 1876 by delivering to
the within named William Blank a
true copy of the within writ and
petition as furnished me by the
Clerk of Hillsboro J. J. Co. Ind

T. B. McGuffey
By H. I. Moulton Dep