

Jefferson County Circuit Court
Case Files - Civil

Box 19 Folder 45

October 1867

Ogle, Missouri, by next friend
Williams, Joseph J.

vs.

Ogle, Henry

Injunction

Enjoin disposal of real estate,
livestock, equipment, corn, and
oats during pendency of divorce
suit

Missouri Oke By { In the County-
Jas. Williams & Co. } Court of
Met-frienda } Jefferson County-
Henry Osh } Missouri

To Henry Osh the
above named Defendant- you will
take notice that I will make
application to the County Court of
Jefferson County Missouri at the
Court House in Hillsboro on the 22nd
day of October 1867 for an Injunction
to Restrain Prohibit & Enjoin you
from taking possession of or disposing
of or selling any of the following
property belonging to me, to wit: one
yoke of oxen, one mare, one wagon,
one cow, one ox, four plows, two sets
of harness, four hundred bushels of corn,
more or less, two hundred and fifty
bushels of oats more or less, a lot of
hogs supposed to be twenty five in
number, & fifteen sheep & also any &
all other personal property now in
my possession & belonging to me
& also to Enjoin you from collecting or
receiving any money, debts or evidences of
debt coming to or due me from any
source whatever

Missouri Oke By

Missouri on Henry Ogle on the 22nd
day of October 1867 by giving to him a
Copy of said notice
Suborn to and Subscribed } Jos. J. Williams
before me October 22nd - 1867
Wm. McMullin Jc

Filed Oct 24th 1867
Clara J Henry Clerk

Ogle
Ogle
notice for
injunction

Jos. J. Williams her
Attorney

Missouri Ogle By
Jos. J. Williams her
next friend

vs
Henry Ogle

In the County Court
of Jefferson County
Missouri

Plaintiff States that on the
8th day of April 1867 in the
County of Jefferson in the State of
Missouri she was lawfully married
to the Defendant that she continued to live
with the Defendant as his wife from
and after the day last aforesaid
until the 25th day of September 1867 that
during all that time she faithfully
deceased herself & performed all her
duties as the wife of the Defendant but
that the Defendant wholly disregarding
his duties as the husband of Plaintiff
did rise such indignities towards the
Plaintiff as to render her condition intol-
erable by using almost habitually such
harsh & insulting language towards
the Plaintiff as to render her condition
intolerable by repeatedly threatening
to whip the Plaintiff, by threatening to
kick Plaintiff out of bed at night
by almost daily threatening to leave the Plai-
ntiff & saying he would not live with Plai-
ntiff & that the Defendant did on the 25th
day of September 1867 leave & desert the

Plaintiff & now habitually uses false &
Slandering Language about the plain-
tiff among her neighbors & says that
he will not again live with the plaintiff
as her husband, ~~and~~ falsely &
Slanderingly publicly accusing said
plaintiff with having committed ~~adul-~~
Adultery with divers other persons,
Plaintiff says that she has resided in
this State one whole year next before the
filing of this petition, that at the time of
the marriage plaintiff was possessor
of Real & personal property in said County
as follows, one hundred & seventy & $\frac{10}{100}$
acres of Land being a part of U.S. Survey
No. 1966 Township 41. Range 3 East, also
one yoke of oxen worth one hundred &
sixty dollars, one mare worth Two hundred
dollars, one wagon worth forty dollars,
one cow worth twenty five dollars, ~~one~~
ox worth twelve dollars, 4 plows,
Two sets of harness, four hundred bush-
els of corn worth four hundred dollars,
Two hundred fifty-bushels of oats worth
one hundred & twenty five dollars, twenty
five hogs worth seventy five dollars,
fifteen sheep worth forty five dollars,
and that there is coming to and due her
by the administrator of her deceased

husband James M. McKean about
Two hundred Dollars now subject to be
distributed and that the Defendant is
wholly insolvent & that a judgment
against him would be unavailing
& could not be collected by Execution or
otherwise and that he is now threatening
to & about to take the aforesaid personal
property from the possession of the
Plaintiff & convert it to his own use
So as to deprive Plaintiff of the same &
is about to put out her said farm for
his own benefit. Plaintiff says also
that there is no Circuit Court now in
session in this County & no judge thereof in
said County. Plaintiff says further
that she has commenced a suit in the
Circuit Court of Jefferson County Missouri
for a divorce against said Defendant
which is now pending in said Court
and prays the Court to grant an
Injunction against said Defendant
to restrain prohibit & enjoin him
from selling or disposing of or
converting said property or any
of the same to his own use or from
taking the same or any part thereof
from her possession during the
pendancy of said suit for a divorce
suit for a divorce & that upon a
final hearing of said cause said

Injunction may be made perpetual
& that the Court will grant such
other & further relief as may be
just & proper.

Joseph Williams,
Atty for Plaintiff

Missouri Ogle on oath says
that the matters set forth in the
foregoing petition is true to the best
of her knowledge & belief

Missouri Ogle

in
Henry Ogle

Petition for Injunction

Diled Oct 24th 1867
Elias Honeycutt

Missouri Ogle By } In the Circuit
Next-Friend &c. } Court- Jefferson
vs } County Missouri
Henry Ogle }
Principal and } We Missouri Ogle as
and

and
as Securities owe and stand indebted unto
Henry Ogle in the just sum of
Two Thousand Dollars to be levied
of our goods Chattels, Lands and
Tenements upon the following
Conditions, To wit: Whereat Missouri
Ogle has made application to the
County Court of Jefferson County Missouri
on the 22nd day of October 1864 for an
Injunction against Henry Ogle to
restrain prohibit and enjoin him
from selling, disposing of or taking
from the possession of said Missouri
Ogle and converting to his own use

during the pendency of a suit for
a divorce now pending in the Circuit
Court of said County of Jefferson where-
in Missouri Ogle is Plaintiff and

Henry Ogle is Defendant- Any of the
following property, To wit: "one mare worth
Two hundred Dollars, one Yoke of Oxen,
four hundred Bushels of Corn, Two
hundred & fifty Bushels of oats
Twenty five Sheep Hogs, one Wagon
Two hundred Dollars due said
Missouri from the Estate of James M.

McKean, one ox, one cow, Household
and Kitchen furniture

and
whereas Said County Court did on
the 22nd day of October 1867 order
that an Injunction be issued to restrain
prohibit and Enjoin Said Henry
Ogle from taking any of said prop-
erty from the possession of said
Missouri or from selling or disposing
of the same or from converting the
same to his own use or from collecting
any money due said Missouri and also
from renting for his own use the
Lands of said Missouri to wit one
hundred and seventy & ¹⁰/₁₀₀ acres or
part of U.S. Survey 1966 Township 41
Range 3 East. Now if said plaintiff
shall abide the decision which shall be
made in said Cause of Injunction, and
pay all sums of money damages and costs
that shall be adjudged against her if
the Injunction shall be dissolved then
this Bond shall be void otherwise to remain
in full force and Effect witness our
hands and Seals October 23rd 1867

Missouri & O. E. Magle

Samuel Russell

E. H. Frost

James A. Wilson

Samuel M. Barrows

Seal
Seal
Seal
Seal
Seal

Missouri Cyle
at
Hemph Cyle
Refraction Band

Aspinne

Filed Oct 24 1867
Geo J Honey Oler

State of Missouri } In the County Court
County of Jefferson } October 22nd 1867.

The following proceeding was had to wit,
Missouri Ogle } On Petition for Injunction
Henry Ogle }
Now at this day comes the plaintiff by her attorney
and presents her petition stating that on the 8th day of April 1867 she was lawfully
married to defendant, and continued to live with him as his wife until the
25th day of September 1867. That at the time of her marriage she was the owner
in her own right of the following Real Estate to wit 170 acres of land being a
part of U. S. Sur. No. 1966 Town 41 R3, and personal property to wit one yoke
of oxen worth one hundred and sixty dollars one mare worth two hundred dollars,
one wagon worth forty dollars one cow worth \$35.00 one or worth \$12.00 4 plows two
sets of harness, four hundred bushels of corn worth four hundred dollars,
250 bushels of oats worth \$125.00 25 hogs worth \$75.00 15 sheep worth \$45.00
and sets of the estate of her deceased husband James B. McKean amounting to two
hundred dollars. That the defendant is insolvent, and that a judgment against
him would be unavailing, that he is now threatening to, and about to take the afore-
said personal property from the possession of plaintiff, that she has commenced
suit in the Circuit Court of Jefferson County Mo, for divorce, and that there
is now no Circuit Court in session within this County, or judge thereof within
the County and prays the Court to grant an injunction against defendant
to restrain, prohibit and enjoin him from selling or disposing of, or con-
verting to his own use, or from taking from possession of plaintiff any of
the property aforesaid, and it appearing that notice has been duly served
on defendant. It is ordered by the Court that upon the plaintiff filing bond
in the sum of two thousand dollars, with conditions as required by law,
with good security, the injunction be granted as desired by the petitioner to
restrain and enjoin the defendant from removing said property from the
possession of the plaintiff or from selling or disposing of the same, or

from converting the same or any part thereof to his own use,
and it is further ordered that the Clerk of this Court, certify to the Clerk of
the Circuit Court, these proceedings that the injunction may be ~~granted~~
issued, according to law, returnable to the next term of the Circuit Court
of said County.

Also, Oct. 23rd 1867 The following, to wit,
Missouri Ogle } On Petition for Injunction
Henry Ogle } The Bond of the plaintiff is filed and
approved by the Court,

I, R. H. McMullin Clerk of the County Court within
and for the County of Jefferson aforesaid, hereby certify
the above and foregoing to be a full, true and correct
copy of the proceedings in the above entitled cause,

In Testimony Whereof I have hereunto signed
my name, and affixed the seal of said Court
at office in Hillsboro Mo's 24th day of October
A.D. 1867.

R. H. McMullin Clerk

Permanente de la 3.50

Filed Oct 24 1980
Clas 2 Henry 2007

The State of Missouri }
County of Jefferson }

The State of Missouri to the Sheriff of Jefferson County
Greeting,

Whereas the County Court of Jefferson County,
State of Missouri, at the regular ~~term~~ term thereof begun
and held on the twenty first day of October 1867 and
on the second day thereof, being the 22nd day of said month
upon a petition of Missouri Ogle by next friends, a certified
copy of which is hereto annexed, and upon the filing of a
bond by said Missouri Ogle with approved security, in accor-
dance with the requisitions of the statutes ^{made & provided} in such cases,
which bond has been approved ~~to~~ by said court, whereupon
it was ordered and adjudged that the prayer in said petition
be granted and that a writ of injunction returnable to
the May Term 1868 of the Circuit Court, be issued
enjoining and restraining Henry Ogle from removing
from possession of ~~the~~ the said Missouri Ogle
~~selling or disposing of~~ ^{converting} or converting the hereinafter
described property to his own use,

These are therefore to command you, that you
notify the said Henry Ogle that he is enjoined
prohibited and restrained from removing from possession
of the said Missouri Ogle, or selling or disposing of
~~selling or converting~~ the following described property to
his own use, ^{during the pendency of said suit} ~~to wit~~ 170 acres of land being a part of
W S Sur No 1966 Town 41. R3, one yoke of oxen, one
mare, one wagon, one cow, one ox, Four plows
two sets of harness, Four hundred bushels of
corn, Two hundred ^{& fifty} bushels of oats Twenty

five hogs, Fifteen Sheep and Two hundred dollars
assets of the estate of her deceased husband
James B McKean. And you are, further
commanded that you summon the said
Henry Agle 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 Sixth Monday
after the fourth Monday of March next
then and there to answer unto Melpouri
Agle by her next friend upon her original
petition a copy whereof is herunto annexed
and accompanies this writ, and hand you
then there this writ.

Witness Elias D Honey Clerk of our
said Circuit Court with the seal
thereof herunto, affixed at office
in Hillsboro, this 24th day of
October, AD 1867

Elias D Honey Clerk
By C. J. Worine Deft

20196
 The Jefferson Circuit Court
 May Term 1868.
 Middlem
 not engaged
 Henry Ogle
 John Williams
 Sheriff fee \$1.00
 Return for
 20, 00

I Executed the within writ in Jefferson County, Mo
 on Henry Ogle by delivering him a true copy of the
 writ and Petition this the 1st day of November
 1867

John Williams Sheriff
 By W. W. Horne Deputy

The State of Missouri,

To Jackson Coll & Mrs Jackson Coll

at Hillsboro, when and there to testify, and the truth to say in a

Plaintiff, and
Henry Ogden vs
Messrs Ogden &

Defendant, on the part of Plaintiff and herein you are in

WITNESS, ELIAS F. HONEY, Clerk of our said

Count, with the seal thereof hereto affixed, at office,
this 18th day of October A. D. 1868,

Oliver Wendell Clerk.

By Edw. Ferris Deft

2638
SUBPOENA.

To Jefferson Circuit Court.

Nov

Term, 1868

Missouri Ogle

vs
Henry Ogle

For Plffs.

Jasper Coffin wife

John Williams Sheriff
fees 1.00

Respectfully the within Supra is to be and on the
27th day of November 1868 on Jasper Coffin and
his wife by reading ~~meeting~~ the same to them
in their presence and Hearing

John Williams Sheriff
By Myr Thorne Deputy