

May 1868, No. 136

B. H. J. J. J. J.
B. H. J. J. J. J. J.
Hardesty, George
Hardesty, Nancy J., et al

Partition

Heirs of Joseph Hardesty; 160 acres
IN S21T42R3E; other petitioners
Louis M. Hardesty, Mary E. Hardesty,
Martha E. Hardesty

George Hardesty, Nancy J. Hardesty,
Louis M. Hardesty, Mary E. Hardesty,
and Martha E. Hardesty By

Willis H. Bittick their Guardian and
John S. Bittick in his proper
person; Ex parte Petitioners
In the Circuit Court of
Jefferson County Missouri

To The Honorable the Circuit Court of
Jefferson County Missouri: Your
Petitioners respectively show to
the Court that ~~they are the legal~~
~~executors of~~ Joseph Hardesty departed
this life intestate several years ago
in the aforesaid County of Jefferson
leaving surviving him his widow
Cinderella Hardesty and his children
and heirs at Law George, Nancy J.
Louis M., Mary E. and Martha E.
Hardesty, all of which children were and
are now minors under the age of
Twenty one years, and that said Joseph
Hardesty died seized and possessed of the
following described Real Estate situate
in Jefferson County Missouri, to wit:-
The the South half of the North East-quarter
and the North half of the South East-quarter
of Section Twenty one Township Forty Two

Range Three East Containing one hundred and sixty acres. That since the death of said Joseph Hardesty said Cinderella, his widow has intermarried with one John A. Hensley and that said Cinderella and John A. Hensley since said marriage executed and delivered to John S. Bittick a deed to their interest in said Land which is one Third during the natural life of said Cinderella Hensley. Your Petitioners state ~~therefore~~ that Willis H. Bittick has since the death of said Joseph Hardesty been duly appointed Guardian of said George, Nancy J. Louis M. - Mary E. and Martha E. Hardesty, by the County Court of Jefferson County Missouri and has given Bond and duly qualified as such Guardian — Your Petitioners state that said John S. Bittick owns one Third of said Real Estate for and during the natural life of said Cinderella Hensley and that said George, Nancy J. - Louis M. - Mary E. and Martha E. Hardesty, own said Land in fee subject to said interest of said John S. Bittick which is the dower interest of said Cinderella, Hensley conveyed

as aforesaid to said John S. Bittick. —

Your Petitioners pray that the Court will order a decree and Decree that, The Dower interest so owned by said John S. Bittick be set-off and assigned to him in said Land, and that Partition and division be made of the same between said George, Nancy J. - Louis M. - Mary E. and Martha E. Hardesty, according to the rights and interests of the respective

Parties, if the same can be done without prejudice to said owners and if the same can not be done without prejudice to the interests of said owners that the Court will order and decree that said Land be sold for the purposes of making partition and division of said Dower and other interests of the said parties, and that the Court will make such other & further orders & judgments as may be proper in the premises

George Hardesty
Nancy J. Hardesty
Louis M. Hardesty,
Mary E. Hardesty &
Martha E. Hardesty
By Willis H. Bittick their
Guardian —

John S. Bittick, By
Jos. J. Williams, Attorney

Joseph J. Williams Attorney for Petitioners
on oath says that the foregoing petition
and the matters therein as stated are
true to the best of his knowledge and
belief

Joseph J. Williams

Deposed to and
Subscribed before
me Feb. 5th 1868

Elmer J. Honey Court Clerk
for C. J. Horns Dec 11

No 136

2639
John S. Pittick

& others

4 party Petitioners

2492=333

Partition

Filed July 5th 1868
E. J. Hickey

Williams for
petitioners

" State of Missoury { In the Jefferson Circuit
County of Jefferson } Court May 22nd 1868.

The following proceedings were
had to wit:

George Hardesty, Nancy J Hardesty,
Louis M Hardesty, Mary E Hardesty,
and Martha E Hardesty by Willis
H Bitlick Their Guardian, and
John S Bitlick in his own proper
person. Ex parte Petitioners

In Partition
Order of Sale

Now at

This day comes said parties by their attorney
and this cause coming on to be heard upon the
petition and evidence adduced by said plain-
tiffs. The court doth find that they are ten-
ants in common of the following described
Real Estate situate in Jefferson County and
State of Missouri to wit: The South half of the
North East quarter and the North half of the
South East quarter of Section Twenty one,
Township Forty Two, Range Three East con-
taining one hundred and sixty acres, and the
court proceeding to adjust and settle the rights
and interests of said parties in and to said
Real Estate doth declare the same as follows
viz: That John S Bitlick owns one third of said
real Estate for and during the natural life of
Considerella Hensley and that said George
Nancy J - Louis M - Mary E - and Martha E Hardesty

now said Land in fee subject to said interest
of said John S. Bidick which is the lower in-
terest of said Cinderella Hensley, and it ap-
pearing to the court that said Land is so
situate that said lower cannot be assigned
and set off - nor partition and division there-
of be made without great prejudice to the
owners thereof. It is therefore considered ad-
judged and decreed by the court that partition
and division thereof be made, and that the
Sheriff of said Jefferson County advertise and
proceed to sell said Real Estate at public
auction to the highest bidder for ten per cent
of the purchase money in cash and the residue
in one year, and for the deferred payment
take a bond or note from the purchaser or
purchasers thereof ^{with security} bearing interest at the
rate of six per cent per annum and that
said sale take place on some day during
the session of the Circuit court for said
Jefferson County, and be governed by the
same regulations prescribed by law for
sales of Real Estate under execution, Notice
thereof being given by said Sheriff in the man-
ner provided by law for such sales and divide
the proceeds thereof among the parties accor-
ding to their respective rights and inter-
ests herein set out, and this cause continued

A true copy from the record,
witness my hand and the seal
of said court at office in Hillsboro
this June 25th 1868.

Elias H. Honeys Clerk
By C. D. Honeys Depy

2642

See

2639

George Handley
and others,
Ex parte

Order of Sale

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2
8 40

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doers	10
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...	15
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	4 25

425
Williams Shff. 100
com- 2.40
Printer 10.50
\$19.90

\$35.00
\$59.15
35.00

4.25
19.90
24.15

42.00
24.15
17.85

George Hardesty et als
ex parte petitioners

} Report of Sale,
In the Circuit Court
November Term 1868

To the Hon. Circuit Court of Jefferson County
Mo. The undersigned Sheriff of Jefferson County,
would respectfully report, that in obedience to the
annexed order of Sale, issued from the Office of the
Clerk of said Court, that having previously given
not less than twenty days notice of the time, terms,
and place of sale, and what Real Estate was to
be sold and where situate, as the law directs by
Advertisement in the Jefferson County Leader, a
newspaper published in said County; a copy of
which Advertisement is herewith filed and makes
part of this report, I did agreeable with said Ad-
vertisement, at the Court House door in Hillsboro
on Friday the Twentieth day of November A.D. 1868
between the hours of Nine O'clock in the forenoon and
Five O'clock in the afternoon of said day, and
during the session of the Circuit Court for said County
at the November term thereof for the year Eighteen
hundred and Sixty eight, expose to sale at public
Auction the following described Real Estate, situate
in said County To Wit: S $\frac{1}{2}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ E $\frac{1}{4}$
Sec 21 = Town 42 = range 3 east cont 160 acres
and Joseph Sale was then and there the highest
bidder for the above described real estate at the

price and sum of Four hundred and twenty Dollars
of which sum he has to me in hand paid 10 per
cent and has given bond with approved security for
the balance as required by terms of sale. And this
report is respectfully submitted

John Williams Sheriff.

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 21 day of November..... A. D. 1868, before me, the undersigned Clerk of the County Court of Jefferson county, came Chas. A. Clark, who being by me duly sworn, says that the annexed advertisement was published in the **JEFFERSON COUNTY LEADER**, a newspaper printed and published in the town of Hillsboro, in said county, of which he is printer, for 4 times, the first insertion being on the 23 day of October..... 1868 and the last on the 13 day of November..... 1868, as follows, to-wit:



In No. 43,	October 23 rd	186 <u>8</u> .
In No. 44,	" 30	186 <u>8</u> .
In No. 45,	November 6	186 <u>8</u> .
In No. 46,	" 13	186 <u>8</u> .
In No. ,		186 <u>..</u>
In No. ,		186 <u>..</u>

Sworn to and subscribed before me, this 21 day of November..... 1868.

Chas. A. Clark
Chas. A. Clark

Printer's fee.....\$10.00..... Received Payment.....

442
1032