

To Favors on County Circuit Court
Case Files - Civil

May 1869

Moon, James
Moon, Joseph W.
Dinwiddie, Mitilda
Dinwiddie, John
et al
vs

Moon, Lexie
Grady, Amanda
Grady, James
Roberts, Sarah A.
et al

Partition

Heirs of Joseph Moon, 270 acres in
T 38, 39 & 40 E; other plaintiffs Sarah
Manuwaeten, William H. Thomas, Calvert,
John Moon, Jermina, Thomas, Elizabeth,
James Roberts, Polly, George Neal; other
defendants Cassandra, Cynthia, Amanda
Roberts, Andrew L., Clara M., Rushie E.,
William A., Luther F., Rhoda Ann, Thomas G.
Moon, Salathiel Cole, Lucretia E., William
H. Murphy

Box 23 Folder 84

James Noon, Joseph W. Noon,
Matilda Dinwiddie, and John
Dinwiddie her husband, Sarah
Manwarren, William W. Noon,
Thomas Noon, Calvert Noon,
John Noon, Femina Roberts,
and Thomas Roberts her husband
Elizabeth Roberts, and James
Roberts her husband, Polly Neal
and George Neal, her husband, -

In the Circuit
Court of Jef-
ferson County
Missouri,
May Term 1867.

Against

Lessie Noon, Amanda Grady
James Grady, Sarah Roberts,
* Cassandra Roberts, * Cynthia Roberts,
* Amanda Roberts, * Andrew L. Noon,
* Clara M. Noon, * Rushie E. Noon,
* William A. Noon, * Luther J. Noon,
* Lucretia E. Murphy, * Wm. W. Murphy
her husband, * Rhoda Ann Noon,
Thomas E. Noon, and Salathiel Cole, - Defendants,

The Plaintiffs state that Joseph Noon
died some time in the year 1867, seized in fee
simple of the following described Lands, sit-
uate in Jefferson County in the State of Missouri,
To wit, The South West quarter, and part of the
South East quarter of the South West quarter, of
Section Ten, in Township Thirty Eight, of Range

Four East, Containing Seventy acres; also, the West half of the North West quarter, and the North East quarter of the North West quarter, - and the North West quarter of the South West quarter of Section Fifteen, in Township Thirty Eight, of Range Four East, Containing One hundred and Sixty acres; also, the North East quarter of the North East of Section Twenty two, in Township Thirty nine, of Range Four East, Containing Forty acres, - Plaintiffs state that, although the final settlement of the Estate of said Joseph Moon, deceased, has not yet been made, yet nearly two years have expired since administration was commenced, and all demands allowed against the Estate have been fully discharged, and that the personal property belonging to said Estate is more than sufficient to pay all claims and demands against the Estate. - Plaintiffs state that said Joseph Moon deceased, left surviving him, his widow, Sarah Moon, (who has relinquished her dower interest in the above Lands in favor of the heirs of said deceased,) and fourteen children, (including the descendants of those who had previously died) and to whom the Lands above described descended, - and who are as follows; To wit, James Moon, Joseph H. Moon, Sarah Manwarren, (formerly Sarah Moon) William H.

Moon, Thomas Moon, John Moon, Matilda Dim-
widdie (wife of John Dimwiddie) Jemima Ro-
berts (wife of Thomas Roberts) Elizabeth Ro-
berts (wife of James Roberts) Polly Neal, (wife
of George Neal) The children and heirs of Al-
len Moon deceased, (who was a son of said Jo-
seph Moon, deceased) To wit, Lescia Moon, and
Amanda Grady (wife of James Grady) - The chil-
dren of Nancy Roberts (who was a daughter
of said Joseph Moon deceased) To wit, Sarah A.
Roberts, Cassandra Roberts, Cynthia Roberts, and
Amanda Roberts, - and the children of Frank-
lin Moon, ^{deceased} (a son of said Joseph Moon, deceased)
To wit, Andrew L. Moon, Clara M. Moon, Ru-
shie E. Moon, William A. Moon, Luther F. Moon,
Lucretia E. Murphy (wife of William N. Murphy)
Rhoda Ann Moon, and Thomas G. Moon, -
That the said Cynthia Roberts, Amanda Ro-
berts, Sarah A. Roberts, Cassandra Roberts, An-
drew L. Moon, Clara M. Moon, Rushie E. Moon,
William A. Moon, and Luther F. Moon, are
all minors under twenty one years of age, and
for whom Plaintiffs ask the Court to ap-
point a Guardian ad litem, - The Plain-
tiffs state that the said James Moon, Jo-
seph N. Moon, Matilda Dimwiddie, Sarah
Manwarren, William N. Moon, John Moon,
Thomas Moon, Calvert Moon, Jemima Roberts,

Elizabeth Roberts, Polly Neal, are each en-
titled in fee, to the undivided one-fourteenth
part of said Lands; - That the Defendants are
entitled as follows, - To wit, Lescia Moon, and
Amanda Grady, are each entitled in fee to the
undivided ~~one-twenty eighth~~ ^{one} part of said Lands,
- Sarah A. Roberts, Cassandra Roberts, Cynthia
Roberts, and Amanda Roberts, (as the heirs of
Nancy Roberts deceased) are each entitled in
fee, to the undivided ~~one~~ ⁺ fifty sixth part
of said Lands; and that Andrew E. Moon, Clara
A. Moon, Rustie E. Moon, William A. Moon, Luther E.
Moon, Lucretia E. Murphy (wife of William B. Mur-
phy,) Rhoda Ann Moon, and Thomas E. Moon, (as
the children and heirs of Franklin Moon, deceased,
and who was a son of said Joseph Moon, deceased,)
are entitled in fee to the undivided one-one-hun-
dred and twelfth, ($\frac{1}{112}$) part, each, to the Lands a-
foresaid, unless the Court should decide in fa-
vor of the validity of the claim of Sathiel Cole, to
their interest in said Lands. The said Sathiel
Cole, (who is made a party Defendant herein) claims
the whole interest of the heirs of said Franklin
Moon, deceased, as a purchaser from their Father, and
the portion of said adverse claimants is therefore pre-
sented for the Court to determine which is entitled
to the same. The Plaintiffs state that they
and the said Defendants hold the Lands aforesaid

as Tenants in Common, - and they state that, from the diversity of interest therein, they believe a division of said Lands will be impracticable, and that it will be unnecessary to appoint Commissioners for said purpose. They therefore ask the Court to make an order and decree for the partition and division of said Lands, if the same can be done, without great prejudice to the Parties in interest; and if not, then for an Order for the sale of said Lands and a division of the proceeds thereof, among all of the Parties according to their respective rights and interests.

} Abner Green
} Attorney for the Plaintiffs

Abner Green, Attorney for the Plaintiffs, makes oath, and says that the above petition and the matters therein as stated he believes to be true,
Sworn to and Subscribed } Abner Green
before me this 5th day } Attorney for the Plaintiffs
of April 1869

Elias F. Honey, clerk

By S. H. Hays, Deputy

In the Jefferson Circuit
Court, - May Term 1869

James Moon, and
Others, vs.

Lexia Moon & Others

Petition
For partition

Issue Summons to St Fran-
cois County, for Andrew L. Moon,
Clara A. Moon, Ruskie E. Moon,
Wm. A. Moon, Luther F. Moon, Cyn-
thia Roberts, Amanda Roberts,
Sarah A. Roberts, Cassandra Rob-
erts, Lucretia E. Murphy, William
H. Murphy, Rhogor. Silie Moon
Amanda Tracy
& James Tracy, And to Wash-
ington Co, for Lexia Moon - To
Jefferson on the other Defts.
A. Green
for Deft.

James Moon Joseph H. Moon,
Matilda Diniddie and John
Diniddie her husband, Sarah
Mannarren Wm H Moon, Thomas
Moon, Leolant Moon, John Moon,
Jemima Roberts, Thomas Roberts
her husband, Elizabeth Roberts,
and James Roberts, her husband,
Polly Neal, and George Neal, her
husband, Plaintiffs

In the Circuit
Court of Jeffer-
son County,

Missouri
May Term
1869.

Against
Lexie Moon, Amanda Grady,
James Grady Sarah A Roberts,
Cassandra Roberts, Cynthia Roberts
Amanda Roberts, Andrew S Moon,
Clara M Moon, Rustie, E. ^{Moon} ~~Murphy~~
Wm. A. Moon Luther F Moon, Lucretia
E Murphy, & Wm H Murphy her husband
Rhoda Ann Moon, Thomas G Moon and
Slackill Cole, = Defendants.)

The Plaintiffs State, that
Joseph. Moon Died some time in the year 1867
Seized in fee Simple of the following described
Lands situate in Jefferson County in the State
of Missouri to wit: The South West. quarter
and part of the, South East quarter of South West
quarter. of Section Ten, in Township Thirty Eight
of Range Four East containing seventy acres also the

next half of the North west quarter and the South East
quarter, of the North west quarter, and the North west
quarter, of the South west quarter, of Section fifteen
in Township thirty Eight of Range Four East
containing One Hundred and Sixty Acres. Also
the North East quarter, of the North East quarter
of Section twenty two, in township thirty nine of
Range Four East, containing Forty acres. Plaintiffs
state that although the final Settlement of the
Estate, of said Joseph Moon, deceased, has not
yet been made, yet nearly two years have expired
since administration was commenced and
all demands allowed against the Estate have
been made, fully discharged, and that the
personal property, belonging to said Estate is
more than sufficient to pay all Claims and
demands against the Estate. Plaintiffs state that said
Joseph Moon, deceased, left surviving him, his
widow, Sarah Moon, (who has relinquished her
dower, in trust in the above Lands, in favor of the
heirs, of said deceased, and fourteen Children including
the ~~deceased~~ ^{descendants} of those who previously died) and to
whom, the Lands above described descended, and
who are as follows To wit James Moon Joseph H Moon
Sarah A Manwarren, (formerly Sarah Moon) Wm
H Moon, Thomas Moon, John Moon, Matilda Dixwiddie
(wife of John Dixwiddie) Femina Roberts, (wife of ^{Thomas} James Rob-
erts,) Elizabeth Roberts (wife of James Roberts) Polly Neal
(wife of George Neal) the Children and heirs, of Allen Moon

deceased (who was a son, of said Joseph Moon, deceased
to wit. Lexie Moon and Amanda Brady (wife of
James Brady) Children of Nancy Roberts, (who
was a daughter of said Joseph Moon, deceased)
to wit Sarah A Roberts, Leassandra Roberts,
Cynthia Roberts and Amanda Roberts, and the
Children of Franklin Moon, deceased (a son of said Joseph
Moon, deceased) to wit Andrew S Moon, Lelara M Moon, Rushie
E Moon, Wm A Moon, Luther F Moon, Lucretia E Murphy,
(wife of William Murphy.) Rhoda Ann Moon, and Thomas G Moon,
that the said Cynthia Roberts, Amanda Roberts Sarah Roberts
Leassandra Roberts, Andrew S. Moon, Lelara M Moon, Rushie
E Moon Wm A Moon, and Luther F Moon, are all minors
under twenty one years of age, and for whom plaintiffs ask the
Court to appoint Guardian Ad Litem The Plaintiffs state that
the said James Moon, Joseph H Moon, Matilda Moon,
Dinwiddie Sarah Manwarren, Wm A Moon, John Moon
Thomas Moon, Calcut Moon, Lemima Moon, Roberts,
Elizabeth Roberts, & Polly Crab are, each entitled in fee
to the undivided one fourteenth part of said Lands that
The Defendants are, entitled as follows to wit Lexie Moon
and Amanda Brady, are each entitled in fee to the undivided
one twenty eighth part of said Land, Sarah A Roberts, Leassan-
ra Roberts, Cynthia Roberts, and Amanda Roberts
as the heirs of Nancy Roberts deceased) are each entitled
in fee to the undivided fifty sixth part of said Lands
and that Andrew S Moon, Lelara A Moon, Rushie E Moon
William A Moon, Luther F Moon, Lucretia E
Murphy (wife of W H Murphy) Rhoda Ann Moon

and Thomas G Moom, / as the Children and heirs of Franklin Moom, deceased, who was a son, of said Joseph Moom deceased are entitled in fee, to the undivided one - one hundred and twelfth ¹¹² Part, each to the lands, aforesaid unless the Court should decide in favor of the validity of the Claim of Salathiel Cole, (who is made a party Defendant, herein) Claims the whole interest of the heirs of said Franklin Moom Deceased, as a purchaser from their father and the Portion of said Adverse Claimants is therefore presented for the Court to ~~decide~~ determine which is entitled to the same. The Plaintiffs State, that they and the said defendants are tenants in common and they State that from the diversity of Interest they believe, a division of said Lands will be impracticable and that it will be unnecessary to appoint Commissioners for said purpose. They therefore ask the Court to make an order and decree, for the partition and division of said Lands if the same can be done, without great Prejudice, to the Parties in interest and if not, then for an order for the sale of said Lands and a division of the proceeds thereof among all of the Parties according to their Respective Rights and interests,

Abner Green

Attorney For the Plaintiffs

Abner Green Attorney for the Plaintiffs makes oath and States that the above petition and Matters therein as stated he believes to be true

Sworn to and Subscribed { Abner Green
before me this 5 day of April } Atty for the Plaintiffs
1869
Elias J. Honey clerk
By S. H. Alfred, Deputy.

A true Copy of the original Petition on file in this
office.

In Testimony Whereof I have
hereunto set my hand and
affixed the Seal of said Court
this 6 day of April 1869

Elias J. Honey Recorder
By Lewis H. Alfred Deputy.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } SS.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Salachiel*
Cole

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 ~~Sunday~~ Monday after the
fourth Monday of *March* 1869 ~~next~~ then and there to answer unto

James M. Brown et als

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

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Eight day of *April* A.D. 1869

Elias F. Honey
By *L. H. Ayford* Dep't
Clerk Circuit Court.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you, that you summon Sarah A. Roberts
Cassandra Roberts, Cynthia Roberts,
& Amanda Roberts

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 first Monday after the fourth Monday
of March, next, then and there to answer unto,

James M. Stokes

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



Witness, **ELIAS F. HONEY**, Clerk of our said
Circuit Court, with the seal thereof hereunto affixed,
at office in Hillsboro, this Eleventh
day of February A. D. 1870

Elias F. Honey Clerk Circuit Court.

By Lewis H. Axford Deputy.

2995
RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

March Term, 1870

James Moon &
others

Plaintiff

AGAINST

Sarah A Roberts &
others

Defendant

alias writ
only

Sarah A. Roberts
North and Polk
18 Feb

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

St. Francis
To the Sheriff of the County of *Jefferson*—Greeting:

We command you, that you summon *Andrew S. Moon, Clara, A. Moon, Rushie E. Moon, Wm A. Moon, Susan F. Moon, Cynthia Roberts, Amanda Roberts, Sarah A. Roberts, Leucandra Roberts, Lucetta E. Murphy, William H. Murphy, Amanda Grady, + James Grady, and Thomas G. Moon Rhode A. Moon, -* ^{*Derie Moon*} if they be found in your County, that they 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 ~~Seventh~~ Monday after the fourth Monday of *March 1869* next, then and there to answer unto *James Moon et als*

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

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *5th* day of *April* A.D. 1869

Elias F. Honey
Clerk Circuit Court.
By *L. H. Alford Depy*

I hereby certify that I served the within Summons by delivering a true Copy of the same, and of the petition into the hands of the within named Andrew L. Moon, (he being the defendant first served) at, and in St. Francois County, in the State of Missouri on the 26th day of April 1869. and, by delivering a true Copy of said Summons into the hands of each of the within named defendants. Rushie E. Moon, Clara A. Moon, William A. Moon, Luther F. Moon, Rhoda A. Moon, Lucretia E. Murphy, & William H. Murphy at, and in said County on the 27th day of April 1869 and, the within named defendants Cynthia Roberts, Amanda Roberts, Sarah A. Roberts, Cassandra Roberts, Amanda Grady, James Grady and Thomas G. Moon, are not found in my County

Franklin Murphy Sheriff of St. Francois County Mo.

TO
JEFFERSON CIRCUIT COURT.

May Term, 1869

James L. Moon et al

vs J Summons

Andrew L. Moon et al

(Copy)

Shippo fee \$ 11.50

I acknowledge service of the within petition & writ and waive the necessity of service of the same by an Officer Oct. 25 - 1869,

Levi Moon

Joseph Moon

James Moon
 Joseph H. Moon
~~Abatilda Davidson~~
 Matilda Dimwiddie
 and others Plaintiffs
 against
 Lescie Moon,
 Salathiel Coal
 & others Defendants

In the Circuit
 Court of
 Jefferson County
 Missouri
 action for
 Partition

Now at this day comes Salathiel Coal
 one of the Defendants in this Cause and
 by leave of Court first had files his
 answer to the original Petition of
 Plaintiffs in this Cause and says that
 it is true as stated in said Petition
 that Joseph Moon departed this
 life about the Year 1867 seized in
 fee simple of the Lands in said Petition
 described, and also leaving surviving
 him his widow and the Plaintiffs and
 Defendants his lineal descendants & heirs
 at Law with the Exception following, viz.
 to whom said Real Estate descended
 in manner & form as stated and set out
 in said Petition with Exception of the
 Share and interest therein as stated
 to belong to the Defendants Altho
 Andrew L. Moon, Clara A. Moon,
 Rushie E. Moon, William A. Moon, Luther
 J. Moon, Lucretia E. Murphy (wife of
 William H. Murphy) Rhoda Ann Moon,
 & Thomas C. Moon, issue & heirs of
 Franklin Moon who was a son of said
 Joseph Moon deceased, this Defendant

averts that said Last named Defendants
said issue and Heirs of said Franklin Moon
have no title or interest in or to said Real
Estate, for this Defendant avers that
~~during the life time of their father the~~
~~said Franklin he for a valuable consid-~~
~~eration purchased~~ shortly before the
death of said Joseph Moon said
Joseph made and executed his Last will
and Testament which has since his
death been duly admitted to probate
in the aforesaid County of Jefferson, by
the County Court thereof and by which
said Last will he devised all that
part of his Real and Personal Estate
which would otherwise have descended
to said above mentioned ^{Defendants} issue & heirs
at Law of said Franklin Moon in
case in case he the said Joseph had
died intestate to this Defendant,

and thereby disinherited and
Excluded them from any interest in
& to his said Estate of which the
Real Estate described in Plaintiffs
Petition was and is a part, so
that this Defendant avers that
he is by the said Last will and
Testament of said Joseph Moon
entitled to that part of said
Real Estate which would have
descended to the said Defendants
the said herein before named
issue & heirs at Law of said.

Franklin Moon in Case said
Joseph Moon had died intestate
the same being the one undivided
one fourteenth part thereof

Wherefore this Defendant
avers that Partition of said
Land ought to be made between
the said Plaintiffs and Defendants
including this Defendant and
excluding said Defendants the
issue of said Franklin Moon,
and giving to this Defendant
the $\frac{1}{14}$ part of said Land and to
each of the other Plaintiffs and
Defendants the interest as set out
for them in said Petition & except
the said Defendants the said issue
of said Franklin

Jos. J. Williams
Atty for Salathiel Cole

James Moon
& others

^{vs}
Salathiel Cole
& others

Answer of
Salathiel Cole

Filed Oct 11th 1869

Elias J. Honey cut

Joseph Moon Et als Plaintiffs
against
Lexie Moon Et als Defendant

In The Jefferson
County Circuit Court
March Term A.D., 1870

Now at this day comes
~~the~~ Andrew L. Moon, Clara M. Moon
Rushe E. Moon Wm A. Moon &
Luther F. Moon by their Guardian
ad litem W. H. Thomas part of
the defendants in this cause and for
answer to the answer heretofore
filed in this cause by Salathiel
Cole one of the defendants in
this cause and says it is true
as stated that Joseph Moon departed
this life about the year 1867 seized
in fee simple of the Lands in the
original Petition mentioned,
and also leaving surviving
him his widow and the Plaintiffs
and Defendants in the original
petition mentioned (except Salathiel
Cole,) as heirs at Law to whom
said real estate descended, ~~the said~~
~~defendants deny that Joseph Moon~~

denies that Joseph Moon
shortly before his death ^{& executed} made, ~~a~~
will his Last will & testament which
has since his death been duly
admitted ^{to} probated in the County of Jefferson
by the ^{County} Court thereof by which he
devised any part of his Real
or personal Estate to Salathiel
Cole, defendants aver that the
said Salathiel Cole has no
interest in the estate of the said
Joseph Moon either by will
or otherwise; defendants deny
that the will that was probated
by the said County Court of
Jefferson County Missouri dis-
inherited the heirs of Franklin
Moon dec, defendants aver
that said will as admitted to probate
in said County all of his
estate to his heirs and does
not mention defendants
names in said will, defendants
aver that Franklin Moon died
before his Father Joseph Moon leaving
as his heirs Andrew L. Moon, Elora
M. Moon, Rushe E. Moon, Mrs. A. Moon
Luther F. Moon, Lucretia E. Murphy,
wife of Mrs. Murphy, Roda Ann Moon

~~Thos G Moon who inherited from~~
~~Joseph Moon to of his Estate~~
~~according to the Will and file as~~
~~admitted to probate of Jefferson~~
~~County Missouri, Defendants~~
furth aver that under the
statute they are entitled to said
interest, for the portion of the
will mentioned in said answer
of Salathiel Cole is void as to
them, they therefore ask that the
court make Partition of said
land between said Plaintiffs
including them the heirs of the said
Franklin Moon Dec,

Rushe E. Moon

Andrew L. Moon

Wm. A. Moon

Gloria M. Moon

Luther H. Moon

By W H H Thomas Their
Guardian ad litem

Joseph Moon Etas
vs
L. Moon Etas

answer of
Minor heirs of
Franklin Moonbre

Filed March 9 1870
E & Honey

Janus Moon & others } In the Jefferson
Against } County Circuit Court
Sarah Roberts Et als }

Now at this day comes Sarah
A. Roberts, Cassandra Roberts, Leyntha
Roberts & Amanda Roberts by their
Guardian ad litem W. H. Thomas
and for answer to plaintiffs petition say
that their interest is correctly set out
and make no objection to the order
prayed for by plaintiffs

Sarah A. Roberts
Cassandra Roberts
Leyntha Roberts
Amanda Roberts
By W. H. Thomas their
Guardian ad litem

James Moonrother
against
Sarah A Robert Esq

answer of
Minnon Roberts his

Filed March, 19th 1870
Elias J. Hokey cler

The State of Missouri,
COUNTY OF JEFFERSON.

To

Wm Mullin

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *first* *of* *August* *next* *at* *Hillsboro*, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

Wm

Plaintiff, and

Charles

Ever

Defendant, on the part of ; and herein you are in no wise to fail.

Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this

19

day of

March A. D. 1870

Elias F. Honey

Clerk.

2995

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March

Term, 1876

Moore

vs

Cole et al

Wm C. Mullins

Served on the 19th of March 1870 - by order of the
within named H R Mc Mullin of J. & Co. Inc
per 57

Geo. Henderson Esq
J

State of Missouri,
County of Jefferson, ss.

In the Jefferson
Circuit Court, March Term, 1870, March
19th 1870, among other proceedings in
said Court of that day, the following
appears of Record, to wit:

James Moon, Jas. H. Moon,
Matilda Dinwiddie, and
John Dinwiddie, her husband,
Sarah Manwarring, William
H. Moon, Thomas Moon, Calvert
Moon, John Moon, Jennina
Roberts, (Mrs) Thomas Roberts,
her husband, Elizabeth Roberts,
and James Roberts, Polly Neal,
and George Neal, her husband,
Against

Lexie Moon, Amand Grady,
James Grady, Sarah A. Roberts,
Cassandra Roberts, Cynthia
Roberts, Amand Roberts,
Andrew S. Moon, Clara
M. Moon, Rushie E. Moon,
William A. Moon, Luther
F. Moon, Lucretia E. Murphy,
& William H. Murphy, her husband,

Rhoda Ann Moon,
Thomas G. Moon,
+ Salathiel Cole - Defendants,

} Order of
Sale 20th
Nov at this

day comes the Plaintiffs aforesaid by
their attorney, and Sarah A. Roberts, Cas-
sandra Roberts, Cynthia Roberts, Amanda
Roberts, Andrew S. Moon, Clara M. Moon,
Rushie E. Moon, William A. Moon, Luther
F. Moon, and Rhoda Ann Moon, minors,
by their guardian ad litem, W. H. H. Thomas,
and Salathiel Cole, by attorney, and
the said Lexie Moon, Amanda Grady,
James Grady, Lucretia E. Murphy, and
W. H. Murphy, ^{though duly served with process,} and Thomas G. Moon, make
default neither have they answered the
petition of plaintiff whereby their inter-
ests herein remain undefended order
that their default herein be entered.
And this cause coming on to be heard
upon the petition of Plaintiffs and
the answers of the minor heirs and Salathiel
Cole, Defendants. The Court doth find
that said Plaintiffs and Defendants are
surers and tenants in common of the
following described Real Estate sit-
uate in Jefferson County, State of
Missouri, To wit: The South West

quarter, and part of the South East
quarter of the South West quarter of Sec-
tion Ten, in Township Thirty Eight of
Range Four East, containing Seventy
and the South East ^{qr. of the NW qr.} acres, also the West half of the North
West qr. And the North West quarter
of the South West quarter, of Section
Fifteen in Township Thirty Eight,
Range 4 East, containing One
Hundred and Sixty acres. Also
the North East quarter of the North
East quarter of Section twenty two, in
Township Thirty nine of Range
Four East, containing Forty acres,
And the Court proceeding to
adjust, and settle the rights ^(and)
interests of the parties herein, in
and to said Real Estate, doth declare
the same to be as follows, to wit:
That the said James Moon, Joseph
H. Moon, Matilda Dinwiddie, Sarah
Manwarren, William H. Moon, John
Moon, Thomas Moon, Calvert Moon, Fervina
Roberts, Elizabeth Roberts, and Polly Neal,
are each entitled to the undivided one
fourteenth part of said Land, That
the said Lexie Moon and Amanda
Grady are each entitled in fee to the

one Twenty Eighth part of said Land
Sarah A. Roberts, Cassandra Roberts,
Cynthia Roberts (Aid) Amanda A. Roberts,
(as the heirs of Nancy Roberts deceased)
one each entitled in fee simple to the
one fifty sixth part of said Land.

That Salathiel Cole is entitled in fee to
the one fourth part of said Land,
he having purchased the interest of
Franklin Moom, now deceased, And
it appearing to the satisfaction of the
Court, that partition and division of
said Real Estate in kind cannot
be made without great prejudice
to the parties in interest. It is there-
fore ordered, adjudged and decreed
by the Court, that partition and
division of said Real Estate be
made between said parties according
to their respective rights and interests
herein set forth, and it is further
ordered by the Court, that the
Sheriff of Jefferson County proceed
to advertise and sell said Real
Estate at public auction to the high-
est bidder for twenty per cent. of the
purchase money, in cash, at the time
of the sale and the residue in twelve

months, the purchaser to give a bond
or note with good ^(any) sufficient se-
curity, ~~said~~ sale to take place some
time during the sitting of said
Circuit Court ^(any) to be governed by
the same rules ^(any) regulations as
sales of Real Estate under execu-
tion ^(any) bring into Court the proceeds
of said sale to abide the further
order of the Court herein.

A true copy of the Record

Elias P. Henry Clerk
By S. H. Alfred, D. C.

August 4th 1870.

Order of Sale,
Copy.
Moon

Geo. L.

Advertised

STATE OF MISSOURI, County of Jefferson.

Be It Remembered, That on this 3th day of April 1871, before the undersigned Clerk of the County Court of Jefferson County, Mo., came Frank N. Stone, who being by me duly sworn, says the annexed advertisement was published in the Jefferson Democrat, a newspaper, printed and published in the County of Jefferson, State of Missouri, of which he is printer, for four weeks, the first insertion being on the 11th day of February, 1871, and the last insertion on the 3^d day of March 1871, as follows, to-wit:

Sheriff's Sale in Partition.

In the Circuit Court of Jefferson County, Mo.
JAMES MOON, Joseph H. Moon, Matilda Dine-
widie and John Diney, her husband; Sa-
rah Mawerling, Wm. H. Moon, Thomas Moon,
Calber Moon, John Moon, Jennina Roberts and
Thomas Roberts her husband; Elizabeth Roberts
and James Roberts her husband; Eliza Neel
her husband; primers; vs. Lorena M. on, Ama-
nda Green, James Green, Sarah A. Roberts, Cla-
udia Roberts, Gertrina Roberts and Amanda Rob-
erts, Andrew L. Moon, Clara M. Moon, Rosalie
E. Moon, William A. Moon, Luther F. Moon,
Lacretia E. Murphy and Wm. H. Murphy her
husband; Rhoda Ann Moon, Thomas G. Moon
and Sarah Cole, defendants.

By virtue and authority of a renewed order
made by the Circuit Court of the county of Jef-
ferson, State of Missouri, at its September term, A.
D. 1870, I will on the 22^d day of March next,
1871, at the Court House door in the town of
Hillsboro, between the hours of nine o'clock in
the forenoon and five o'clock in the afternoon of
that day, offer for sale, at public auction, to the
highest bidder, the following described land, or
real estate, to-wit: The south west quarter, of
the south west quarter of section ten, township
thirty-eight, range four east, containing 70 acres;
also the west half of the north west quarter, and
the north east quarter of the north west quarter,
and the north west quarter of the south west quar-
ter of section fifteen, township thirty-eight, range
four east, containing one hundred and sixty acres.
Also, the north east quarter of section twenty-two
in township thirty-nine, range four east, containing
forty acres, situated in the county of Jefferson,
State of Missouri, for the purpose of making
partition between said parties, for which the pur-
chaser will be required to pay twenty per cent, of
the purchase money in hand at the time of sale,
the balance in twelve months; the purchaser giv-
ing his bond with approved security, bearing in-
terest at the rate of six per cent. per annum from
date, this 6th day of February, 1871.
JOHN WILLIAM J. SHERIFF

In No. 6,	<i>Pub.</i>	11,	1871.
In No. 7,	"	18,	1871.
In No. 8,	"	25,	1871.
In No. 9,	<i>March</i>	3,	1871.
In No. ,		, 1871.	

Chas. A. Stone.

this 3rd day of April 1871.

W. A. Stone

12.50. Received Payment.

25

12.75

James Moon - Joseph H. Moon
Matilda Duinwiddie & John
Duinwiddie her husband
Sarah Mauwaring et als
= against =
Lexie Moon - Amanda
Grady James Grady et als

In the Jefferson County Circuit Court.
March Term 1871

REPORT OF SALE.

To the Hon. Circuit Court of Jefferson County, Missouri:

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 Democrat*, 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 advertisement, at the Court House door, in Hillsboro; on Wednesday, the Twenty second day of March, A. D. 1871, 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 of said County, at the March term thereof, for the year Eighteen Hundred and Seventy one, expose to sale at public auction, the following described Real Estate, situate in said County, to-wit: The South west quarter and part of the South East quarter of the South West quarter of Section Ten in Township thirty eight of Range four east: containing 70 acres Also the west half of the North west quarter and the North east quarter of the North west quarter and the North east quarter of the North West quarter, And the North west quarter of the South west quarter of Section 15 Township thirty eight range 4 east containing 160 acres and at said sale Wm M McQuartry was then and there the highest and last bidder for the above described Real Estate at the price and sum of Eleven hundred and ten dollars and the same was stricken off and sold to him at and for said sum. of which sum he has to me in hand paid 20 per cent and has given bond with approved security for the balance as required by the terms of sale - And this report is respectfully Submitted
March 22nd 1871 John Williams Sheriff

State of Missouri } In the Jefferson Circuit
County of Jefferson } Court September Term 1870
September 20th 1870

Be it remembered that in said Circuit
Court of that day among other proceedings
therein had the following order appears
of record to wit;

James Moon Joseph H Moon
Matilda Dimviddie and
John Dimviddie her husband
Sarah Manwarring Wm H Moon
Thomas Moon Calvert Moon
John Moon Fennia Roberts, and
Thomas Roberts her husband
Elizabeth Roberts and James
Roberts, Polly Neal and
George Neal her husband.

Plaintiffs

"against"

Lewis Moon Amanda Grady
James Grady Sarah A Roberts
Cassandra Roberts Cynthia
Roberts Amanda Roberts
Andrew L Moon Clara W Moon
Rushie E Moon William A
Moon Luther F Moon
Lucretia E Murphy and
William H Murphy her
husband Rhoda Ann Moon
Thomas G Moon and

Renewed
order of Sale

Satathiel Cole }
Defendants }

Now again at this day come the parties
aforesaid by their respective Attorneys,
And it appearing to the Satisfaction of the
Court, that the order of Sale herein made
at the March term 1870. of this Court, has
not been complied with, And now on motion
of the parties aforesaid, by their Attorneys,
It is ordered by the Court that a renewed
order of Sale be made, directing the Sheriff
of Jefferson County to again advertise and
proceed to sell the land in the petition
described, to wit, The South west quarter
and parts of the South East quarter of the
South West quarter of Section ten in Town-
ship thirty eight of Range four East, contain-
ing Seventy Acres, also the west half of the
North West qr and the South East qr of the
NW qr and the North West quarter of the
South West quarter of Section Fifteen in
Township thirty eight Range 4 East,
Containing One hundred and Sixty Acres
Also the North East quarter of the North
East quarter of Section Twenty Two in
Township thirty nine of Range 4 East
Containing Forty Acres, And the Court
proceeding to settle the rights and and

interests of the parties in and to said Real Estate, doth declare the same to be as follows, To wit, That the said James Moon Joseph H Moon Matilda Dimwidie Sarah Manwarring William H Moon John Moon Thomas Moon Albert Moon Fennia Roberts Elizabeth Roberts Polly Neal, are each entitled to the undivided one fourteenth part of said Land, that the said Sexie Moon and Amanda Grady are each entitled in fee to the one twenty eighth part of said Land, Sarah A Roberts Cassandra Roberts Lyneth Roberts and Amanda A Roberts, (as the heirs of Nancy Roberts deceased) are each entitled in fee simple to the one fifty sixth part of said Land, that Salathiel Cole is entitled in fee to the one fourteenth part of said Land, he having purchased the interest of Franklin Moon now deceased, And it appearing to the satisfaction of the Court, that partition and division of said Real Estate in kind cannot be made without great prejudice to the owners thereof, It is therefore ordered, adjudged and decreed by the Court that partition and division be made between said parties according to respective rights herein set forth, It is further ordered by

the Court that the Sheriff of Jefferson County Missouri proceed to sell the land in said petition described, lying and being in said County, at public Auction to the highest bidder for twenty per cent of the purchase money in Cash, And the residue in twelve months, and for the deferred payment take a bond or note from the purchaser or purchaser thereof with security, and bearing six per cent interest from date, And that said Sale take place on some day during the session of the Circuit Court for the County aforesaid, And be governed by the same rules and regulations prescribed by law for the sale of Real Estate under execution, Notice thereof being given by said Sheriff, in the same manner as provided by law for such Sales, And bring into Court the proceeds of said sale to abide the further order of the Court herein

A true Copy from the record
Witness my hand and the seal of
said Circuit Court at office
in Hillsboro this thirtieth day
of December ¹⁸70

W. S. Boyce Clerk

29 95

To the Jefferson Circuit Court,
March Term 1871,

James Moon et al
vs } In Partition

Lexie Moon et al

Renewed order of Sale,

W. S. Boyce cop ord exs \$1.50

