

Jefferson County Circuit Court
Case Files - Civil

May 1869

Box 24 Folder 15

Watkins, Willy Ann

Watkins, Susan

Watkins, H. P.

North, Paulina E., et al

vs.

Fitzmorris, Sarah

Fitzmorris, James

Griffin, Elizabeth

Griffin, John A., et al

Partition

Heirs of Philip Watkins; 80 acres
in 5474024E; other plaintiffs A.C.
North; other defendants Louisa &
Isaac N. Byrns

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Willy Ann Watkins
Susan Watkins &
1 W. P. Watkins husband of
said Susan Watkins
Paulina E. North &
2 A. C. North husband of
said Paulina E. North
Plaintiffs

as
3 Sarah Fitzmorris &
James Fitzmorris
Husband of said
Sarah Fitzmorris &
Elizabeth Griffin &
4 John A. Griffin, husband
of said Elizabeth Griffin
Louisa Byrns &
5 Isaac A. Byrns
Husband of said
Louisa Byrns
Defendants

In the Circuit Court
of Jefferson County
Missouri

Plaintiffs state that Philip
Watkins departed this life intestate
in Jefferson County aforesaid

about the year 1860, leaving
surviving him his widow Willy
Ann Watkins and his children and
heirs at law Paulina E. North who
intermarried with A. C. North, Susan
Watkins who intermarried with H. J.
Watkins, ~~Sarah Fitzmorris~~ Sarah
Fitzmorris who intermarried with
James Fitzmorris, Elizabeth Griffin
who intermarried with John A.
Griffin & Louisa Byrne who
intermarried with Isaac A.
Byrne, and plaintiffs further aver
that said Philip Watkins at the
time of his death owned in fee
simple & was possessed of the
following described Real Estate
situate in Jefferson County,
Missouri viz, the West
half of the South West quarter
of section four Township Forty
Two Range four East contain-
ing eighty acres, plaintiffs aver
therefore that they and the
Defendants are owners ~~of~~ &
tenants in common of the said
Real Estate that, said said

Plaintiff Willy Ann Watkins is entitled to the one third part of said Real Estate for & during her natural life, that said Paulina E. North & A.C. North are entitled to the one undivided, ~~fifth~~ ^{fifth} of said Land, & said Susan Watkins & H. J. Watkins are entitled to the undivided fifth thereof, & that said Sarah & James Fitzmorris are entitled to the fifth thereof & that ~~John A. Griffin~~ said Elizabeth Griffin & John A. Griffin are entitled to the undivided fifth thereof, & that said Louisa Byrns & Isaac A. Byrns are entitled to the undivided fifth thereof all of said interests being subject to the dower interest therein of one third thereof owned as aforesaid by said Willy Ann Watkins, Wherefore Plaintiff pray the Court to decree & adjudge that partition & division of said Real Estate be made according to the respective interests of the parties as herein set out, & that an order of sale thereof be made ~~made~~ including the dower interest therein owned by said Willy Ann Watkins if the same can not be divided without great

Prejudice to the owners

Jos. J. Williams
Atty. for Plaintiffs

Joseph J. Williams Attorney for the
plaintiffs on his oath says,
that the matters and allegations
set forth in the foregoing are
true as he verily believes

Jos. J. Williams

Sworn to and
Subscribed
before me this
19th day of
~~April~~ April
1869
Elias J. Honey Clerk
By L. H. Apple D.

AC. North
& others
ms

James Fitzmorris
& others

Petition for
Restoration

Filed April. 197869
Elias H. Hony clk

Issue process to
St Louis co for
Sarah & James Fitz-
morris - others to
Jefferson co

2 cop Pet.	200
2 units	200
Beef	30
2 c. & v.	100
File	5
Dick	10
	\$5.40-

Willy Ann Watkins
Susann Watkins &
H P Watkins husband
of said Susann Watkins
Paulina E North & A C
North. husband of said Paulina
& North. Plaintiffs

Richd L. Everett
Court. of
Jefferson County
Missouri

vs.
Sarah Fritz Morris &
James Fritz Morris husband
of said. Sarah Fritz Morris &
Elizabeth Griffin & John A Griffin.
husband of said. Elizabeth Griffin
Louisa Byrns & Isaac A Byrns,
husband of said Louisa Byrns, Defendants

Plaintiff States
That Philip Watkins. departed this
life intestate in Jefferson County
aforesaid. about the year 1860 leaving
surviving him his widow Willy Ann
Watkins and his Children and heirs
at Law, Paulina E North, who
intermarried with A C. North, Susann
Watkins who intermarried with
H P Watkins Sarah Fritz Morris
who intermarried with James
Fritz Morris, Elizabeth Griffin
who intermarried with John A Griffin.

and Louisa M Byrnes who intermar-
ried Isaac M Byrnes & Plaintiff
further states, aver. that said Phelps
Watkins at the time of his death,
owned in fee simple, & was possessed
of the following described Real
Estate, Situate in Jefferson
County, Missouri viz. the west
half of the South west quarter
of Section four Township forty
two of Range 4 East, Containing
Eighty Acres. Plaintiffs aver
therefore that they and the defnd
ants, are owner and tenants
in Common of the said, Real
Estate that said, Plaintiff Willy
Ann, Watkins to the one third part
of said ~~Land~~ Real Estate, for &
during her natural life time that said
Pauline E North, and A C North are
intitled to the one, undivided fourth
thereof and Susan, Watkins, & H P Watkins
are intitled to the undivided fifth thereof
and that said Sarah James Fitzmoris
are intitled to the one fifth thereof
that said Elizabeth Griffin & John
A Griffin are intitled to the undivided
fifth thereof & that said Louisa Byrnes

+ Isaac & Dymond are entitled to the
undivided fifth thereof also of
said interests being subject to the donor
interest therein. If one third thereof
owned as aforesaid Willy Ann
Watkins. Whereof Plaintiff prays
the Court to decree and adjudge, That
Partition & division of said Real
Estate, be made according to the
Respective interests of the parties
as herein set out, and that an
order of sale thereof be made
including the donor interest therein
owned by said Willy Ann Watkins
if the same cannot be ~~divided~~
divided without Great Prejudice to
the owner,

Jos J. Mellicams

Attorney for Plaintiff

Jos J. Mellicams Attorney for the Plaintiff
on his oath says, that the matters as
therein alleged, in the foregoing are
true, as he verily believes,

Subscribed and sworn to by Jos J. Mellicams
before me this

19th day of April 1869

Elias J. Honeywell

By S. H. Lloyd D.C.

A True Copy of the original
petition now on file in this office

In Testimony Whereof I have
enclosed my hand and seal
of said Court this 15th day
of April A D 1869

Witness, J. H. May, Clerk
By L. A. Ayers, D. C.

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 *Elizabeth Griffin.*
James Griffin John A Griffin Lurisa Byrnes
& J A Byrnes.

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

A. C. North 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
20th day of *April* A.D. 1869

Elias F Honey
Clerk Circuit Court.
By L A Ayers D.C.

The wedding was served on the 22^d day of April A.D. 1869
by delivering a true copy thereof and petition ~~to~~ ^{to} proceed
~~is from the~~ ^{to} ~~Grant of the~~ ^{to} ~~divine~~ ^{to} ~~Grant of~~ ^{to} ~~afternoon~~ ^{to} ~~Grant of~~ ^{to} ~~the~~ ^{to}
Jordan and Eliza both Griffin and also ~~by~~ ^{to} ~~the~~ ^{to}
Writ to John A. Griffin ~~husband of~~ ^{to} ~~said~~ ^{to} ~~Eliza~~ ^{to}
Griffin, and also delivering a true copy of the Writ
with J. M. Byrns. and ~~with~~ ^{to} the Writ to Lewis
Byrns his wife all at afternoon bounty no
fess. \$400.

I need such testimony
 by the Colman's
 I don't

3062

TO
JEFFERSON CIRCUIT COURT.

May Term, 1869

A. C. North et al
vs Simmons

~~Sarah Kist~~

Elizabeth Luffin et al

(original)

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 Fritz Morris
Jas A. Sulzberger Elizabeth Griffin John A. Griffin
Lemuel Byrns & Isaac W. Byrns.

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 7th Monday after the
fourth Monday of March 1869 next, then and there to answer unto

Milly Ann Watkins, et al.

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
Nineteenth day of April A. D. 1869

Elias F. Honey
Clerk Circuit Court
By L. H. Ayres, D. C.

We acknowledge notice of the
within bond - & answer petition &
waive the necessity of service of the
same on ~~me~~ us by an officer
this 20th day of April 1869 -

James W. T. J. T. T. T.
Deputy of the City of New York

TO
JEFFERSON CIRCUIT COURT.

May Term, 1869
Willy A. Walker's
vs
Sarah Putnam's
vs

(original copy)

State of Missouri ss
County of Jefferson ss In the Circuit Court
May Term A D 1870

Be it Remembered that on the Circuit
Court May 5th 1870, the following among
the proceedings of that day was had
to wit

Thelma Ann Watkins, Susan Watkins H O Watkins husband of Susan Watkins Pauline E North and W C North Husband of said Pauline E North Sarah Fritz Morris & James Fritz Morris Husband of said Susan Fritz Morris & Elizabeth Griffin & John A Griffin husband of said Elizabeth Griffin Louisa Byrnes & J S Byrnes Husband of Louisa Byrnes.	} Order of Sale, Defendants
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Now at this
day comes said plaintiff by their attorney
and the defendants failing to appear &
set aside their default him entered at
the ~~last~~ May Term 1869 and this cause
coming on to be heard, upon the petition
and evidence adduced by the plaintiffs
the Court doth find that said Plaintiffs
and defendants are tenants and owners
in common of the following described
Real Estate in Jefferson County Missouri

town's Thirteenth half of Southwest 9th
of Section Four Township Forty two Range 24
East. Containing Eighty acres and the Court
proceeding Road and settle the rights
and interest of the parties interested in and
to said Land doth find the same to be
as follows to wit: That Melly Ann
Waltkins is entitled to the one third
part of said Land for and during her
natural life that said Pauline O
North & Al North are entitled to
the one undivided one fifth part of said
Land also M Waltkins and H P Waltkins
are entitled to the undivided one fifth
thru of that said Sarah & James Metz-
ger are each entitled to one fifth
thru of that Louise Byrnes & J. A Byrnes
are entitled to the undivided fifth thru of
that Elizabeth Griffin & John Griffin are entitled
to the undivided fifth thru of all of said
Interests being subject to the lower interest
than of one third thru of owned as aforesaid
by Melly Ann Waltkins it is therefore ordered
adjudged and decreed by the Court that
partition and division of said Land be made
in accordance with the respective rights and
interest herein set forth and it appearing to the
Court that Partition and division of said Land

in Kind Cannot be made without great
Prejudice to the owners thereof Therefore order
by the Court that the Sheriff of Jefferson County,
proceed to advertise and sell the Real Estate
at public Auction to the highest Bidder for ten
percent of the purchase money in Cash at
time of sale and the residue in twelve months and
for the deferred payments take a Bond or note from
the purchaser or purchasers thereof with good
and sufficient security, bearing
interest at the Rate of ten percent
per annum. And that said Sale take
Place during the sitting of Circuit Court
for said Jefferson County, and be governed
by the same rules and regulations
as prescribed by Law for said sales
and divide the Proceeds thereof among
the parties according to Law, this
Respective Rights and Interests, as
aforesaid & bring the proceeds thereof
into Court to abide the further order
of the Court herein.

True copy from the Record
Witness my Hand of the
Circuit Court with the seal
thereof attested at office this 18
day of Jan A D 1870
E. H. Hays Clerk
R. L. Hays D. C.

Wylly Ann Watkins et als
vs.

Sarah ^{and} James Fitzmorris et als

Order of Sale.

177 $\frac{1}{2}$
3 5, 50

Mylly Ann Watkins - Susan
 W. R. Watkins, Pauline E
 North & A. C. North
 against
 Sarah & James Fitzmorris
 Elizabeth & John A. Griffui
 Louisa & J. N. Byrns.

In the Jefferson County Circuit Court.

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 Tuesday, the fifteenth day of March, A. D. 1870 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

expose to sale at public auction, the following described Real Estate, situate in said County:

to-wit: The West half of the South West 1/4 of Section 4 Township 42 - Range 4 east containing 80 acres
 and at said sale James Fitzmorris was then and there the highest and last bidder for the real estate hereinbefore described at the price and sum of Seventy five hundred and seventy five Dollars of which sum he has to me in hand paid Ten per cent and has given his bond with approved security for the balance as required by the terms of sale -

And this report is respectfully submitted
 Fred L. L. Demeyer
 Sheriff

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this 18th day of March, 1870, 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 18th day of February, 1870, and the last insertion on the 11th day of March 1870, as follows, to-wit:

Sheriff Sale in Partition.

In the Circuit Court of Jefferson County, Mo.
 V. L. R. ANN WATKINS, Susan Watkins;
 Pauline E. North, and A. C. North, husband of Pauline E. North, plaintiffs, vs. Sarah Fritzlamotte, James Fitzlamotte, husband of Sarah Fitzlamotte, Elizabeth Griffin, John A. Griffin, husband of said Elizabeth Griffin, Louisa Byrns, and Isaac N. Byrns, husband of said Louisa Byrns, defendants.
 By virtue and authority of an order made by the Circuit Court of the county of Jefferson, State of Missouri, at its November term, A. D. 1869, I will on the

15th day of March next, 1870,

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 west half of the south west quarter of section 10, town 40, range 12, containing four acres, containing eighty acres.

For the purpose of making partition between said parties, for which the purchaser will be required to pay ten per cent. of the purchase money in hand at the time of sale, the balance in twelve months; the purchaser giving his bond, with approved security, bearing interest at the rate of ten per cent. per annum from date, this 15th day of February, 1870. W. L. LUCHEMEXER, Sheriff.

In No. 5,	February 18, 1870.
In No. 6,	" 25, 1870.
In No. 7,	March 4, 1870.
In No. 8,	" 11, 1870.
In No. ,	, 1870.

Frank Stone

we me this 18th day of March 1870.

Wm. L. Luchmexer

Received Payment,

Frank Stone

\$10.25

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this 18th day of March, 1870, 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 18th day of February, 1870, and the last insertion on the 11th day of March 1870, as follows, to-wit:

In No. 6,	February 18, 1870.
In No. 6,	" 25, 1870.
In No. 7,	March 4, 1870.
In No. 8,	" 11, 1870.
In No.	, 1870.

eudon and costs, this is to say, to give, y said, e
 D. 1870. FRED. LUOTHEMEYER, Sheriff.
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Sworn to and subscribed before me this 18th day of March 1870.

Franklin

Manuel DeCruz

Printer's Fee, \$10.00.

Received Payment,

Also added 25.

810.25

Frank Howe

We Willy Ann Watkins as principal
and John A. Griffin and James W.
Fitzmorris & A. C. North as
Securities acknowledge ourselves to owe
and stand indebted unto Susan Watkins
and H. P. Watkins her husband and
Paulina B. North and A. C. North
her husband and Sarah Fitzmorris
and James Fitzmorris her husband
and Elizabeth Griffin and John A.
Griffin her husband and Louisa
Byrns and Isaac N. Byrns her
husband and to their heirs and
assignees in the sum of one thousand
dollars for the payment of which
we bind ourselves our heirs Executors
and Administrators firmly by these
presents signed sealed and dated
at Jefferson County Missouri this
25th day of March A.D. 1870

The Conditions of this
Bond are such that whereas
Willy Ann Watkins the principal
herein together with the several
parties herein above named were
on the 19th day of April, ¹⁸⁶⁹ owners
and Tenants in Common of the West
half of the South West quarter of
section four Township Forty Two

North of Rause Four East in
Jefferson County Missouri
Containing Eighty-acres the the said
Willy Ann Watkins owning a life
Estate therein of the one third thereof
for and during her natural life and
the said Susan W. P. Watkins and
Paulina E. & A.C. North, and said
Sarah & James Fitzmorris and said
Elizabeth & John A. Griffin & said
Louisa & J. T. Byrnes being entitled
to the fee simple of said Land subject
to such described Estate of said Willy
Ann Watkins and whereas on said
19th day of April 1869 a suit of
Partition was instituted in the
Circuit Court of Jefferson County
Missouri to make Partition of
said Land between said owners of
said Land including the dower
interest therein of said Willy Ann
Watkins as before stated and whereas
at the adjourned November Term of
said Court for the year 1869 held
on the 1st day of February 1870
an order of sale of said Land was
made and whereas it was decreed
by said Court that the rights and
interests of said parties to said action

were as above set forth and whereas
at the March Term of said Court for
the year 1870 said Land was sold
under such order of sale for the sum
of seven teen hundred and ~~Twenty~~^{seventy} five
Dollars and whereas said Willy Ann Watkins
is by Law and the Decree of said Court
entitled to the use and interest of ~~the~~
one third part of said sum of money
for and during her natural life, ^{after the costs of said Partition are paid therefrom} and
whereas at her death the parties aforesaid
are and will be entitled to the principal
sum thereof without interest Now
therefore if said principal sum of
the one third part of said seven teen
Hundred and ~~Twenty~~^{seventy} five Dollars which
is to be received by said Willy Ann
Watkins Less the Costs and Expenses of
said Partition suit and sale of Land,
shall at her death be paid over either
by her before her death or by her
heirs, Executors or Administrators
^{after her death} to the hereinbefore mentioned parties
for whose use this Bond is made or
to their heirs who at the time may be
entitled by Law or otherwise to receive the
same or their assignees then this Bond
shall be void and of no effect
otherwise to remain in full force

Witness our signatures and seals
the date above written

Wm. C. Matthews
John A. Griffin
James H. Griffin
Arthur C. Griffith

Admired since 19/1870
 Given by Henry de la Ch
 By J. H. de la Ch

Willy Ann Watkins
& others

(2)
Isaac A. Byrnes
& others

Bond of Willy A. Watkins

Willy Ann Watkins,
Susan Watkins &
H. P. Watkins, Her Husband,
Paulina North &
A. C. North, Her Husband

Partition

^{vs}
~~James~~ Fitzmorris &
James Fitzmorris, Her Husband
John A. Griffin &
Eliza Griffin, His wife, &
Louisa Byrns &
J. N. Byrns, Her Husband

Now at this day the Plaintiffs
by their Attorney come and it being shown
to the satisfaction of the Court that at the
May Term of this Court for the year 1869
and on the 21st day of said month of May
~~that~~ the Court made ~~the~~ an order &
~~made~~ in this cause which was
not entered of Record as is hereinafter
set forth in is therefore ordered that
the same be now entered of Record from
the time as of that date as follows, viz,
"Now now at this day come the Defendants
John A. Griffin and Eliza Griffin and
J. N. Byrns and Louisa Byrns by their
Attorney and enter their appearance to this
action and upon their application leave is

Granted them to file answer 30 days
before the next Term of this Court,

Willy Ann Watkins,
Susan Watkins &
W. C. Watkins, Her Husband
Paulina E. North &
A. C. North Her Husband

Plaintiffs

Sarah Fitzmorris &
James Fitzmorris Her Husband
Eliza Griffin &
John A. Griffin Her Husband
Louisa Byrns &
J. A. Byrns Her Husband

Now at this day Come the Plaintiffs
and it appearing to the Court that at the
May Term 1869 of this Court an order
was made by the Court which was not
correctly entered of Record and which
should have then been entered as
hereinafter set forth It is ordered now
that said order be now entered in
pro hunc as of the 21st day of May 1869
as follows

Now at this day Come the
Plaintiffs and it appearing to the
Court that James & the Sarah
Fitzmorris have each duly acknowledged
in writing Indorses on the original writ
signed by them Service of such writ and

Waived the necessity of service of the same
on them by an officer more than
fifteen days before the return term thereof,
and they being three times called come not
neither have they answered plaintiffs
petition whereby the same remains by
them undefended, it is therefore ordered
that their default herein be entered
and this cause is continued

This for final order "B"

Wiley Ann Watkins,
Susan Watkins &
W. C. Watkins. Her husband
Paulina E. North &
A. C. North Her husband,

Partition

^{vs}
James Fitzmorris &
Sarah Fitzmorris His wife
John A. Griffin &
Eliza Griffin His wife
Isaac N. Byrns &
Louisa Byrns His wife

Now at this day come
the plaintiffs by their attorney, and
the defendants James Fitzmorris and
Sarah Fitzmorris having failed to
appear and set aside their default
herein entered at the May Term of this
Court for the year 1869, and the defendants
John A. Griffin and Eliza Griffin and
Isaac N. Byrns and Louisa Byrns,
appear by their attorney, and the
said John A. Griffin and Eliza Griffin
and Isaac N. Byrns and Louisa
Byrns, by their attorney now here in
Court consent that final judgment
of partition be now here at this Term
of the Court made in accordance with

the several respective rights and interests of the parties as the same are declared and set out in the original Petition of Plaintiffs in this Cause, and that an order of sale of said Land be now at this day made in pursuance to said Petition and the rights and interests of the respective parties as therein set forth, It is therefore considered adjudged and decreed by the Court, that Partition and Division of said the Real Estate described in said Petition ~~be made~~ namely the West half of the South West Quarter of section four Township forty Two Range four East containing eighty-acres be made between the Plaintiffs and Defendants according to their respective rights and interests therein and the Court now here proceeding to adjust and declare the such rights and interests of the respective parties Plaintiffs and Defendants in and to said Land do adjudge and decree the same to be as follows, to wit, said Willy Ann

Watkins is entitled to the one third
part of said Land for and during her
natural life, The said Paulina E. North
and A.C. North her husband are entitled
in fee simple to one fifth part of said
Land, ^{subject to the dower interest of said Willy Ann Watkins} and Susan Watkins and W.P.
Watkins her husband are also entitled
in fee simple to the one fifth part of
said Land, ^{subject to the dower interest of said Willy Ann Watkins} and the said Sarah Fitzmorris
and James Fitzmorris her husband are
entitled in fee simple to the one
fifth part of said Land, ^{subject to the dower interest of said Willy Ann Watkins} and the
said Eliza Griffin and John A. Griffin
her husband are entitled to the one
fifth part of said Land in fee
simple, ^{subject to the dower interest of said Willy Ann Watkins} and the said Louisa Byrns
and Isaac A. Byrns her husband
are entitled in fee simple to the
one fifth part of said Land, ^{subject to the dower interest of said Willy Ann Watkins} ~~each~~
~~of said respective interests of said~~
~~respective parties plaintiffs and defendants~~
and it appearing to the Court now here
from the evidence and the situation of said
Reed Estate that the same can not be
divided in accordance with the respective
interests in the said parties without
great prejudice to the owners,
It is ordered adjudged and decreed

by the Court that the Sheriff of
Jefferson County Missouri do
proceed to sell said Real Estate at
Public Auction ~~for cash in hand~~
to the highest bidder for Ten
per cent of the purchase money
in Cash at the time of sale, and
the residue in twelve months, and
for the deferred payment take a note
of the purchaser or purchasers,
with good security bearing Ten
per cent interest per annum from
the date thereof, and that such sale
be made on some day during the
next term of the Circuit Court of
said County of Jefferson, and be
governed by the same regulations
prescribed by Law for the sale of
Real Estate under execution, notice of
such sale being given by said Sheriff
in the same manner prescribed by
Law for such sales, and that the
Sheriff bring into this Court to proceed
of such sale to ~~abide~~ abide the
further order of this Court,
herein,

Willy Ann Watkins,
Susan Watkins &
W. P. Watkins, her husband,
Paulina E. North &
A. C. North her husband,

Partition

^{vs}
James Fitzmorris &
Sarah Fitzmorris, his wife
John A. Griffin &
Eliza Griffin his wife
Isaac N. Byrns &
~~Louisa~~ Louisa Byrns his wife

Now at this day come the Plaintiffs
by their Attorney and it appearing to
the Court that at the adjourned
November Term of this Court for
the year 1869 began and held on
the first day of February 1870,
and on the 5th day of said month of
February 1870 the Court made in
the above cause the a Final Decree
of Partition of the Lands described in
Plaintiffs Petition and it further
appearing to the Court that the Clerk
of this Court in entering said Decree
of Record in the proceedings of the
Court for the 5th day of February 1870

did not fully and correctly enter
the same. It is therefore now
ordered by the Court that the
Decree of this Court rendered as
aforesaid in this Cause on the
said 5th day of February 1870 be
entered of Record more or less
as follows, to wit,

(Here copy Final order
made out and marked "B")

at the end of which add,
as follows,

and it further appearing
to the Court that the Clerk of the
Court has heretofore issued an order
of sale of said Land upon the
Decree ~~order~~ as entered of Record on the 5th
of February 1870 it is ordered that
the Sheriff proceed to sell said Land
thereunder and report his proceedings
therein to this Court,

Milly Ann Watkins obs ~~March~~ June 1870.

Sarah W. Fritzmans obs 3 Fee Bell

Elias P. Honey Oak,

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Defaut. 35^c hmt. 25. Order 35^c. 95

Order Sale, \$1.00 copy 10^c. 1.50 200.

Judgment, 50^c order munc Portland, 100 1.50

Rept Shuff 50^c Fee Bell Co. 110
\$13.75-

F. Lichteneyer Shuff

Line 4 depts 44.00

Dud 2.50 Rept 100 mtee 50 400 = 8.00

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F. A. Stur. 10.25.

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3062

Nelly A Watkins

is

Fitzmoris

"

per Bill