

Jefferson County Circuit Court
Case Files - Civil

March 1871, No. 10

Box 28 Folder 24

Voorthis, Robert J.
Mason, William T.

vs.

O'Fallon, John

Ejectment

320 acres in Survey 747 T 42 R 6 E;
\$500 damages

Robert S. Voorhis and
William T. Mason, plaintiffs

vs

John O'Hallen, defendant,

In the Circuit Court,
in and for the County
of Jefferson - SS.

Plaintiffs state that on the 29th day of April 1867 they were entitled to the possession of the following described premises situated in the said County of Jefferson, in the state of Missouri, to wit: The South-West half of Survey number Seven hundred and forty-seven in Township number forty-two, North of Range Six East, containing three hundred and twenty acres; and being so entitled to the possession thereof, that the defendant afterwards, on the 10th day of March 1869 entered into such premises, and unlawfully withholds from the plaintiffs the possession thereof, to their damage in the sum of Five Hundred dollars. Plaintiffs aver that the monthly value of the rents and profits of the said premises is one hundred and fifty dollars.

Therefore, plaintiffs demand judgment for the recovery of the premises, and Five hundred dollars damages for the unlawful withholding of the same from plaintiffs, and one hundred and fifty dollars for ~~monthly~~ rents and profits from the rendition of judgment until the possession of the premises is delivered to plaintiffs, and for other proper relief.

Voorhis & Mason

propra persona.

Filed & sent 19th 1871
Wm. Dwyer

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 *John O'Fallon*

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 ~~First~~ Monday ~~after the~~
~~fourth Monday~~ of March next, then and there to answer unto
Robert S Voorhis and William J Mason

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

W S Boyce
Witness, ~~ELIAS F. HONEY~~, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Nineteenth day of *January* A.D. 18*71*

W S Boyce
Clerk Circuit Court.

No 10

TO

JEFFERSON CIRCUIT COURT.

March Term, 1871

R S Morton & N D Mason

vs
John O'Donnell

(original)

original

For William's Supp Fee \$1.00

302,088, 458, 485, 486

Executed the within writ at the County of Jefferson
Missouri on the 30th day of January A.D. 1871
by delivering to the within defendant John
O'Donnell a copy of the within writ and annexed
petition as furnished me by the Clerk

John. Williams. Sheriff
by L. B. Cook
Deputy

Robert S. Voorhis and
William J. Mason, Plaintiffs }
against
John O'Galloway, Defendant }

In the Circuit Court
of Jefferson County Missouri
Now at this day the Defendant comes
and for answer to the Petition
of the Plaintiffs in this Cause filed
says he denies that Plaintiffs were
on the 29th day of April 1867 or at
any other time entitled to the
possession of the Real Estate in
their Petition described or any
part thereof or any interest therein,
and denies that Plaintiffs being
entitled to the possession of said
Tract of Land on the 10th day of
March 1869 the Defendant on that
day entered into such premises,
and denies that he now ^{does} or
did at the time of the commencement
of this action or at any other time
unlawfully withhold from the Plaintiffs
or either of them the possession thereof
either to their Damage in the sum
of Five Hundred Dollars or any sum
whatsoever, and denies that the monthly
value of the rents and profits of said

Real Estate is ~~for~~ one Hundred and fifty Dollars

Defendant admits that he now is and was when this suit was commenced in the ~~possession~~ possession of the Real Estate described in Plaintiffs petition and avers that his said possession was then and now is lawful and right and that he is entitled to retain the same

And therefore Denies that Plaintiffs are entitled to judgment for the recovery of the possession of said premises. or for five Hundred Dollars damages or any damages whatever on account of defendant having withheld or of his withholding the same from Plaintiffs

or for one Hundred and fifty Dollars or any other sum for monthly rents and profits of said premises for or during any time whatever and denies that Plaintiffs are entitled to any relief whatever

And defendant having answered fully prays Judgment against Plaintiffs for his

Costs

Jos. J. Williams
Atty. for Defendants

R. J. Norris, Esq., at,

per
John S. Hallen

Answer of
Defendant

Filed Aug 18 1871

W. D. Joyce at

By Chas. Morris at

~~John S. Hallen~~
at

Robert S. Voorhis et al	} In the Jefferson County Circuit Court.
"	
John O'Fallon	

Now come the ~~affidavits~~, both in ~~passim~~ and by attorneys, and move the Court to set aside the finding in the above Cause, and grant them a ~~new~~ hearing - for that:

1. The finding of the Court is against the ~~examiner~~ in the case.
2. The finding of the Court is against the law of the case.
3. The finding of the Court is against the law and the evidence.
4. The Court erred in excluding proper and legal evidence offered by the plaintiffs.
5. The Court erred in admitting improper and illegal evidence offered by the defendant.
6. The Court erred in refusing proper instructions ~~or~~ declarations of law, asked by the plaintiffs.
7. The Court erred in granting improper instructions, asked by the defendant.
8. The finding of the Court ought to have been for the plaintiffs.

Bartholomaeus
in propria personam
cum Bro. S. Thomas Bro.
Almonro-

Robert S. Voorhis Et al

vs

John O Fallon

Motion for rehearing-

Voorhis & Mason,
with Geo L. Thomas, Opps

Atty for plffs

Filed May 24 '87
W S Boyce

Robert S. Voorhis and
 William T. Mason Plaintiff } In the Circuit Court of
 against } Jefferson County Missouri
 John O'Fallon Defendant } May Term A. D. 1872

Be it remembered that at the May Term of the Circuit Court of Jefferson County Missouri for the Year 1872, The above cause coming on to be heard by the Court both parties waiving a jury The Plaintiff introduced the following testimony to sustain the the issues to wit:

A Deed by the Collection of Jefferson Co. Mo. ^{to J. G. Williams} ~~from W. C. O'Fallon to R. S. Voorhis together with a certified plat of Township 42nd East of the 5th Principal Meridian & also a certificate from the Register of showing the land had not been returned, as follows (here copy Deed.) Township Plat & certificate of the Register of Lands)~~

To the introduction of said ~~paper~~ ^{deed} the Defendants ^{arbitrarily} made the following objections, that is to say Defendant objected to the introduction of said Deed in evidence for the reasons following, to wit,

first, because the same was incompetent and irrelevant and constituted no evidence of title in Plaintiff they not having shown a derivation of title from the government out down

to W. C. O'Fallon in whose name the Tax Deed recited the Land to have been assessed for the Tax for which it purported to have been sold
Secondly; For the reason that said Pretended Tax Deed being a Deed made at Private Sale by the Collector was no evidence of Title to the grantee therein named or any person claiming under him, or of ^{the truth of} any recital or allegation in said Deed contained -

Thirdly For the reason that said Tax Deed was incompetent & irrelevant & no evidence tending to prove Title in Plaintiffs or any right in them to possession of the Land described in it for the reason that it ^{was} being made evidence by Law of Title in the Grantee therein named or those claiming under him or of ^{the truth of} any recitals contained therein ~~was~~ could not be read in evidence for any purpose the Plaintiffs not having shown that the Land described in said Deed was subject to assessment for Taxes for the Year for which it purported to have been assessed; or that it was assessed in the name of the ^{then} owner or the person who appeared to be the owner, or that it was assessed for the amount allowed by Law for State & County and other Taxes upon the assessed value of the Land -

or that the Collector of said County
endeavored to make the Taxes from the
Levy and Sale of Personal Property
of the Person in whose name the
Land was assessed for the Year
mentioned in said Tax Deed or that
he was unable to make said Tax
by Levy & Sale of Personal Property,
or that said Collector returned said
Land delinquent for the non payment
of the Taxes as required by Law, -
or that the Land was advertised for
Sale at public auction for the payment
of the Taxes as then required by Law
or that the Land was ever offered for
Sale for said Taxes as then required
by Law or if so offered that any
notice of the Sale was given in the
manner then required by Law, -
or that the Land was ever stricken
off or forfeited or sold to the State
Prior to the Sale of the Land at
Private Sale

Fourthly; For the reason that said Tax Deed
did not recite that the Land described
therein was situated in Jefferson
County Missouri or that the same
was subject to assessment for
Taxes within said county & State

or subject to the jurisdiction of the Courts or
officers connected with the assessment
of the Revenue in & for said County
& State.

Fifthly

Because said Deed was void for
uncertainty for the further reason
that it did not recite that the Land
sought to be conveyed thereby was
situated in Jefferson County or the
State of Missouri or ~~in range~~
whether the range ^{six} mentioned in the
Tax Deed was Range six East or
Range six West.

The Court received said deed, ~~certificate~~
~~and Plat~~, object to the objections of
Defendant to be decided an after
argument of the case,

~~John L. Thomas sworn page.~~

Plaintiff offered to read in evidence the plat
of Township #2, R. & E. of 5th Princi-
pal meridian as follows (Here
copy same) to the introduction of
which Defendant at the time
objected for the following words,

but the Court overruled said objections
and permitted Plaintiff to introduce
the same in evidence to which
Defendant at the time accepted.
Plaintiff read in evidence the Certi-
ficate of the Register of Lands of
Minnesota as follows (Here copy).

W. H. H. Jones was then sworn & testified
that he had a conversation with de-
pendant a few days before and that
he told dependant that when Plaintiffs
gained the Sulphur Spring tract
that they ^{would} lay out a town & put
up a Hotel & Defendant said he
would sell lots or land there now.
In another conversation Defendant
told him that United States Survey¹⁰⁷⁴⁷
took in the Sulphur Springs and
Glaze Creek and ran back
west & took in a large lot
of improved land, but remember
how much.

Plaintiff then read in evidence a
deed from J. J. Williams to A. Reppy
as follows (Here copy same)
Also a deed from Reppy to R. D.
Worhis as follows (Here copy)
Also a deed from Worhis to W. J.
Norton as follows (Here copy
same)

J. B. Mann testified that he knows
the Sulphur Spring Tract formerly
owned by W. C. O'Fallon & was
along anee when it was surveyed
it takes in the Sulphur Springs in
^{on State Creek}
~~Jefferson Co. Mo.~~ there is about
100 acres of cleared land on
it which rents for about \$500.
a year.

Here the Plaintiff closed his case
and the Defendant to sustain the
issues on his part introduced the
following evidence, viz,

The Tax Book of Jefferson
County Missouri made out by the
Assessor of said County for the Year
1860 that is to say the (106) one
Hundred and Sixth page of said
Book showing the assessment
of the NW² Sec. 747 Township 42
Range 6 assessed in the name of
W. C. O'Hallon also showing the amount
at which said Land was assessed
the amount of Tax for various
purposes levied thereon for that year
and also showing the amount of personal
property assessed to said O'Hallon for that
year with the Tax thereon extended in gross
with the Tax on said Land which Tax Book
as read in evidence is as follows (Here copy
said page 106) Also Defendant read
in evidence the Judgment Book containing
of Judgment against Lands & Town
Lots in Jefferson County Missouri
for the non payment of Taxes for
the Year 1860 that is to say

Page 43 of said Judgment Book
showing the rendition of judgment
on the first Monday in July 1864 for
non payment of Taxes for the Year 1860
Showing Judgment to have been
rendered for said Year against the
J.W. Sur. 747 ~~again~~ in the name of
W. C. O'Hallon and also in the name of
Benjamin O'Hallon by the same description
also showing the amount of Taxes for
which said Judgments were respectively
rendered as well as the purposes for
which the respective Taxes were levied
& for which said Judgment were rendered
which Page 43 of said Judgment Book
is as follows, To wit, (Here copy same)
also Defendant read in evidence an
order of the County Court of Jefferson
County Missouri recorded in the Record
of said Court on Page 182 in the
proceedings of said Court for the 10th day
of July 1860 fixing the rate of Taxation
of Property for County purposes for
said Year 1860 which order is as
follows To wit, (Here copy same)
also Defendant read in evidence the Sale
Book of said County showing the
sales of Lands & Town Lots for the non
payment of Taxes for 1860

Showing the sale to the State at the time in the heading of said Sale stated of the SN Sur 747 sold as the property of W. C. O'Hallon and also sold as the property of ^{Benjamin} ~~Benjamin~~ O'Hallon for the several ^{sums of} ~~sums of~~ purposes as shown by said Book also ~~showing~~ ^{showing} the name "Jos. J. Williams" written in a column entitled "When redeemed" which Book and page as read in evidence with the several entries columns &c is in words & figures following, to wit, (Here copy page 40 of said Book) Also section 44 on page 76 of the Session acts of 1857 showing the rate of taxation for State purposes for 1860 as follows (Here copy said section) Defendant here closed Plaintiffs in rebuttal. The read in evidence from the "Sales Record" kept by the County Clerk of Jefferson Co. Mo. on page 16 of said book showing the sale of S 1/2 Sur 747 Township 42 R. 6 containing 320 acres assessed in the name of W. C. O'Hallon (Here copy page 16 of said Sales Book) The Plaintiffs then closed their case

The Plaintiffs asked the Court to declare the law as follows (Here copy instructions one & two asked for by Plaintiffs) which the Court refused to do to which ruling of the Court in refusing to declare the law as prayed for by them Plaintiffs at the time accepted.

Defendant then asked the Court to declare the law as follows (Here copy Nos. 1, 2, 3, 4, 5, 6, 7, 8 & 9 as prayed for by Dft) Nos. 1 & 2 which the Court gave and to which ruling of the Court Plaintiffs at the time accepted and Nos. 3, 4, 5, 6, 7, 8 & 9 the Court refused to which ruling of the Court Defendant at the time accepted.

The Court then in deciding upon the admissibility of said tax and held that it was inadmissible upon the ground that it recited that it had been sold at public sale in 1804/1805/1806, when the law required the ~~sale~~ public sales to be made only every two years and said and held upon that ground to which ruling of the Court in deciding said deed upon that ground the

Plaintiffs at the time accepted.
The Court then gave judgment
for Defendant as follows (See
Copy same) to which Plaintiffs
at the time accepted.

Plaintiffs on May 24th 1872 filed
this motion for a rehearing and
new trial as follows (See Copy
same) which motion the Court
overruled to which decision of
the Court Plaintiffs at the time
accepted.

And by the consent and agreement of the Parties
and that the same should be so entered of record,
the Court then made an order allowing the Plaintiff
to present his Bill of exceptions to the Judge in
vacation, and that the same might be signed
and filed in the Clerk's office within thirty
days from the day of the adjournment of
Court, and which Court adjourned on the
24th day of May 1872 - and which order is
as follows, (here copy same)

The Plaintiff moves therefore on this
day of June 1872 presents to the Judge
this his Bill of exceptions, and prays that
the same may be signed, sealed, and
made a part of the record in said cause,
and which is accordingly done on this

17th day of June 1872
Philip P. Hiss Judge (seal)

Worship & Mason

a grand

John Chalton

Filed June 17 1872
1001 Dwyer St.
By John W. W. W.

Referred

The Court, sitting as a jury, declares the law in this case to be; that, the deed offered in evidence by the plaintiffs, being a deed of the County collector of Jefferson County to Joseph J. Williams bearing date the 20th day of December 1866, and recorded in Book H page 67 of the Record of deeds of this County, is prima facie evidence of fee simple title in the grantee; and is, also, prima facie evidence that the law, in relation to the assessment of taxes and of the sale of the property, ~~assessments have been complied with~~ under which said deed was executed; has been complied with; and the burden of proof is upon the defendant to show that the said law has not been complied with in such assessment and sale.

Refused

The Court sitting as a jury declares the law to be in this case, that although in the record of the sale of said land the name of the purchaser, J. J. Williams, appears in a column headed in Printing, "When Redeemed," yet if it appears from the whole record of the assessment and sale of the land in contrary, that the said J. J. Williams was the purchaser of the said land and did not redeem the same, it is not such an irregularity as to avoid the tax deed.

Overbury & Mace
vs
O'Halloran

1st The Court declared the verdict that the
Jury had heard in evidence in this
Case is not evidence in itself of the
truth of the facts therein recited and the
Plaintiffs having failed to show a
deviation of will from the govern-
ment shown to themselves are not
entitled to recover in this action and
the finding of the Court should be
for the Defendant,

Given

2nd The Court declares the Law to be that
the Tax Deed read in evidence is not
of its self evidence that the Land
therein described was at the time of the
assessment subject to Taxation or
that Wm C. O'Fallon in whose name
it appears to have been assessed,
was the owner thereof and Plaintiffs
having failed to prove the existence
of these facts at the time the Tax
was levied thereon are not entitled
to recover in this action and the
Court should find for the Defendant

Primer

3^d The Court declares the Law to be that grants of
having failed to prove that the Land,
described in the Tax Deed read in evidence
was subject to assessment for the year
1860 for the Taxes of which it appears by
said Deed to have been sold or that it
was assessed for such Taxes in the name
of the owner thereof or the person who
appeared to be the owner or that the collector
was unable to make the Tax thereon for
that year by levy & sale of personal
property of the person in whose name
the same was assessed or that said
collector returned the same delinquent
for the non payment of said Taxes
at the time and in the manner then
required by Law or that Judgment
was thereafter rendered by the County
Court against said Land upon due
notice as required by the Law then in
force to the person in whose name the
same was assessed or that the same
was thereafter offered for sale at public

venue and stricken off and sold
or forfeited to the State has failed
to show such a compliance with the
revenue Laws by the officers charged
by Law with the execution thereof of the same
as to enable the collector to pass title
to said Land by a sale and deed of
the same and having failed to show
such compliance with the Law can
not recover in this action & the finding
of the Court should be for the Defendant -

4th The Court declared the Law the ^{the} ~~the~~

Attorney evidence is inadmissible in this case to prove that the land as described in the Tax Deed need in evidence is situated in Jefferson County Missouri and that all such evidence ~~testifies~~ ~~therefore~~ heard by the Court at the instance of Plaintiffs ~~with~~ tending to prove that fact should be

excluded from the consideration of the Court and that the Tax Deed not containing a recitation of that fact is no evidence of title in Plaintiffs and they having failed to show title in themselves can not recover and the finding of the Court should be for the Defendant,

5th The Court declares the Law to be that if the Tax for which the Land in question purports to have been sold was assessed against said Land and extended upon the Tax Book in gross with a Tax ~~with a Tax~~ assessed against the same person on personal property then in that event the assessment was a void ^{act} ~~act~~ and if the Court so find the finding of the Court will be for the Defendant

6th The Court declares the Law to be that if the Tax assessed against the Land described in the Tax Deed read in evidence for the year for which it purports to have been sold for Taxes & for the payment of which said Sale was made was assessed for a greater amount or percent of the assessed value of said Land ~~that~~ ^{than} was allowed by the Law then in force that such assessment and all

Proceedings thereunder including the sale of the Land for such Taxes were void acts and if the Court so find from the evidence the Court will find the Tax Deed invalid and inoperative as a conveyance and so finding will find for the Defendant

7th The Court declares the Law to be that if the County Court of Jefferson County had not prior to the execution of the Tax Deed read in evidence rendered judgment against the Land therein described for the ~~pay~~ amount of Taxes ~~interest~~ appearing from the Tax Book to have been due thereon for the Year 1860 then even though a sale of the Land may have been made as recited in said Tax Deed such sale would have been a void act and a Deed made thereunder inoperative to pass title and if the Court so find the finding of the Court will be for the Defendant

8th The Court declares the Law to be that if the Land described in the Tax Deed read in evidence was assessed for Taxes for the Year 1860 & sold for such Taxes in the name of and as the property of both Benjamin & W. C. O'Fallon that such Land being assessed in the names of two several

Persons as owners thereof the assessment
was void & the sale thereunder inoperative
to pass any title -

Orin & Mason

ⁱⁿ
Deed on

Declarations of
Law asked by
Debutant

9th The Court declares The Law to be
that if the Tax assessed upon the
Land described in the Tax Deed
was assessed in Gross with a Tax
upon personal property assessed in
the name of the same person ~~against~~
~~whom the~~ and if the Land was sold
for any ~~person~~ portion of said
Personal property Tax then said
Deed was void & the judgment &
finding of the Court should be for
the Defendant

W. C. O'Fallon
by collector

To

Geo. J. Williams

4 sheet May 23rd
Sept 1892

Wm. Williams
Baltimore

Recd Jan 1893

State of Missouri }
County of Jefferson } I, the undersigned Recorder
in and for said County, do Certify, that the within
Deed, is a true and correct copy of a Deed Recorded
in this office, ^{January 7th 1867} and Recorded in Book "X" page 67 &
following. Given under my hand this and Official
Seal this 23rd day of May 1872.

Geo. S. Johnston
Recorder

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS At the July term, 1864, of the Jefferson County Court, judgment was obtained in said court in favor of the State of Missouri, against the lands and town lots hereinafter described, for the amount set opposite ~~the~~ tract or lot, being the amount of taxes, interest and costs assessed thereon respectively in the name of the person, and for the year, herein set forth, viz:

To whom Assessed.	Acres.	Parts of Section or No. of Survey.	Sec.	T.	R.	Amount of the Judgments and years for which the same were rendered.									
						1855	1856	1857	1858	1859	1860	1861	1862	1863	Total.
William C. O'Fallon	320	SW 1/2 Survey 742	2	42	6	—	—	—	—	—	—	3100	—	—	3100
Joseph Ridgway	322 1/2 224 1/2	SW 1/2 E 1/2	2 3	42 42	4	—	—	—	—	—	—	556 1,336	—	—	—
do	160	SW 1/4	10	42	4	—	—	—	—	—	—	2066	—	—	—
do	160	SW 1/4	11	42	4	—	—	—	—	—	—	2066	—	—	—
George Little	160	SW 1/4	20	39	5	—	—	—	—	—	—	—	—	—	444

And Whereas, on the first Monday of October, 1864, ~~James C. FLETCHER~~ the then Collector of Jefferson county, Missouri, by virtue of a precept issued out of said Court, dated the 5th day of July, 1864, and to him the said Collector directed, did expose to sale, at public auction, at the door of the Court House of said County, in conformity with all the requisitions of the statutes in such cases made and provided, each of the aforesaid tracts of land separately, for the satisfaction of the judgment so rendered against each tract as aforesaid respectively, and there being no bidders for any of them, each of said tracts of land was separately stricken off, forfeited and sold to the State of Missouri. And Whereas, on the first Monday of November, 1865, said judgments and each of them still remaining due and unpaid, and said tracts of land and each of them still being unredeemed, CHARLES C. FLETCHER, the then Collector of said county, at the door of the Court House of said county, in conformity with all the requisitions of the statute in such case made and provided, having given at least four weeks public notice as the law directs, by advertisement published in the Missouri Democrat, a newspaper printed and published in the city of St. Louis, (there being no newspaper printed and published in said county of Jefferson, and the said Missouri Democrat being the nearest paper published to Jefferson county,) and by posting up twenty written handbills signed by said Collector last aforesaid in twenty public places in said county, setting forth that "all lands and town lots forfeited to the State for taxes and remaining unredeemed and unsold, would be on the first Monday of November, 1865, offered for sale at public auction at the Court House door in said county, and that a list of such forfeited real estate was kept in the office of the Clerk of the County Court of said county, subject to the inspection of all persons wishing to examine the same," did again offer the aforesaid tracts of land for sale at public auction, for the satisfaction of the judgments rendered against them respectively as aforesaid, together with all subsequent taxes, interest and costs assessed and charged thereon, and there being no bidders for any of them, each of said tracts of land was separately stricken off, forfeited and sold to the State of Missouri. And Whereas, on the first Monday of October, 1866, said judgments and each of them still remaining due and unpaid, and said tracts of land still being unredeemed, CHARLES C. FLETCHER, the then Collector of said county, at the door of the Court House of said county, in conformity with all the requisitions of the statute in such case made and provided, having given at least four weeks public notice as the law directs, by advertisement published in the Jefferson County Leader, a newspaper printed and published in Jefferson county, Missouri, and by posting up twenty written handbills, signed by the said Fletcher as Collector of said county, in twenty public places in said county, setting forth that "all lands and town lots forfeited to the State of Missouri for taxes, and remaining unredeemed and unsold, would be on the said first Monday of October, 1866, offered for sale at public auction at the Court House door in said county; and that a list of such forfeited real estate was kept in the office of the Clerk of the County Court for said county, subject to the inspection of all persons wishing to examine the same," did again offer the aforesaid tracts of land and each of them separately at public auction, for the satisfaction of the judgment so rendered against each tract as aforesaid, together with the subsequent taxes, interest and cost assessed and charged thereon respectively, and there being no bidders for any of them, each of said tracts of land was again stricken off, forfeited and sold to the State of Missouri. And Whereas, said lands have been duly recorded on the list of lands in said county forfeited for the non-payment of taxes; and whereas, ~~the~~ day of ~~December~~ A. D. 1836, said judgment still remaining due and unpaid, and said tracts of land still being unredeemed, ~~James C. FLETCHER~~ having offered to pay to ~~the~~ day of ~~December~~ Collector of said county, the full amount of each of said judgments so rendered against each of said tracts of land as aforesaid, together with the subsequent taxes, interest and costs assessed and charged thereon respectively, for the whole amount of each of said tracts of land, which was the least quantity bid for, I, ~~James C. FLETCHER~~ Collector of said county, in conformity with all the provisions of the statute in such cases made and provided, did sell to him, the said ~~James C. FLETCHER~~ at private sale, each of the aforesaid tracts of land, for the full amount of the judgments so rendered against each tract as aforesaid, together with all the subsequent taxes, interest and costs assessed and charged thereon respectively. Now, therefore, in consideration of the premises and of the aforesaid sums of money to me, said Collector, in hand paid, at the time of the sale, the receipt whereof I do hereby acknowledge, and by virtue of the statute in such cases made and provided, I, ~~James C. FLETCHER~~ Collector of Jefferson county aforesaid, have granted, bargained and sold, and by these presents do grant, bargain and sell unto the said ~~James C. FLETCHER~~ the aforesaid tracts of land: TO HAVE AND TO HOLD the premises hereby conveyed, unto him the said ~~James C. FLETCHER~~ and unto his heirs and assigns. In testimony whereof, I, ~~James C. FLETCHER~~ Collector as aforesaid, have herunto subscribed my name and affixed my seal, this ~~20~~ day of ~~December~~ 1864

Charles C. Fletcher [SEAL]
Collector of Jefferson County, Missouri.

STATE OF MISSOURI, County of Jefferson, ss. BE IT REMEMBERED, That on this ~~20~~ day of ~~December~~ 1866 before me the undersigned Clerk of the County Court within and for the county aforesaid came ~~Charles C. Fletcher~~ Collector of Jefferson county, Missouri, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument of writing as party thereto, and acknowledged the same to be his act and deed for the uses and purposes therein mentioned.

~~James C. Fletcher~~
In testimony whereof I hereunto set my hand, and affix the seal of said Court, the day and year last above written.
Attest & Recorded January 7th 1867 in Book 2 Page 67 following
County Court
R. M. McMillin Clerk

No. 3812

Circuit Court.

Term, 18

Robert S. Voorhis

Pl. T. Mason

vs.

John C. Fallon

Judgment, - - - \$

Date May 24th 1872

Fee Book No. 1 Page 65.

Judg't Docket, Page

Under his direction with Thomas & Bro
Plaintiff's Atty.

ATTORNEYS: Exercise care and return promptly.

C. F. Chamberlin & Co., Printers and Stationers, St. Louis.