

Jefferson County Circuit Court
Case Files - Civil
March 1871

Box

28

Fader 2-7

Huskey, Nathaniel
Huskey, Susan v.

vs

Wiley, Lucy
Stephens, Charles
Stephens, Margaret
Wiley, Dora A.

Partition

Heirs of Edward Wiley; 213
acres in 535 T 41 R 3 E

Nathaniel S. Huskey and
 Susan C. Huskey his wife Plaintiffs
 against
 Lucy Wiley, Charles
 Steavens Margaret Steavens
 and Mary C. Wiley Defendants

In the Circuit Court
 of Jefferson County
 Missouri
 March Term
 1871

The Plaintiffs States that Edward Wiley
 Late of Jefferson County Missouri died
 some ~~some~~ ^{some} years ago ^{possessed} in fee simple of the
 following described Tracts of Land situated
 in the Jefferson County Missouri to wit
 the North East quarter of Section Thirty
 five in Township forty one Range three
 East also the South fractional half of the North
 West quarter of Section Thirty five Township
 forty one Range three East containing ^{53 1/2}
 fifty three and two hundredths of an acre
 Plaintiffs States that said Edward Wiley
 deceased left surviving him his widow
 Lucy Wiley and three children to wit
 Susan C. Wiley since married to Nathaniel
 S. Huskey the Plaintiffs and Margaret ~~since~~
 Wiley since married Charles Steavens
 and Mary C. Wiley and to whom the lands
 afore said descended as the heirs of said
 Edward Wiley Deceased plaintiffs States
 that they are entitled in fee simple to
 the undivided one third of the lands

aforsaid subject to the widowers dower
that the defendants Margaret Steavens
wife of Charles Steavens and Dary A
Wiley are each entitled in fee simple
to the undivided one third of said lands
subject to the widows dower and that
Lucy Wiley the widow is entitled to dower
in said lands of one third for and during
her natural life Plaintiff states that
Dary A Wiley is a minor and for
which he asks the court to appoint a
guardian ad litem Plaintiff therefore
states that they and Defendants hold the
above described lands as tenants in
common plaintiff therefore prays the
court to make an order and Decree
for a division and partition of the
premises above described according to
the respective rights of the parties interested
therein and for a sale thereof if it shall
appear that partition cannot be made
without great prejudice to the owners
thereof

James C Power Attorney
for Plaintiffs

Ms 31
Advanced of Housburg
don't say anything but my
sister's name.

Margaret Housburg
very Mikey and
very smiling
in position

Look with below
name

Ms 31, 11-11-11
W. J. Housburg
J. C. Housburg

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 *Charles Stephens & Margaret Stephens*

if ~~he~~ be found in your County, that ~~he~~ 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 *third* Monday after the fourth Monday of *March* next, then and there to answer unto

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *third* day of *March* A. D. 18*71*

W. S. Boyce Clerk Circuit Court.

By *C. McHenry* Deputy.

355-1

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

March TERM, 1871.

W. S. Hunkley & wife

vs

Charles Stephens et al

original

For William's shff fee \$2.00

I served the within writ and petition in Jefferson
County Mo on the 2nd day of March 1871 by delivering
a true copy of this original petition and writ to
Chas Stephens and wife

John William Shuff

By T. B. Mox

Nathan S. Huskey &
Susan C. Huskey Plaintiffs

against

Lucy Wiley, Charles Stephens
Margaret Stephens and
Dory A. Wiley Defendants

In the Jefferson County
Circuit Court Sep. 7. 1871

Now at this day comes Dory
A. Wiley by her Guardian Ad litem
W. H. H. Thomas and says that the
interests of the parties to this
suit are correctly set out and
says that they see no reason why
The judgement prayed for in
The petition should not go.

Dory A. Wiley
By W. H. H. Thomas her
Guardian Ad litem



A. J. Huebner
Chas. M. Phelps
El. res.

Answer
to Guardian
Addition

File Sept 28 1871
Wm. B. Coe

In the Circuit Court for the County of Jefferson
State of Missouri:

September Term A.D. 1871.

Monday September 25th 1871.

In said circuit court on the day
aforesaid, among other proceedings therein had, the
following Decree and order of sale appearing
of Record to wit:

"Nathaniel S Huskey and
Susan C Huskey his wife

} In Partition

vs
Lucy Wiley, Charles Stephens
Margaret Stephens and
Dora A Wiley

} Now at this day come

the parties aforesaid by their respective attorneys, and
the said defendant Dora A Wiley by H H Thomas
Esqr - Guardian - ad Litem and files her answer admitting
the petition of plaintiffs to be true, and now the court
proceeding to hear said cause upon the petition, an-
swer and evidence adduced by the parties, the court
doth find that said plaintiffs and defendants are
tenants in common of the following described Real
Estate situate in Jefferson County Missouri to wit:
The North East quarter of Section thirty five in
Township Forty one Range three East, also the
South fractional half of the North West quarter of
Section thirty five Township Forty one Range three
East containing fifty three and twelve hundredths
of an acre. And the court proceeding to adjust

and settle the rights and interests of said parties in and to said Real Estate doth declare the same as follows to-wit: That said Nathaniel Huskey and Susan C. Huskey are entitled to the one undivided one third of said lands subject to the widows dower, that the Defendants Margaret Stephens and Charles Stephens are entitled to one third of said lands subject to said dower, and that said Dora A. Wiley is entitled to one third thereof subject to the dower aforesaid, And that Lucy Wiley the widow is entitled to dower in said lands of one third thereof for and during her natural life, And it appearing to the court that partition and divisions of said Real Estate cannot be made in kind without great prejudice to the owners thereof, It is considered by the court that partition and divisions of said Real Estate be made between said parties in accordance ~~with~~ with their respective rights herein set out, It is thereupon ordered by the court that the Sheriff of Jefferson County proceed to advertise and sell said lands 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 hereof with securities bearing interest at ten per cent per annum, and that said sale take place on some day during the sitting of the Circuit Court for said County, and be governed by the same regulations prescribed by law for sales of Real Estate under execution, Notice thereof being given 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. W. S. Boyce clerk of said
circuit court with the seal thereof
hereunto affixed at office in
Hillsboro this November 16th 1871.

W. S. Boyce clerk.
By C. M. Hosine Depk

Civil Court
March Term 1872,

Richard, D. M. & wife

vs J. A. Patton

Plf. & Defs.

—

Order of Sale

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this day of 187, before the undersigned Clerk of the County Court of Jefferson County, Mo., came R. W. McMULLIN, 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 weeks, the first insertion being on the 23 day of May, 1872, and the last insertion on the 15 day of May 1872, as follows, to-wit:

Sheriff's Sale in Partition.

In the Circuit Court of Jefferson County, Mo.,
ATHANIEL S. HUCKY and Susan C.,
his wife, vs. Lacy Wiley, Charles Stephens, Margaret Stephens, and Dora A. Wiley.

By virtue and authority of an order made by the Circuit Court of the County of Jefferson, State of Missouri, at its September Term, A. D., 1871, I will on the 27th day of March next, 1872, 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 north east quarter of section thirty-five, township forty-one, range three east; also the south fractional half of the north west quarter, section thirty-five, township forty-one, range three east, containing fifty-three and twelve-hundredths acres, situate in Jefferson county, Mo.

For the purpose of making partition between said parties, for which the purchaser 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 giving his bond, with approved security, bearing interest at the rate of ten per cent. per annum from date, this 18th day of February, 1872.

JOHN WILLIAMS, Sheriff.

scribed before me this

day of

187.

In No. 7,	May 23,	1872
In No. 8,	May 1,	1872
In No. 9,	May 8,	1872
In No. 10,	May 15,	1872
In No. 11,	May 15,	1872

Printer's Fee, 10.00

Received Payment.

10,25

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this day of 187, before the undersigned Clerk of the County Court of Jefferson County, Mo., came R. W. McMULLIN, who having by me duly sworn, says the annexed advertisement was published upon a newspaper, a newspaper, printed and published in the County of Jefferson, of which he is printer, for weeks, the first insertion being on the day of 187, and the last insertion on the 15 day of 187.

NEWS SUMMARY.

Washington. The cabinet had a long session over the ready complications, and a reply to Lord Cranville's note was agreed upon. There will be no interruption of the arbitration, it is understood to have been of the most amicable and pacific nature. The Supreme Court, after a conference with the attorney general and the Mormon lawyers, decided to advance the civil case involving the Mormon problem on the dock-torneys, so that a decision can be obtained without a month's delay.

In No. 7,	Dec 28,	1872
In No. 8,	Mar 1,	1872
In No. 9,	8,	1872
In No. 10,	15,	1872
In No. 11,	187.	

Sworn to and subscribed before me this day of 187.

Printer's Fee, 10.00
25
Received Payment.

10,235

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this 15 day of May 1872, before the undersigned Clerk of the County Court of Jefferson County, Mo., came R. W. McMULLIN, 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 4 weeks, the first insertion being on the 19 day of Apr, 1872, and the last insertion on the 10 day of May 1872, as follows, to-wit:

Sheriff's Sale in Partition.

In the Circuit Court of Jefferson County, Mo.
 NATHANIEL S. HUSKY and Susan C. Husky, vs. Lucy Wiley, Charles Stephens, Margaret Stephens, and Dora A. Wiley.

By virtue and authority of an order made by the Circuit Court of the County of Jefferson, State of Missouri, at its September Term, A. D., 1871, I will on the 15th day of May next, 1872, 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 north east quarter of section thirty-five, township forty-one, range three east; also the south fractional half of the north west quarter, section thirty-five, township forty-one, range three east, containing fifty-three and twelve-hundredths acres, situate in Jefferson county, Mo.

For the purpose of making partition between said parties, for which the purchaser 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 giving his bond, with approved security, bearing interest at the rate of ten per cent. per annum from date, this 15th day of February, 1872.

JOHN WILLIAMS, Sheriff.

I certify this 15 day of May 1872

In No. 15,	Apr, 19,	1872
In No. 16,	" 26,	1872
In No. 17,	May 3,	1872
In No. 18,	" 10,	1872
In No. ,	Announcement	187.

Fee, 10.00 Received Payment. John Williams Sheriff

Apr 23
 10.25
 10.25
 20.50

John Williams

STATE OF MISSOURI, County of Jefferson.

He is Remembered, That on this 15 day of May 1872, before the un-

design Mull, Court of Jefferson County, Mo., came R. W. Mc-

persons in the, says the annexed advertisement was published

ing del, printed and published in the County of Jef-

vil, is printer, for 4 weeks, the first insertion be-

872, and the last insertion on the 10 day of

will.

In No. 15,	Apr. 19,	1872
In No. 16,	" 26,	1872
In No. 17,	May 3,	1872
In No. 18,	" 10,	1872
In No. 1,	June 18,	1872

Sworn to and subscribed before me this 15 day of May 1872

[Signature]

Printer's Fee, 10.00 Received Payment. *[Signature]*

10.25

Advertising for Master's Farm

20.50

[Signature]

Apologistic.
Our outsidies failed to come this week—consequence is a half sheet. Can't do the subject justice this week; will explain further next week.

Hellington.
Rev. J. C. Downer will preach in Hillsboro next Sunday at 11 o'clock A. M.

Jefferson Democrat.
LIME & BRICK.—John Eisenbraut, Hillsboro.
AUCTIONEERS.—T. H. McMullin, Hillsboro.
PLASTERERS.—W. E. Bage, Hometown.
DEALERS IN LUMBER.—John Rice, Hemetite.
JOB PRINTING, ALL STYLES.—Jefferson Democrat Office, Hillsboro.
ST. LOUIS MEN ADVERTISING WITH US.—Jewellers, Balmer & Weber, Music House, Coben, Clothier, Berg, Freeman & Co., General Commission Merchants, A. Fette, Dealer in Groceries, Henry Michel, Florist, Louis A. Steber, Dealer in Lumber, Floitz & Ganahi, Deal-

Nathaniel S. Houskey
& Susan L. his wife

Charles Stephens
Margaret Stephens
Dora A. Wiley

In the Jefferson County Circuit Court.

May Term 1872

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 fifteenth day of May, A. D. 1872, 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 May term thereof, for the year Eighteen Hundred and seventy two, expose to sale at public auction, the following described Real Estate, situate in said County, to-wit: The North East quarter of Section thirty five, township forty one range four east; Also the South fractional half of the North West quarter, section thirty five township forty one, range three east, containing fifty three & $\frac{12}{100}$ acres. And at said sale John Werrington was then and there the highest and last bidder for the above described Real Estate at the price and sum of Seventeen hundred (\$1700⁰⁰) Dollars - and the same was stricken off and sold to him for that sum, - of which sum he has to me in hand paid twenty 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

May 15th 1872

John Williams Sheriff