

Jefferson County Circuit Court
Case Files - Civil

May 1876 No. 48

Leberman, L. T
Pritchett, Zebulon

vs

Craig, John

Partition

40 acres in S1T39R3E

Box

35

Folder

66

L. A. Lehman and
Zebulon Pritchett Plaintiffs
against

John Craig Defendant
In the Circuit Court of
Jefferson Co. Mo
May Term 1876

Plaintiffs ^{state} that they are
the owners & in fee simple and
tenants in common of the
South East qr. of the South
East quarter of Section one
in Township Thirty Nine
(39) North of Range Three (3) East
containing forty acres.

Plaintiffs state that they are
informed that the defendant
John Craig claims some interest
in said land hence he is made
a party to this suit and that
he be required to set up his in-
terest in said land or be forever
barred from doing so.

Therefore Plaintiffs pray the court
to order partition of said land
and divide the same between the
plaintiffs and if partition can-
not be made in kind without

great prejudice to the plaintiffs
then to order the same to be
sold and the proceeds divided
between the Plaintiffs and for
such other and further relief
as they may be entitled

John L. Thompson
attor for Plaintiffs

L. J. Lehmann

Et al.,
against

John Gray

Filed April 14 1876
O. H. Moore
Clerk

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 Craig*

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 *second* ~~Monday after the fourth~~ Monday of *May* next, then and there to answer unto

L. J. Lehman and Gebular Pritchett

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

Witness, C. THO. HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *14th* day of *April*, A. D., 187*6*.

C. Tho Horine) Clerk Circuit Court.

the amount 27 1/2 cents
 Feb 10/1871 20-
 Jan 25/1871 30-
 Copy, 200
 May 1871 35-
 order for fee 35-
 order 35-
 53, 151, 165, 170
 581

The 11th May 1871

48
 4422
 RETURNABLE
 TO
 JEFFERSON CIRCUIT COURT.
 May TERM, 1876
 Lehemau Whitechell
 vs
 John Lewis
 Original
 Sheriff for \$1.00

I Executed this writ at the County of Jefferson
 in the State of Missouri this 18th day of April
 1876 by leaving a true copy of the within
 writ and petition as furnished due by the clerk
 at the usual place of abode of the within
 named John Lewis with a white member
 of the family over the age of fifteen years
 P.B. Prop Sheriff
 By H.T. Woodlee Dep

"In the Circuit Court of Jefferson
County State of Missouri.

"January Term A.D. 1877.
Friday January 12th 1877.

The following, among other proceedings
appears of record viz:

"L. D. Leberman and Gebulen Pritchett Plaintiffs
John Craig ^{vs} Defendant.
For Partition.

Now on this day came the parties aforesaid by
their respective attorneys and all and singular
the matters in issue being submitted to the court
and by the court seen and heard, the court doth
find that the Plaintiffs are owners and tenants
in common of the real estate described in the peti-
tion, that is, L. D. Leberman is entitled to one half,
and Gebulen Pritchett is entitled to one half
thereof viz: The South East qr. of the South
East qr. of Section one in Township Thirty-nine
North of Range Three East containing forty
acres situate in Jefferson County Missouri, and
the court doth further find that Defendant John
Craig is not entitled to any part of said
real estate, It is thereupon considered and
adjudged by the court that partition and
division of said real estate be made between
said parties according to their respective

rights and interests as herein declared by the court, and that said John Craig be forever barred from setting (up) any claim to the title of said real estate, and if appearing to the satisfaction of the court that partition and division of said real estate in kind cannot be made between said parties, without prejudice to their interests, it is ordered by the court that the Sheriff of Jefferson County Missouri proceed to advertise and sell said real estate, on some day during the next regular term of this court, at public auction to the highest bidder for one third of the purchase money cash and the balance on a credit of twelve months, and for the deferred payment that he take from the purchaser a bond or note with good and sufficient security bearing interest at the rate of six per cent. per annum, and out of the proceeds of said sale he shall pay first the costs and expenses of this ~~trial~~ suit and the remainder distribute to the parties according to their respective interests, and report his proceedings herein to the court, and this cause is continued.

A true copy from the record.
In Witness Whereof I have

hereto set my hand and
affixed the seal of said
Circuit Court at office in
Hillsboro Mo. this Sixteenth
day of February A.D. 1877,
Wm. H. Starnes,
Clerk Circuit Court,

Jefferson County Court
May Term 1877.

Leheman P. Pritchett

vs

John Craig

Par. taken

Order of Sale

Filed May 25th 1877.

L. P. Ho. Marine
Clerk

Sheriff Sale in Partition.

[In the Circuit Court of Jefferson county, Mo.]

L. J. Leberman and Zebulon Pritchett, Plffs.

vs.

John Craig, Defendant.

BY virtue and authority of an order made by the Circuit Court of the county of Jefferson, State of Missouri, at its January term, A. D., 1877, I will on the 18TH DAY OF MAY NEXT, 1877, 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-east quarter of the south-east quarter of section one in township thirty-nine, of range three east, containing forty acres, situate in Jefferson county, Missouri.

For the purpose of making partition between said parties, for which the purchaser will be required to pay one-third 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 April, 1877.

*L. J. Leberman and
Jebulon Pritchett
against
John Craig*

In the Jefferson County Circuit Court.

May Term 1877

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 *Friday*, the *18* day of *May*, A. D. 1877, 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*

Seven, expose to sale at public auction, the following described Real Estate, situate in said County, to-wit: *The South East quarter of the South East quarter of section one in township thirty nine of range three east containing forty acres and John Craig being the highest and best bidder for said Real Estate at the price and sum of one hundred and fifty five dollars the same was struck off and sold to him for that sum of which he has to me in hand paid one third of the same and has secured the balance as required by the terms of sale*
May 18th 1877

John Williams
Sheriff

Zebulon Pritchett &
L. J. Leberman, Plaintiffs
vs
John Craig, Defendant

In the Circuit Court of
Jefferson County Missouri
Now at this day comes the said
Defendant and for answer to
the petition of the Plaintiffs says
it is not ~~to~~ true as stated in
the petition that the Plaintiffs
are owners in fee simple and
Tenants in common of the
Real Estate described in the
said petition so as to be
entitled to a Decree of Partition
thereof —

Joseph Williams
Attorney for Defendant

L. J. Leberman
vs
J. Wilcheta
vs
John Craig
Answer vs
Defendant,

Filed Aug 11-1876
L. M. Waring
Clerk