

Jefferson County Circuit Court
Case Files - Civil
August 1837 No. 55

Box 3 Folder 28

Gratiot, Charles, Sr.
Gratiot, Paul M.
Gratiot, John P. B.
Cabanne, John P.
et al

vs.

Gratiot, Charles Jr.
Gratiot, Henry
Gratiot, Susan
Gratiot, Mary
et al

Partition

7,376 arpents; other plaintiffs Julia Cabanne,
Sylvester + Victoria Labadie, Julius + Isabella
Denman, Pierre Chouteau, Jr., Emelie Chouteau, Henry A. +
Zelena Thompson, Pierre A. + Virginia Berthold;
other defendants Eliza, Edward, Adelle + Hempstead
Gratiot

To the Honourable the Circuit Court
within & for the County of Jefferson.

The Petition of Charles Gratiot & Paul M Gratiot
John P B Gratiot, John P Labanne & Julia his wife,
Sylvester Labadie & Victoire his wife Julius Doman
and Isabella his wife Pierre Chouteau Junr & Emilie
his wife Henry A Thompson and Zelina his wife and
Pierre A Berthod & Virginia his wife by Geyer their
attorney - represents

That Charles Gratiot late of St Louis County in the
State of Missouri, deceased, died intestate, and at the time
of his death was seized in fee simple, of in & to two certain
tracts of land - the one containing seven thousand and
fifty six arpens; being the same tract which was granted
to Benito Vasquez on the eighth day of September in the
year of Our Lord seventeen hundred and eighty four, by Don
Francisco Lemus Lieutenant Governor of the Western part
of Illinois as will more fully appear by reference to Livre
Terrien Number Four page ten and which was conveyed
to Pierre Chouteau by said Vasquez the twenty sixth Sep-
tember seventeen hundred and eighty five, and by said
Chouteau to said Charles Gratiot on the 4th Day of May
A D 1804; and confirmed by the ^{later} Board of Commissioners
to said Benito Vasquez or his legal representatives accord-
ing to the concession, which concession describes said land as
one league square in a place called Sabine a' Catatar on
the South side of the river Merimac at four leagues from
its mouth - The other containing three hundred and
twenty arpens; being the same tract which was granted by
Fernando de Leyba on the twenty fourth of November A D
seventeen hundred and seventy nine to John Hildebrand alias
Albranc as will more fully appear reference being had to

Livre Terrier No 3 page 31. Which concession describes
said land as being eight arpens in width by forty in length
lying on the right bank of the Maramée River des-
cending the same at four leagues from the mouth &
one half league from the bank and through which runs
a Bayou or branch - which said tract was conveyed
to Charles Gratiot deceased by Edward Hempstead wife on the
25th Novmbr 1808 & by Lemuel Connor Sheriff to said Hempstead by deed dated
11th Feby 1808 - (Thomas Tyler being the assignee of said Hempstead on Albrance & Lacque
and which a majority of the Board of Commissioners
& Governor assigned Thomas Tyler)
Frederick Bates for bearing to give an opinion) thought
December the 27th 1811 ought to be confirmed - as will more
fully appear reference being had to Book No 5 page 544
and which the late Board unanimously confirmed
March the thirtieth Eighteen hundred & thirty three as
will more at large appear from Book No 6 page 114
The two said tracts of land lying principally in the territory
believe in the County of Jefferson & partly in the County
of St Louis and on the South side of said Maramée river

Your Petitioners further represent that upon the death
of the said Charles Gratiot (deceased) his estate and interest in
the said lands descended to his children and grand children
as his heirs at law - that the said children are the petitioners
Charles, Paul M & John B Gratiot, Julia wife of John
P Cabanne, Victoire wife of Sylvestre Labadie, Isabella
wife of Julius Gernum and Emilie wife of Pierre Chouteau
Junior all of whom survive the said Charles Gratiot:
Henry Gratiot who survived his father but who has since
departed this life intestate leaving eight children his heirs
at law namely Charles, Henry, Susan, Mary, Edward
Adelle, Hempstead and Eliza: That Theresa another of the
children of the said Charles Gratiot deceased, who was the
wife of John Macklot died intestate in the life time of her

father leaving two children her heirs at Law, namely, Zebina, wife of Henry A Thompson, and Virginia, wife of Pierre A Berthod

Your Petitioners allege that the said Charles, John, P. B and Paul M Gratiot, Julia Cabanni, Victoire Labadie, Isabella Demun and Emilie Chorveteau sons & daughters of the said Charles Gratiot deceased, are each entitled to one undivided ninth part of the said Lands; That, Charles, Henry, Susan, Mary, Edward, Adelle, Hempstead and Eliza Gratiot sons & daughters of Henry Gratiot deceased are entitled together to one ninth part, being one seventy second part each - And the said Zebina Thompson and Virginia Berthod are together entitled to one ninth part, being one eighteenth part each in said lands - And your petitioners know of no other person who has any beneficial interest vested or contingent in said lands above described.

Your petitioners further state that the children of Henry Gratiot deceased above mentioned are not residents of the State of Missouri.

Your petitioners pray a division & partition of the premises according to the respective rights of the parties interested therein as aforesaid, and that Sale thereof be made, if it appear that partition cannot be made without prejudice to the owners, that the said Charles Gratiot Junr, Henry Gratiot, Susan Gratiot, Mary Gratiot, Edward Gratiot, Adelle Gratiot, Hempstead Gratiot and Eliza Gratiot children & heirs at Law of Henry Gratiot deceased be made defendants and that they be notified of this application by publication according to the form of the Statute in such case made & provided.

Paul M. Gratiot

County of St Louis Pet

Gratuit

This day personally appears Paul M
before me one of the Justices of the County Court
within for the County of St Louis & makes oath that the facts
stated in the foregoing petition are true

sworn to and subscribed before me

this 5th day of August 1837

Paul M. Gratuit

Ab. P. P. Duc Justice County Court
St Louis County }

in the Jefferson County Circuit Court

337 August 1851

Chirito, Gratiot and A

Paul Mc Grath

abundant

John P. Hartman

2 Julia his wife.

of the substance

Historia mi wife

Chloris Depressa

Abt. 11

Je ne choisis rien

2 Smith his wife

Strong & Thompson

2. *Umbellifer*

Stem & petiole
of *T. minima* live with

ad
divina omnia

Charles Francis Johnson

Henry Gratio

Stubb's practice

Mary Spruiell

Endlich

Alle Gratiot,

Stomach clean & grateful

Swing 1
Edwin C. Wright

1800

Phaedy

Petition for Partition

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

In the Circuit Court of Jefferson County,

AUGUST TERM, 1837.

Charles Gratiot, senior, Paul M. Gratiot, John P. B. Gratiot, John P. Cabbane and Julia his Wife, Sylvester Labbade and Victorie his Wife, Julius Denman and Isabella his Wife, Pierre Chateau, junior and Emelie his Wife, Henry A. Thompson and Zelena his Wife, Pierre A. Berthoud and Virginia his Wife,

Petition for partition.

vs.
Charles Gratiot, junior, Eliza Gratiot, Henry Gratiot, Susan Gratiot, Mary Gratiot, Edward Gratiot, Adelle Gratiot, Hempstead Gratiot.

Now at this day come the petitioners by their Attorney, and filed their petition praying for partition of the following described tracts of land, to-wit :

One certain tract or parcel of land containing seven thousand and fifty-six arpens ; being the same tract of land which was granted to Benito Vasquez on the eighth day of September, in the year of our Lord seventeen hundred and eighty-four, by Don Francisco Lenczar, Lieutenant Governor of the Western part of Illinois, as will more fully appear by reference to Livre Terrien, Number four, page ten, and which was conveyed to Pierre Chouteau by said Vasquez, the twenty-sixth day of September, seventeen hundred and eighty-five, and by said Chouteau to said Charles Gratiot, on the fourth day of May, A. D. eighteen hundred and four, and confirmed by the late Board of Commissioners to said Benito Vasquez or his legal representatives, according to the concession, which concession describes said land as one league square, in a place called Saline a Catalar, on the south side of the river Merrimac, at four leagues from its mouth. The other containing three hundred and twenty arpens ; being the same tract which was granted by Ferdinando de Leyba, on the twenty-fourth of November, A. D. seventeen hundred and seventy-nine, to John Hilderbrand, alias Albrane, as will more fully appear reference being had to Livre Terrien No. 3, page thirty-one, which concession describes said land as being eight arpens in width, by forty in length, on the right bank of the Merrimac River descending the same at four leagues from its mouth, and one-half league from the bank and through which runs a bayou or branch ; which said tract was conveyed to Charles Gratiot, deceased, by Edward Hempstead and wife, on the twenty-fifth day of November, eighteen hundred and eight, and by Jeremiah Conner, Sheriff, to said Hempstead, by deed, dated June the eleventh, eighteen hundred and eight (Thomas Tyler being Assignee of said Hilderbrand, or Albrain, and Jaquez Claymorgan Assignee of Thomas Tyler) and which a majority of the board of Commissioners (Frederick Bates forbearing to give an opinion) thought December the twenty-seventh, eighteen hundred and eleven, ought to be confirmed, as will more fully appear by reference being had to Book No. five, page five hundred and forty-four, and which the lat board unanimously confirmed, March the thirteenth, eighteen hundred and thirty-three, as will more at large appear from Book No. six, page one hundred and fourteen. The two said tracts of land lying principally, as the petitioner believes, in the County of Jefferson, and partly in the County of St. Louis, and on the southside of the Merrimac River, and also praying that the said defendants who are non-residents of this State ; therefore it is considered and adjudged by the Court, that publication be made in some newspaper printed in the City of St. Louis, for eight weeks successively, notifying said defendants that unless they appear here on the first day of the next Term of the Circuit Court to be holden for the County of Jefferson on the second Monday after the fourth Monday in November next, and show cause to the contrary, that partition of said land will be made according to the prayer of said petitioners, and that this cause is continued until the next term of this Court.

A true copy.—Attest,

HENRY P. BATES
Clerk Circuit Court.

Aug. 16th, 1837—Sep. 23w8in

I have the honor to certify that the number of the

proprietors of the newspaper of St. Louis, County of Shippensburg, do advise to be sent four weeks of the papers of the State.

born to and me this month of AD 1837

I Geo. H. Clatton one of the proprietors of
the Missouri Argus a public newspaper
published in the City of St. Louis, County
of St. Louis, State of Missouri, do
certify that the above advertisement
has been published four weeks
successively in said paper in
the numbers of the papers of the
dates hereinafter stated.

Sep. 23

Geo. H. Clatton

Sep. 30

Octo 7

Octo - 14

Octo 21

Octo 28

Nov 4

Nov 11

~~Nov 18~~

Seen to and subscribed before
me this month day of December

AD 1837 John H. Shepard Justice,
St. Louis County Missouri

Gratiot's letters and notes

Albion Dec 12th 1833
Matthew
Wm

State of Mississippi }
County of Jefferson }
Charles Gratiot Senetale } April Term 1838

vs }
Charles Gratiot Senetale } On Petition for Partition
of Real Estate. }
vs the Sheriff of the

County of Jefferson. Shewing: That we are hereby
summed to notify John Briggs & William
and John Richards on that they have been appointed
by the Court Commissioners to make partition
of the land and premises mentioned in said
petition, according to the respective rights of the
Parties, &c &c.

A true copy of the appointment taken
from the record of the clerk

Test John Galt Attorney Clerk

32

John Lewis Grant

Do August Term 1838

to Shattuck & Co

for Partition

to Shattuck & Co

Notice to

John Heiser

to J. A. Perkins &

John Richardson

Commissioners

XXXX

Filed July 23 1838

Wm. A. Heiser
Att'y

Charles Gratiot Senr
Paul M Gratiot others
(here state the names of all the
Petitioners

vs
Charles Gratiot Jr and
others (here state the names
of all the other defendants

and now at this day comes the Petitioners by
their attorney & the defendants in the said petition
named having been solemnly called and the
last term of this Court came not but made
default nor did they answer the petition of the
said petitioners nor have they since come nor
answered the petition of the said petitioners
Whereupon the Court providing to ascertain
the rights, titles & interests of the said parties
petitioners & defendants do find & declare that
the said Charles Gratiot Senr, John P B Gratiot,
Paul M Gratiot, Julia Catarme Victoire
Labadie, Isabella Derrum and Emilie
Chouteau sons & daughters of the said Charles
Gratiot deceased are each entitled to the one
~~and~~ ninth part of the said lands and
premises with the appurtenances in the said
Petition mentioned: that Charles Gratiot Senr
Henry Gratiot Susan Gratiot, Mary Gratiot,
Edward Gratiot, Adelle Gratiot, Hempstead
Gratiot, and Eliza Gratiot sons & daughters
of Henry Gratiot deceased are entitled together
to one ninth part - being one seventy second
part each of the said lands & premises with the

appurtenances - and that the said Zelina Thompson and Virginia Berthold are together entitled to one ninth part being one eighteenth part each of the said land & premises together with the appurtenances, which said land & premises are described in said petition as follows to wit, (here insert the description as contained in the petition)

Therefore it is considered that partition of the land & premises in the said petition mentioned be made between the parties thereto according to the several rights of the said parties therein as above declared & found and the Court appoint John Gieger, Charles Rankin & John Richardson Jurors & residents of Jefferson County Commissioners to make partition as aforesaid and order that they make partition of the land & premises aforesaid in the said petition mentioned according to the respective rights & interests of the parties aforesaid as above found & declared and that they make report of their proceedings at the next Term of this Court

Filed July 23 1838
H. H. H. H. H.

State of Missouri In Jefferson County Circuit Court
County of Jefferson April Term 1838. Tuesday April 10th 1838
(The Honorable James Evans Judge)

Charles Gratiot Senior Paul M. Gratiot, John P. B. Gratiot
John P. Cabanne and Julia his Wife, Sylvestre Labadie,
and Victoire his Wife, Julius Demun and Isabella his Wife
Pierre Chouteau Junior and Emilie his Wife, Henry A
Thompson and Zelina his Wife, Pierre A. Berthold
and Virginia his Wife

on
Petition
for
Partition

vs.
Charles Gratiot Junior, Henry Gratiot, Susan Gratiot
Mary Gratiot, Edward Gratiot, Adelle Gratiot and
Eliza Gratiot

Copy of Decree.

Now at this day comes the Petitioners, by
their attorney, and the defendants in the said Petition named, having
been solemnly called come not but make default, at the last term of this
Court, nor did they answer the petition of the said Petitioners, nor have they
since come nor answered the petition of the said Petitioners, and that due
publication was made according to order of last term of this Court.

Whereupon the Court proceeding to ascertain the rights titles and
interests of the said Parties Petitioners and defendants do find and declare
that the said Charles Gratiot Senior, Paul M. Gratiot, John P. B. Gratiot
Julia Cabanne, Victoire Labadie, Isabella Demun and Emilie Chouteau
sons and daughters of the said Charles Gratiot deceased, are each entitled
to the One Ninth part of the said lands and premises, with the appurtenan-
ces, in the said petition mentioned, that Charles Gratiot Junior, Henry Gratiot
Susan Gratiot, Adelle Gratiot, Mary Gratiot, Edward Gratiot and
Eliza Gratiot sons and daughters of Henry Gratiot deceased are entitled
together to one Ninth part, being One Seventy Second part each, of the said
lands and premises with the appurtenances, and that the said Zelina
Thompson and Virginia Berthold are together entitled to One Ninth
part, being One Eighteenth part each of the said lands and premises as
described in said petition as follows to wit, Two tracts of Land the one containing
seven thousand and fifty six arpens, being the same tract which was granted
to Benito Vasques, on the eighth day of September in the year of our Lord
seventeen hundred and eighty four, by Don Francisco Cruzat, Lieutenant
Governor of the Western part of Illinois as will more fully appear by reference
to Livre Terriens No four page ten, and which was conveyed to Pierre
Chouteau by said Vasques the twenty sixth September seventeen hun-
dred and eighty five, and by said Chouteau to said Charles Gratiot on
the fourth day of May A.D. eighteen hundred and four, and confirmed
by the late board of Commissioners to said Benito Vasques or his legal represen-
tatives according to the Conception which conception describes said Land as
One League square at a place called Saline a Catatan, on the south
side of the River Maramec at four Leagues from its mouth.

The other containing Three Hundred and twenty arpens, being
the same tract which was granted by Fernando de Leyba on the twenty
fourth of November A.D. seventeen hundred and seventy nine, to John
Wilderbrand alias Abrance as will more fully appear reference

being had to Live Terriene. No three page thirty one, which Conception describes said Land as being eight arpens in width by forty in length lying on the right bank of the Mearamee River, descending the same at four leagues from its Mouth and one half League from the Bank and through which runs a Bayou or Branch which said tract was conveyed to Charles Gratiot deceased by Edward Hempstead & Wife on the 25th November 1808, and by Jeremiah Connor Sheriff, to said Hempstead by deed dated 11th June 1808. Thomas Tyler being the assignee of said Heilderbrand or Albane, and Jacques Clamorgan assignee of Thomas Tyler. And which a majority of the board of Commisponers (Frederick Bates for bearing to give an opinion) thought December the 27th 1800, ought to be confirmed as will more fully appear reference being had to Book No 5. page 544. And which the late board of Commisponers unanimously confirmed March the thirteenth Eighteen hundred and thirty three, as will more fully appear from Book No 6 page 114. The two said tracts of Land lying principally as the Petitioners believe in the County of Jefferson and partly in the County of St Louis and on the South side of said Mearamee River. Therefore it is considered that partition of the Lands and premises in the said petition mentioned be made between the parties thereto according to the several rights of said parties as above declared and the Court appoint John Geiger, Charles T. Rankin and John Richardson freeholders and residents of Jefferson County, Commisponers to make partition as aforesaid, and order that they make partition of the lands and premises aforesaid in the said Petition mentioned, according to the respective rights, and interests of the parties aforesaid as above found and declared, and that they make make report of their proceedings at the next term of this Court.

State of Missouri, }
County of Jefferson } John S. Mathews Clerk of the Circuit Court
within and for the County of Jefferson and State of Missouri do hereby certify that the foregoing is a true and perfect copy of the Decree in said Circuit Court, wherein Charles Gratiot Senior et al are Petitioners and Charles Gratiot Junior et al are defendants, as the same now remains of Record in my Office.

In Testimony whereof I have hereunto set my hand and affixed the seal of said Circuit Court at Office in the Town of Merculaneum this Eighteenth day of May in the year of our Lord one thousand eight hundred and thirty eight

John S. Mathews, Clerk

In Jefferson County Circuit
Court

Decree of Partition

April 10th 1838

of
7376 arpens of Land
between.

Charles Gratiot Senior	7/9
Paul M Gratiot	or
John P B Gratiot	each
Julia Labanne	1/9 th
Victoire Labadie	
Isabella Denrue	
Emilie Chouteau	

Charles Gratiot Junior	1/9 th
Henry Gratiot	or
Susan Gratiot	each
Audelle Gratiot	1/7 ²
Mary Gratiot	
Eduarda Gratiot	
Edige Gratiot	

Zelina Thompson	1/9
Virginia Berthola	each
	1/18 th

filed June 12th 1839

Wm. H. Hunt, Clerk

State of Missouri, St. In Jefferson County Circuit Court April Term 1838
County of Jefferson; On Tuesday April 10th 1838 present the Honorable James
Evans Judge. were had the following proceedings (to wit)

Charles Gratiot Senr. Paul M Gratiot John P B Gratiot On
John P Cabanne and Julia his wife Sylvestre Labadie Petition for Partition
and Victoire his wife, Julius Demun and Isabella of
his wife, Pierre Chouteau Junr and Emilie his wife Henry Real Estate
A Thompson and Zelina his wife, Pierre A Berthold and
Virginie his wife and

(Decree)

^{Vs}
Charles Gratiot Junior, Henry Gratiot, Susan Gratiot,
Mary Gratiot, Edward, Adelle Gratiot & Eliza Gratiot

Now at this day come the Petitioners by their Attorneys and the Defendants
in said petition named having been solemnly called come not but make default
at the last Term of this Court, nor did they answer the petition of the said Petitioners
and that due publication was made according to order of last Term of this Court.

Whereupon the Court proceeding to ascertain the rights, titles and interests of the said
parties, petitioners, and defendants, do find and declare that the said Charles Gratiot
Senior, Paul M Gratiot, John P B Gratiot, Julia Cabanne, Victoire Labadie
Isabella Demun and Emilie Chouteau, sons and daughters of the said
Charles Gratiot deceased are each entitled to the One ninth part of the said lands
and premises, with the appurtenances in the said petition mentioned. That Charles
Gratiot Junior, Henry Gratiot, Susan Gratiot, Adelle Gratiot, Mary
Gratiot, Edward Gratiot and Eliza Gratiot sons and daughters of Henry
Gratiot deceased are entitled together to One Ninth part of the said lands and
premises being One sixty third of the said lands and premises with the appur-
tenances in the said petition mentioned. And that the Zelina Thompson and
Virginia Berthold are together entitled to One ninth part being One Eighteenth
part each of the said lands and premises as described in said petition as follows (to wit)
Two tracts of land the one containing seven thousand and fifty six arpens, being
the same tract which was granted to Benito Vasquez on the eighth day of September in
the year of our Lord seventeen hundred and eighty four by Don Francisco Cruzat
Lieutenant Governor of the Western part of Illinois, as will more fully appear by reference
to Livre Terriere No four page ten, and which was conveyed to Pierre Chouteau
by said Vasquez the twenty sixth September seventeen hundred and eighty five, and
by said Chouteau to said Charles Gratiot on the fourth day of May AD eighteen
hundred and four and confirmed by the late board of Commissioners to said Benito
Vasquez or his legal representatives according to the conception which conception describes
said land as one league square at a place called Saline a Catalan on the south
side of the river Merimac at four Leagues from its mouth.

The other containing Three Hundred and Twenty arpens, being the same
Tract which was granted by Fernando de Leyba on the twenty fourth of
November AD seventeen hundred and seventy nine to John Wilderbrand
alias Albrand as will more fully appear reference being had to

Live Terrene. No three page thirty one. which conceptions describes said Land as being eight arpens in width by forty in length lying on the right bank of the Missouri River descending the same at four leagues from its mouth, and one half League from the bank and through which runs a Bayou or branch which said tract was conveyed to Charles Gratiot deceased by Edward Hempstead & Wife on the 25th November 1808, and by Jeremiah Connor Sheriff to said Hempstead by deed dated 11th June 1808. Thomas Tyler being the assignee of said Wilderbrand or Albane, and Jacques Clamorgan assignee of Thomas Tyler And which a majority of the board of commissioners (Frederick Bates forbearing to give an opinion) thought December the 27th 1800 ought to be confirmed, as will more fully appear reference being had to Book No 5 page 544. And which the late board of commissioners unanimously confirmed March the thirteenth eighteen hundred and thirty three, as will more fully appear from Book No 6 page 114. The two said tracts of Land lying principally as the petitioners believe in the County of Jefferson and partly in the County of St Louis and on the south side of said Missouri River. Therefore it is considered that partition of the Lands and premises in the said petition mentioned be made between the parties thereto according to the several rights of said parties, as above declared and the Court appoint John Geiger, Charles S. Hankin, and John Richardson freeholders and residents of Jefferson County commissioners to make partition as aforesaid and order that they make partition of the lands and premises aforesaid in the said Petition mentioned according to the respective rights and interests of the parties aforesaid as above found and declared and that they make report of their proceedings at the next term of this Court. and this cause is continued and was so continued until the April Term of said Circuit Court in the year eighteen hundred and thirty nine when the following proceedings were had in said cause (to wit), Tuesday April 9th 1839. present the Charles Gratiot Senior and others } Mon. David Sterge Judge

Charles Gratiot Junior and others } Petition for partition and decree
Charles S. Hankin who was heretofore appointed one of the commissioners to make partition in this cause, having made application to be excused and discharged from the performance of the duties of such Commissioner he is therefore excused and discharged according to his application and Stephen Smith is appointed as Commissioner in his place. &c &c

State of Missouri }
County of Jefferson } I John S. Matthews Clerk of the Circuit Court within and for the County of Jefferson and State of Missouri do hereby certify that the foregoing is a true and perfect copy of the Decree in the above mentioned cause as the same now remains of Record in my Office -

In Testimony whereof I have hereunto set my hand and affixed the seal of said Circuit Court at Office in the Town of Mercurianum this twenty fifth day of May in the year A D 1839.

John S. Matthews, Clerk

State of Ohio
County of Jefferson

Be it remembered that on the fifteenth day of July
in the year 1839 before me Benjamin Johnston a Justice of the Peace
in the County aforesaid, personally came the within named John
Reiger, Stephen Smith and John Richardson, who after being duly sworn
show them that they ^{well} honestly and impartially execute the
trust in them reposed as Commissioners to make partition, in the aforesaid
lands as directed by the Court.

John Reiger

~~Stephen Smith~~

Subscribed to and sworn to before me at the above
written

Benjamin Johnston Justice of the Peace
John Richardson

Western County Circuit Court
Decree of Partition
To the part term At 1839

7376 expense of Land
between

Charles Grattis Senior

Paul to Grattis

John W Grattis

Julia Barbara's

Victoria Labadie

Isabella Demin

Emilie Choate

Charles Grattis Senior

Henry Grattis

Susan Grattis

Isabella Grattis

Henry Grattis

Isabella Grattis

Eliza Grattis

Julia Thompson

Virginia Beetha

Alfred Aug 6 1839

7/9

or

each

1/9

1/9

a

each

1/63

1/9

1/18

Aug 6 1839

To the Hon. Secy. of the Treasury
Office of Com. to inspect & collect
the duties on the Goods & Merchandise
1839.

J. D. Thompson
J. D. Thompson

filed Aug. 5th 1839

Matthew

Ch

1008
State of Missouri (In the Jefferson Circuit Court
County of Jefferson ss August Term 1839

Charles Gratiot and others (In Partition - Re -
Charles Gratiot and others) Port of Commissioners,

John Geiger, Stephen Smith and John Richardson Commissioners appointed by said Court to make Partition of the lands & tenements described in the Petition & Judgement of Partition in this cause report that before proceeding to the execution of their duties they were duly qualified as the law directs, that they then went upon said lands and tenements - that they gave the same a thorough examination and that said lands and tenements are so situated that partition thereof cannot be made without great prejudice to the owners thereof all of which is respectfully submitted.

John Geiger

Stephen Smith

John Richardson

Commissioners

1839 Charles Grattot & others Dr to John Guiger & B. Rankin
Aug. 16th and John Richardson each two Days Service as Com-
missioners at the Rate of \$1.50 per Day ————— \$9.00
to Traveling Expenses 2 Dollars Each ————— 6.00

also

the Affairs of C. Grattot & others Dr
to John Guiger Stephen Smith and John Richardson
Commissioners for three Days Service at the
Rate of \$1.50 per Day ————— \$13.50
also each one Dollars per Day for Traveling }
Expenses \$6 ————— 9.00
to paid for Swearing Commissioners ————— 25

2 cents
as
Charles Francis Johnson
Report of Commission
to

Filed Aug 6th 1839
J. M. Anthony
Clerk

State of Missouri
Jefferson County } In the Circuit Court of the County
of Jefferson Mo^o. August Term 1839. On the second day of said
Term being the sixth day of said month among others, were the
following proceedings to wit,)
"Charles Gratiot Sen^r and others } On decree of Partition
" " " " } and report of Commissioners
"Charles Gratiot Junior and others }

"And now at this day come into
" Court John Geiger, Stephen Smith, and John Richardson, the
" Commissioners appointed by this Court to make partition, of the
" lands, and real estate, in the petition and Judgement of partition
" mentioned, and described, and file their report herein and
" state, that they the said Commissioners, before proceeding to the
" execution of their duties, were duly qualified as the law directs,
" that they then went upon said lands, and premises, that they
" gave the same a thorough examination, and that said lands and
" tenements, are so situated, that partition thereof cannot be made
" without great prejudice to the owners thereof. Wherefore it is
" ordered by the Court, that the Sheriff of Jefferson County do
" proceed to sell the said premises in the said petition mention-
" ed and described, at public Auction, at the Court house door
" in the Town of Mercurianum, in said County of Jefferson,
" on the second Monday of November next, and if the same
" be not completed on that day, from day to day, thereafter, until
" the same shall have been completed, one fourth of the
" purchase money to be paid in six months, and the residue
" in equal payments of one, two, and three, years from the day
" of sale, bearing interest of ten per cent, per Annum, from the day
" of sale, for which the purchasers are to give their promises
" notes, for the payment of the balance of the purchase money
" together with the interest thereon, secured by mortgage
" on the premises sold, also that due notice of the time and
" place, and terms of said sale, be given according to law, by
" at least six hand bills, put up in public places in different
" parts of the County of St Louis, as also the County of Jeffers-
" on, and also by advertisement in some newspaper printed

"in the County of St Louis. for four weeks successively before
"said Sales."

State of Missouri }
Jefferson County } John S. Matthews, Clerk of the
Circuit Court within and for the County of Jefferson, in
the ninth Judicial Circuit of the State of Missouri, do
hereby certify the foregoing to be a true copy of the order
of sale made in said Court, on the sixth day of August 1839,
in the case of Partition of real Estate, wherein Charles
Gratiot Senior and others are plaintiffs and Charles Gra-
tiot Junior and others are defendants, as the same now
remains of Record in my Office.

In Testimony whereof I have hereunto
set my hand and affixed the seal
of said Court at Office in the Town of
Herculaneum this 28th day of August
A D 1839.

John S. Matthews, Clerk

Depean Circuit Court
December Term 1839

Charles Grattot & others

vs
Charles Grattot & others

Order
to sell real Estate

Price of cts.

Wm. P. Bates & Hk 18 1. 50

Wm. Watson & Son Executors 27. 00

Wm. Leavitt & Hk . 90

J. Mearns & Co — . 50

J. H. Leavitt & Hk 8. 38

John Briggs & Co 12. 75

John Richardson 12. 50

Stephen Smith 7. 50

to Wm. Leavitt 5. 00

to Wm. Leavitt 17 50

to Wm. Leavitt 29 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

to Wm. Leavitt 17 50

Charles Gratiot Trust & }
Charles Gratiot Trust & } Petition for Partition

And Now at this day come
into Court John Giger, Stephen Smith and John Rich-
ardson the Commissioners appointed by the Court to
make partition of the lands & real estate in the Petition
and Judgment of partition mentioned & described and
file their Report herein and state that they the
said Commissioners before proceeding to the execution
of their duties they were duly qualified in the law direct
that they then went upon said lands & tenements
that they gave the same a thorough examination
and that said lands & tenements are so situa-
ted that partition thereof cannot be made without
great prejudice to the owners thereof wherefore it
is ordered by the Court that the Sheriff of Jefferson
County

do proceed to sell the said premises in the said Petition
mentioned & described at Public Auction at the
Court House over in the Town of Arcola in said
County of Jefferson
on the second Monday of November next and if the
same be not completed on that day from day to day
thereafter until the same shall have been completed
one fourth of the purchase money to be paid in hand
and the residue in equal payments of one, two & three
years from the day of sale, bearing interest of ten percent ^{per annum} from
the day of sale to the day for which the purchasers are
to give their promissory notes ~~with security~~ for the
payment of the balance of the purchase money together

with the interest thereon secured by Mortgage on the
premises ~~sold~~
also that due notice of the time & place of sale of
said sale ^{be given} according to Law - ~~what provisions~~
by at least ^{six} ~~eight~~ Hand-bills put up in public places
in different parts of the County of St Louis also ~~if~~
the County of Jefferson also by advertisement in some
newspaper printed in the County of St Louis for four
weeks ^{and upwards}
and further providing herein an continued
until next term