

Jefferson County Circuit Court
Case Files - Civil

April 1839, No. 17

O'Fallon, Benjamin

vs

Riddick, Eliza M.

Brooks, Virginia C.

Brooks, Edward

Billion, Frances Elizabeth

et al

Partition

Other defendants Charles F. Billion,
Walter Jason Riddick, Dabney Carr
Riddick; 640 acres on Grand
Glaize Creek

Box

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To the Honorable the Circuit Court of Jefferson County,
The petition of Benjamin O'Fallon Respectfully Represents
to your Honorable Court that he is the owner of the one
equal undivided half part of a certain tract of land
situate in the said County of Jefferson commonly called
the "Sulphur Spring Tract," which said tract contains the
quantity of six hundred and forty acres, situate on the Grand
Glaize Creek, bounded thus as follows that is to say beginning
at a Post corner from which a Black Oak six inches in
diameter bears South forty two degrees East fifty five links
thence North twenty seven degrees East Eighty chains to a
post corner thence North Eighty two degrees West Eighty
seven chains & sixty four links to a post corner, thence
South twenty seven degrees West Eighty chains to a post
corner, thence South Eighty two degrees East Eighty seven
chains and sixty four links to the beginning, that the
other half of said land was conveyed by John Bell
And belongs to Eliza M Riddick, Virginia C Brooks, ~~the~~
intermarried with Edward Brooks, Frances Elizabeth
Billon intermarried with Charles P Billon, Walter
Jason Riddick, and Dabney Carr Riddick who hold
the said undivided half part of the tract of land
above described as tenants in common, each one of the
last mentioned and named persons owning the one equal
undivided one tenth part of the whole of the tract
aforesaid, And your petitioner further Represents that
he is desirous that the land aforesaid may be divided
amongst the respective owners thereof according to
their individual interests therein, wherefore your petitioner
prays that, Commissioners be appointed to divide and
partition the said land amongst the owners aforesaid
according to their said interests therein or aforesaid, if
the same shall be susceptible of such division without

great prejudice to the Owners, and if such division cannot
be made then that said land be sold & the proceeds
be divided amongst the said Owners according to their
Respective interests therein - I your petitioner will &c
Benjamin O'Fallon

State of Missouri

County of Jefferson

Benjamin O'Fallon being duly
sworn upon his Oath says that the facts stated in the
above petition are true to the best of his belief, and further
that Eliza M Riddick is not a Resident of the State of
Missouri, but Resides without the same

sworn to in open Court

Decr 12th 1838

A. Mathews C/r

Benjamin O'Fallon

8014

375

Stephen Barrett Court
April Term 1838

Benjamin O'Hallor

" E. Patton

Elija M. Rutledge &c

Filed Dec 13th 1838

John H. H. H.
C/K

In Jefferson County Circuit Court, April 9th, 1839.
Benjamin O'Fallon,

vs.

Eliza M. Riddick, Edward Brooks,
and Virginia C. his wife, Charles
P. Billon and Frances E. his wife,
Walter Jason Riddick and Dab-
ney C. Riddick.

} Petition for par-
tition.

NOW at this day comes the petitioner by his at-
torney, and files his petition praying partition of
the following described tract of land situate and lying
in the county of Jefferson, commonly called the Sul-
phur Spring tract, containing six hundred and forty
acres, on the Grand Glaize Creek. The one half of
said land belonging to Elizabeth M. Riddick; Virgin-
ia C., who intermarried with Edward Brooks; Frances
E., who intermarried with Charles P. Billon; Walter
Jason Riddick and Dabney Carr Riddick, who hold
the same as tenants in common with the said Benja-
min O'Fallon, and praying that partition of the
above described land may be made according to their
said several interests therein, and if division thereof
cannot be made, without prejudice to the interests of
the parties, that the same may be sold and the pro-
ceeds may be divided as aforesaid. And it is further
represented, that the said Eliza M. Riddick is not a
resident of this State; it is therefore considered and
adjudged by the Court, that the above order be pub-
lished in some newspaper in the city of St. Louis, for
eight weeks successively, the last insertion to be at
least twenty days before next term of this Court, no-
tifying said defendant Eliza M. Riddick, that unless
she appear here on the first day of the next term of
this Court, to be held on the first Monday in August
next, and show cause to the contrary, that the facts
as regards her in said petition will be taken as con-
fessed, and due order made thereon accordingly.

A true copy of the order.

Attest,
may 17 Stw

JNO. S. MATHEWS, Clerk.

STATE OF MISSOURI, }

County of St. Louis,

Personally appeared before the undersigned, a Justice of the Peace, within and for the County aforesaid, *George Knapp* who being duly sworn, deposeth and saith, that the annexed advertisement was published in the "*Missouri Republican*," the newspaper of which he is printer, for *Eight* times, the first insertion being on the *Eighteenth* of *May* and the last insertion on the *sixth day of July* 1839.

May 18 No. 108

" 25 " 109

June 1 " 110

" 8 " 111

" 15 " 112

" 22 " 113

" 29 " 114

July 6 " 115

George Knapp

Sworn to and subscribed before me, this

31st day of *October* 1839

Printer's Fee, *9.00*
Affidavit, *.25*

\$ 9.25

[Signature] J. P.

Charged to care Mrs. S. Matthews Esq

B. C. Fallon
vs
E. M. Riddick et al

Printers Bill.