

DeForsen County Circuit Court
Case Files - Civil

Box

8 Folder 48

May 1856, No. 11

Wright, David W.
vs

Hinton, Easter
Randolph, Emily
Garland, Margaret
Garland, Jesse
et al

Land partition

Other defendants Gilbert Wright,
Hiram Wright; heirs of Margaret
Wright; 40 acres in S17T42R3E

State of Wisconsin } In the Jefferson County,
} Circuit Court, May Term 1856

David W. Wright- Plaintiff

Against

Easton Hinton formerly

Easton Wright, Emily Randolph

formerly Emily Wright and

her husband Randolph

Margaret Garland formerly

Margaret Wright and her husband

Leper Garland, Gilbert Wright

and Miriam Wright

Defendants

Plaintiff states that the parties to this suit are the heirs and legal representatives of Margaret Wright, this mother late of the County of Jefferson aforesaid, and as such the owners, in fee simple by inheritance and tenants in common, of the following described tract of land in said County and state, to wit: The North West Quarter of the South West Quarter of Section 17 in Township 42 of Range 3 East containing forty acres-

Plaintiff further states, that he and his brothers the said Gilbert & Miriam are each entitled to and interested in, one sixth of said land, and that Easton Hinton whose husband is dead is entitled to and interested in one sixth of said land. And

that said Emily Randolph & the said Margaret Garland with their husbands are each entitled to one sixth of said land.

Plaintiff further states that said Eastern Shinton, Emily Randolph & her husband, Margaret Garland and her husband, and Gilbert Wright are now residents of the State of Missouri.

Plaintiff prays the Court for a partition and division of said real estate 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.

J. W. Wright

By Pipkin atty.

P. Pipkin attorney for the above named plaintiffs as aforesaid states that the above petition and the matters therein as stated he believes to be true.

Examined to & subscribed before me
Mar 27th 1856.

P. Pipkin

This C. Fletcher atty.

1579

to the Supreme Ct. Court

May Term 1886

David H. Wright

sgt.

Coates Martin

Emily Randolphs -

Randolph - Margaret

Harland & John Harland

Willard & William Wright

Let Summons issue to deft. co,
to return - others now residing -
not true for order of protection

St. John's atty.

Filed Mar 27th 1886

Wm. H. McLeherry

CEM

2 copies each
2 copies each
order paid
deposited of 1886

State of Missouri,

In the Jefferson County

Circuit Court May Term 1856.

David W Wright Plaintiff

against

Easter Nulton formerly Easter Wright, Emily Randolph
formerly Emily Wright and her husband

Randolph, Margaret Garland formerly Margaret
Wright and her husband, Leper Garland, Gilbert
Wright and Meriam Wright Defendants.

Plaintiff states that the parties to this suit are the heirs and legal representatives of Margaret Wright their mother late of the County of Jefferson aforesaid and as such the owners in fee simple by inheritance and tenants in common of the following described tract of land in said county and state, to wit, The north west quarter of the South West quarter of Section 17 in Township 42 of Range 3 East containing forty acres. Plaintiff further states, that he and his brothers the said Gilbert & Meriam are each entitled to and interested in one sixth of said land and that Easter Nulton whose husband is dead is entitled to and interested in one sixth of said land and that said Emily Randolph & the said Margaret Garland with their husbands are each entitled to one sixth of said land. Plaintiff further states that said Easter Nulton, Emily Randolph & her husband, Margaret Garland and her husband, and Gilbert Wright are non residents of the State of Missouri. Plaintiff prays the court for a partition and division of said real estate 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. D W Wright, Jy Pipkin atty.

J Pipkin attorney for the above named plaintiff on oath states that the above petition and the matters therein as stated he believes to be true. J Pipkin, sworn to & subscribed before me Mar 27th 1856, Thos C Metcher clk.

I certify that the foregoing is a true copy of the original petition
and affidavit on file in my Office in said cause

Witness my hands and official Seal
at Office March 27th 1856.

Chas E Fletcher Clerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon *Abraham Wright*

----- if he be
found in your County, that he do 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 fourth Monday of *May*
next, then and there to answer unto *David W. Wright*

upon *his* original petition, a copy whereof is herunto annexed and
accompanies this writ—and have you then there this writ.

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this *27th*
day of *March* A. D. 1856

Thos C Fletcher

CLERK CIRCUIT COURT.

I Executed the within writ at the county of Jefferson
on Biram Wright by Delivering to him a true &
copy of the within writ and the annex petition
as furnished by the clerk This the 22nd day of April 1856
Augustine Wiley Sheriff

No. 11
To the Circuit Court
May Term 1856.

David W. Wright
vs
Biram Wright

Sherriff's fee \$1.00

STATE OF MISSOURI, } ss.

County of Jefferson, }

In the Circuit Court—December 3d, 1856.

David W. Wright, vs.

Emily Randolph, Margaret Garland, Jesse
Garland, Ester Hinton, Gilbert Wright } In Partition:
and others.

NOW, at this day comes said plaintiff by his attorney, and on his motion, it appearing to the Court that said defendants, Emily Randolph, Margaret Garland, Jesse Garland, Ester Hinton and Gilbert Wright, are non residents of the State of Missouri; it is ordered by the Court, that they be notified by publication, that said plaintiff has filed in this Court his petition praying for partition of the following described real estate, situate in Jefferson county, Missouri, to-wit: The north west quarter of south west quarter of section 17, in township 42 of range 3 east, containing 40 acres, and that unless they be and appear at the next term of the Court, to be begun and held at Hillsboro', on the fourth Mouday of May next, and on or before the sixth day thereof, answer the said petition, the same will be taken as confessed; it is further ordered that a copy of this order be published for eight weeks, successively in the Missouri Republican newspaper, the last insertion to be at least four weeks before the said next term. A true copy of the order of said Court.

In testimony whereof, I hereto set my hand and
{ L. S. } affixed the seal of said Court at office in Hillsboro',
Jan. 22d, 1857. THOS. C. FLETCHER Clerk.

By ELIAS F. HONEY, Deputy.

P. PIPKIN, Attorney.

j26 w8t

STATE OF MISSOURI, }
COUNTY OF ST. LOUIS. }

Personally appeared before the undersigned, a Notary Public within and for the County of St. Louis, *George Straugh* who, being duly sworn, depose and saith, that the annexed advertisement was published in the "Missouri Republican," printed in this State, the newspaper of which he is printer, for *Eight* times, the first insertion being on the *thirtieth* day of *January* 1857 and the last insertion on, *the twentieth* — day of *March* — 1857 as follows:

<i>Jan'y 30th</i>	<i>No 5</i>	
<i>Feb'y 6</i>	" "	<i>6</i>
" 13	" "	<i>7</i>
" 20	" "	<i>8</i>
" 27	" "	<i>9</i>
<i>Mar 6</i>	" "	<i>10</i>
" 13	" "	<i>11</i>
" 20	" "	<i>12</i>

George Straugh

Sworn to and subscribed before me, this *sixteenth* day of *November* — 1857

Printer's Fee \$ *7.50*

Affidavit,

25
\$ *7.75*

Wm. P. Reynolds
Notary Public

Wright
vs

Wright

JOHN KNAPP.

NEWSPAPER, BOOK AND JOB OFFICE AND BINDERY,
No. 41 Chestnut Street, between Main and Second, St. Louis.

GEORGE KNAPP & CO., *Editors and Proprietors.*

DAILY.....(in advance).....	\$10 00
TRI-WEEKLY.....“.....	5 00
WEEKLY.....“.....	2 00
WEEKLY, not paid in advance, invariably.....	3 00
SUNDAY REPUBLICAN.....	2 00
TO CLUBS OF 5 DAILIES.....	40 00
TO CLUBS OF 5 TRI-WEEKLIES.....	20 00
TO CLUBS OF 14 WEEKLIES.....	20 00

✍ All advertisements required to be kept on second page charged as new each day, and on third page an advance over stated rates.

➡ Advertisements direct type, charged double rates.

✎ Yearly advertisers will be charged extra for occupying space over contract, and when large type is required to be used, for the advertisements to be on inside of paper.

➡ Yearly advertisers will be charged extra at regular rates for Wants, Rents, Removals, Obituaries, Notices To Contractors.

ALL WANTS LOST AND FOUND BOARDING FOR RENT.
signees, &c.

and REMOVALS, charged \$1 50 per square for first six days, and \$1 per square each additional week without alteration.

 Transient advertising must be paid for in advance.

ONE SQUARE,	eight lines or less.....	\$1 .60
"	three times without alterations.....	" 1 .60
"	one week	" 2 .60
"	two weeks	" 3 .60
"	three weeks	" 4 .00
"	one month	" 6 .00
"	two months	" 7 .00
"	three months	" 10 .00
"	six months	" 18 .00
"	one year	"

GEORGE KNAPP & CO.,

Jany
 26 Do Ad A. C. C. Wright attorney
 Hancock at Mt 7 75

U.S. Wright of Lewis Hancock Mass
7 708
Dec 1 August 1853
George Washington & Co
Bay Street

Might

vs.

Might shall

Printed with

State of Missouri }
County of Jefferson } In the Circuit Court
November 28th 1857

David W. Wright

vs

Easter Hinton et al.

In Partition Order of Sale

Now at this day comes
said Plaintiff, by his attorney, and proves to the
Court the due publication of the order herein
notifying said defendants of this application,
and they failing to appear, neither have they
answered the petition of the plaintiff, whereby the
same remains wholly undefended. It is ordered
that their default be entered, And the petition of
said Plaintiff, praying for partition of the fol-
lowing described land situate in Jefferson Coun-
ty Missouri to wit: The North West quarter of the
South West quarter of Section Seventeen in Town-
ship Forty two, of range three East, containing forty
acres. being seen and heard, It is considered
by the Court, that partition and division be or-
dered and adjudged between said parties ac-
cording to their respective rights and interests
in and to said land, And the Court, proceeding
to settle and determine the rights of said parties
therein, doth adjudge, and declare the same
as follows to wit: The said David W. Hiram
and Gilbert Wright are each entitled to and
interested in one Sixth of said land. Easter
Hinton, One Sixth, Emily Randolph and

Margaret Garland with their husbands, are each entitled to one Sixth part thereof. And appearing to the Court, that partition thereof cannot be made without great prejudice to the owners; It is ordered by the Court, that the Sheriff of Jefferson County, proceed to sell said land to the highest bidder for ten per cent of the purchase money in cash and the residue in twelve months. And that he take from the purchaser for the deferred payment a Bond or Note with security, bearing Six per cent interest, from date. That said sale take place on some day during the sitting of this Court, and be governed by the same regulations prescribed by law for sales of real estate under executions. Notice thereof being given by the Sheriff in the same manner required by law for such sales, and report his proceedings herein to the Court and this Cause is continued.

I Elias J. Honey, clerk of the Circuit Court within and for said County hereby certify that the foregoing is a true copy of the Order of sale made by said Court in the case of David H. Wright against Easter Hinton and others as fully as the same remains of record in my office

In Testimony whereof I hereto set my hand and affix the Seal of said Court at office this 3^d day of February A.D. 1858

Elias J. Honey clerk

David W. Wright

vs
Carter Winton, et al

In the Circuit Court
of Jefferson
County, Mo.
Sheriff's Report

To the Honorable the Circuit Court of Jefferson
County, Mo.

The Undersigned, Sheriff of Jefferson County,
would respectfully report that in obedience to the an-
nexed 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 at least six hand
bills signed by me and put up in different parts of
said County, a copy of which hand bills is here-
with filed and make a part of this Report I did
on the 28th day of April A.D. 1858. at the Court
House door in the Town of Millerboro, between the
hours of Nine O'clock in the forenoon and five
O'clock in the afternoon of that day, and during
the sitting of the Circuit Court, at the April
term thereof for said year, agreeable to said adver-
tisements, Expose to Sale publicly by Auction the
following described lands To Wit: The North West
quarter of the South West quarter of Section 17, Town
Ship 42, of Range 3 E, containing 40 acres, and
David W. Wright, became and was the highest
and last bidder as and for the sum and price of
Fifty dollars, the same was struck off and sold
to him the said David W. Wright for that sum

which has to return to the court, and he having com-
plied with the requirements of said order of Sale the
same is respectfully submitted,

Augustine Wiley
Sheriff

Sheriff Sale In partition
David W Wright

vs
Easter Hinton et al } In partition in the Circuit
Court of Jefferson County

By authority of an Order of Sale made by the Circuit Court of Jefferson County on the 18th day of November 1857 in the above Suit the undersigned Sheriff of Jefferson County will on Wednesday the 28th day of April next between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of that day at the Court House door in the Town of Hillsboro in said County of Jefferson and during the sitting of the Circuit Court Sell at public auction to the highest bidder on the terms stated below all the right title interest and property of the parties to said Suit of in and to the following described real estate lying in the County of Jefferson and State of Missouri to wit the North West qr of the South West qr of Section 17 in Township 42 of Range three east containing 40 acres Terms of Sale ten per cent of the purchase money to be paid in cash at the time of Sale the remainder in twelve months the purchaser giving Bond or Note with approved Security bearing interest at the rate of Six per cent per annum from date Given under my hand This the 6th day of February AD 1858

Augustine Wiley Sheriff

David Wright

As

Master Abington and

on petition

Sheweth

to Messrs Russell & Co
April Term 1858

David M. Wright
as Order of Sale
Geo. Winton & al

Edw. Stephens & Co
as & Henry Clark

Sold Monday 28th day of April

David W. Wright } In the Circuit Court of
 against } Jefferson County Mo
 Ester Hinton et al. } Partition

See Bill

Dutcher Clerk, 2 Copies per 75%. 2 Cents \$1.00	
off. 25%. Hout 1/4 Copy 20%. default. H. Wright 25%	
Order Publication 50% Copy same Cert Seal \$1.00 \$4.95	
Hooney Clerk, Cont. 25%. default of defndts.	
Hinton Randolph & Garland. 25%. proof of.	
publication 25%. Order of sale. 50. Copy of.	
Same. Cert Seal 1/4. Report. 25%. atty fee 25%	
make up Cts 25%. file 4 prs 20%	3.20
Wiley Sheriff serve Summons	1.00
Mepuri Republican Printer fee.	
Paid by P. Pepher	7.75
P. Pepher atty fee allowed.	10.00
Cont. on Sale \$50.00	1.00
	\$28.00

Wright.

See Bill

Wright at