

Jefferson County Circuit Court
Case Files - Civil

Box 9 Folder 19

November 1857, No. 19

Jennings, Joseph B.

Jennings, Mary Jane

vs.

Bard, Sarah

Bard, James

Bard, John H.

Bard, William

Bard, Virgil

Partition

Heirs of Jefferson Bard; 532 acres in
S 30, 35 T 39 R 5 E; slaves Agnes, Aleck, Tom,
George, Andrew, Harriett, Aaron; survey
map

Joseph B Jennings and
Mary Jane Jennings his wife
Plaintiffs

against

Sarah Board, widow of
Jefferson Board, dec'd - James
Board, John H Board, Wilson
Board & Burge Board, ~~defendants~~.

and unknown parties - Defendants

State of Missouri
Jefferson County
In the Circuit Court of
said County,

To November Term 1857

Plaintiffs state that Jefferson Board, late of Jefferson
County in the State of Missouri, deceased, this life entered on
or about the year - That at the time of his death

he was seized and possessed of the following described real estate
73 $\frac{23}{100}$ acres being North West qr of section South East qr & South East
1/4 of North West qr of section 30 in township 39 Range 5 East
63 $\frac{91}{100}$ acres being East half South West qr of section 30 Township
39 North of Range 5 East.

1/3 of 40 acres undivided being South East qr of South East qr
section 35 Township 39 North of Range No 5 East -

1/3 of 80 acres undivided being East half North West qr section 35
township No 39 North of Range No 5 East - That the
remaining 2/3 of the last two parcels are owned by parties
unknown to the plaintiffs - All of said lands are situated
in Jefferson County in the State of Missouri

Plaintiffs further state that the above named Sarah
Board, widow of said deceased, administered on the estate
of said deceased and out of the funds of said estate
she entered the following described lands under the act of
Congress & retaining the price of public lands for the
benefit of the ~~benefit~~ farm situated on the above described
lands to wit:-

33 $\frac{12}{100}$ acres being South West qr of North West qr section 29 town-
ship 39 North of Range No 5 East -

80 acres being South half of North East qr sec 30 township 39 N. Range 5 East

160 acres being South West qr of North West qr, West 1/2 South West qr and South
East qr of South West qr section 29 township 39 North of Range 5 East

Plaintiffs further state that although the above lands may have been entered in the name of the said Sarah Board, yet they were entered by her with the money belonging to the estate and of right belongs to the children of said decedent —

Plaintiffs further state that there also belongs to the estate the following named slaves to wit —

Agnes a woman, Alex a boy, Lono, a boy, George a boy, Andrew a boy, Homet a girl, Aaron a boy

That all of the above specified property real and personal is in the possession and the control of the said administratrix — That the estate of said decedent has been settled up and none of said property will be required to pay debts of said decedent —

Plaintiffs further state that said decedent left a widow Sarah Board, one of the defendants above named who is entitled to ^{in the slaves named &} dower in the four tracts or parcels of land first above described; and such interest in the tracts subsequently described as entered by her, as would be in proportion to her interest in the farms with which they were entered if she had any — Plaintiffs state further that said decedent left the following named children to wit:

- 1 Mary Jane a daughter who intermarried with Joseph B. Jennings both of whom are now petitioners
- 2 James Board a son & an adult who petitioners believe is now absent in the State of California.
- 3 John H. Board who is an adult. who is a resident of Wayne County State of Missouri —
- 4 William Board a son, and a minor resident of Jefferson County State of Missouri
- 5 Margit Board a son, & a minor, resident of the County last aforesaid —

Plaintiffs state that each of said children of said decedent is entitled to one fifth of said lands and slaves subject to the interest of said Sarah Board, said widow of decedent. Plaintiffs pray that the adult defendants be required to answer hereto and that guardians ad —

items be appointed by the Court for said minors to
dependants then entered herein and that portion
of said property be made amongst the several
parties thereto according to ~~the~~ law -

J. G. Beal atty
for pff -

Joseph B Jennings being duly sworn states that the
above petition and the matters therein as stated, he believes
to be true -

Sworn to and subscribed }
before me this 2nd day of } J. B. Jennings
September AD 1857 }

Witness my hand and seal of the Circuit
Court of St Francis County Missouri
here to affixed at office John Cobb Clerk
By W R Taylor

State of Missouri }
County of St Francis }
Circuit Court of }
Jefferson }

Joseph B Jennings being duly sworn
states that James Board defendant in the above petition
resides out of the State of Missouri and is not now within
the State of Missouri -

Sworn to and subscribed }
this 21st day of September } J. B. Jennings
AD 1857 }

Witness my hand and seal of the Circuit
Court of St Francis County Missouri
here to affixed at office John Cobb Clerk
By W R Taylor

Plaintiffs state that the title paper to the above described lands
are in possession of the said Mrs Sarah Board who are ordered
to produce them on the trial by rule of court -

J. G. Beal atty
for pff -

Joseph B. Donnelly & Co.

Account

Samuel Bondy & Co.

Settlement for purchase of
Land in Missouri

Check Sept 25th 1857
Chas. J. Henney

Order Paid. 1000
to Cash 2400
5 Cash 250
2 Cash 400
2 Cash 100
1000 10 1000 1000

Joseph B. Jennings and Mary Jane Jennings his
wife Plaintiffs.

Against

Sarah Board, widow of Jefferson Board dec'd
James Board, John H. Board, William Board & Virgil
Board, and unknown Parties defendants.

State of Missouri Jefferson County
In the Circuit Court of said County
To November Term 1857.

Plaintiffs state that Jefferson Board late of
Jefferson County in the State of Missouri, departed
this life intestate on or about the year, that
at the time of his death he was seized and
possessed of the following described real estate —
 $73\frac{2}{100}$ acres, being North west qr of South East qr
& South East $\frac{1}{4}$ of North West qr of Section 30, in
Township 39 Range 5 East; $63\frac{2}{100}$ acres, being
East half South west qr of Section 30 Township
39 North of range 5 East; $\frac{1}{3}$ of 40 acres, undiv-
ded, being South East qr of South East qr Section
35, Township 39 North of range N^o 5 East; $\frac{1}{3}$
of 80 acres, undivided being East half North West qr
Section 35, Township N^o 39 North of range N^o 5 East,
that the remaining $\frac{2}{3}$ of the last two parcels are
owned by parties unknown to the plaintiffs, all
of said lands, are situated in Jefferson County
in the State of Missouri. Plaintiffs further state
that the above named Sarah Board, widow of
said deceased, administered on the estate of
said deceased, and out of the funds of said
estate, entered the following described lands, un-
der the act of Congress, graduating the price of
public lands, for the benefit of the farm situated
on the above described lands, to wit: $33\frac{1}{100}$ acres,
being South West, qr of North West, qr, Section 29.

Township 39. North of range 5 East: 80 acres, being South half of North east qr. Sec. 30 township 39 Range 5 East, - 160 acres, being South west qr of North West qr West 1/2 South west qr and South east qr of South West qr Section 29. Township 39. North, of range 5 East.

Plaintiffs further state, that although the above lands may have been entered in the name of the said Sarah Board, yet, they were entered by her with the money belonging to the estate, and of right belongs to the children of said deceased.

Plaintiffs further state that there also, belongs to the Estate, the following named Slaves, to wit: Agnes, a woman, Sheba a boy, Tom a boy, George a boy, Andrew, a boy, Harriett a girl, Aaron a boy, that all the above specified property, real and personal, is in the possession & under the control of the said administratrix, that the estate of said deceased has been settled up and none of said property will be required to pay debts of said deceased.

Plaintiffs further state that said deceased, left a widow Sarah Board, one of the defendants, above named who is entitled to dower in the Slaves named & in the four tracts or parcels of land first above described, and such interest in the tracts subsequently described as entered by her as would be in proportion to her interest in the funds with which they were entered, if she had any.

Plaintiffs state further, that said deceased left the following named Children, to wit: Mary Jane a daughter who intermarried with Joseph B Jennings, both of whom are plaintiffs. 2^d James Board, a son, an adult, who petitioners believe is now absent in the State of California: 3^d John H. Board a son, an adult, who is a resident of Wayne County State of Missouri: 4th William Board a son, and a minor resident, of Jefferson

County State of Missouri: 5th Virgil. Board a
son & a minor, resident of the County last aforesaid.
Plaintiffs State that each of said Children of said
deceased is entitled to one fifth of said lands and
Slaves, Subject to the interest of said Sarah Board
said widow of said deceased. Plaintiffs pray that
the aforesaid defendants, be required to answer hereto,
and Guardians ad litem be appointed by the Court
for said minors to defend their interests here in
and that partition of said property be made a-
mongst said parties thereto according to law,

J. G. Beal. atty for Plffs.

Joseph B Jennings, being duly sworn, States that the
above petition and the matters therein as stated he
believes to be true

Sworn to and Subscribed,

before me this 21st day of
September A D. 1857

J. B. Jennings

Witness my hand and seal of the Circuit
Court of St Francois County Missouri, hereto affixed
at Office John Cobb, Clk By W R Taylor D.C.
State of Missouri

County of St Francois } Joseph B Jennings being duly
sworn, States that James Board, defendant in the
above petition resides out of the State of Missouri, and
is not now within the State of Missouri

Sworn to and Subscribed

this 21st day of September

A D 1857.

J. B Jennings

Witness my hand and seal of the
Circuit Court of St Francois County Miss
ouri hereto affixed at Office, John Cobb Clk

By W R Taylor. D.C.

Plaintiffs State that the title papers to the above des
cribed lands are in possession of the said Mrs
Sarah Board, who is asked to produce them

on the trial by rule of Court;

J. G. Beal atty for Plff

Endorsed,

Filed Sept 25th 1857 Elias J. Hooney clk

A true copy of the original petition
and affidavits on file in my office

In Testimony whereof I here to set
my hand and affix the Seal of said
Court at office September 28th
A. D. 1857

Elias J. Hooney clk

Joseph B Jennings and Mary Jane Jennings his wife
Plaintiffs. Against

Sarah Board widow of Jefferson Board dec'd,
James Board, John H Board, William Board &
Virgil Board and unknown Parties Defendants.

State of Missouri Jefferson County
In the Circuit Court of said County
20 November Term 1854

Plaintiffs state that Jefferson Board, late of
Jefferson County in the State of Missouri, departed
this life in testate on or about, the year, that
at the time of his death, he was seized and possessed
of the following described real estate: $73\frac{33}{100}$ acres
being North West gr of South East gr of South East $\frac{1}{4}$
of North West gr of Section 30 in Township 39 range
5 East; $63\frac{1}{2}$ acres being East half South West
quarter of Section 30 Township 39, North of range 5
East; $\frac{1}{3}$ of 40 acres undivided being South East
gr of South East gr Section 35, Township 39, North of ran-
ge, N^o 5 East; $\frac{1}{3}$ of 80 acres, undivided being East
half North West, gr Section 35 Township N^o 39 North
of range N^o 5 East. That the remaining $\frac{2}{3}$ of the
last two parcels, are owned by parties unknown to
the plaintiffs, all of said lands, are situated in
Jefferson County in the State of Missouri, Plaintiffs
further state that the above named Sarah Board
widow of said deceased administered on the estate
of said deceased, and out of the funds of said estate
she entered the following described lands, under
the act of Congress, graduating the price of Public
lands for the benefit of the farmer situated in the
above described lands, to wit: $33\frac{40}{100}$ acres, being
South West gr of North West, gr Section 29, Township
39 North of range, N^o 5 East; 80 acres, being South
half of North East, gr Section 30, Township 39.

N. Range 5 East, : 160. acres, being South west gr of
North West gr, West. $\frac{1}{2}$ South West gr. and South
East gr of South West gr Sec 29 Township 39 North
of Range 5 East; Plaintiffs further State that
although the above lands, may have been entered
in the name of the said Sarah Board, yet were
entered by her with the money belonging to the
Estate, and of right belongs to the children of said
deceased, Plaintiffs further State that there also
belongs to the estate, the following named Slaves
to wit: Agnes, a woman, Aleck a boy. Tom
a boy, George a boy, Andrew, a boy, Harriett a
girl, Aaron a boy - That all the above specified
property real and personal is in the possession of
under the control of the said administratrix, that
the estate of said deceased has been settled up, and
none of said property will be required to pay debts
of said deceased, - Plaintiffs further State that
said deceased left a widow Sarah Board, one
of the defendants, above named, who is entitled
to dower in the Slaves named & in the four tracts
or parcels of land just above described and such
interest in the tracts subsequently described as en-
tered by her, as would be in proportion to her
interest in the funds with which they were entered
if she had any. Plaintiffs State further, that said
deceased left the following named Children
to wit: Mary Jane, a daughter, who intermarried
with Joseph B Jennings, both of whom are plain-
tiffs, 2nd James Board, a son an adult, who
petitioners, believe is now, absent in the State of
California; 3^d. John H Board a son an ad-
ult who is a resident of Wayne County, State of
Missouri, 4th William Board, a son and
a minor resident of Jefferson County, State

of Missouri: 5th Virgil Board, a son & minor
resident of the County last aforesaid. Plaintiffs
state that each of said Children of said deceased
is entitled to one fifth of said lands and Slaves
Subject to the interest of said Sarah Board
said widow of said deceased. Plaintiffs pray
that the adult defendants be required to
answer hereto and that Guardians ad litem
be appointed by the Court for said minors
to defend their interests herein, And that
partition of said property be made amongst
the several parties thereto according to law

J. B. Jennings for Plffs.

Joseph B Jennings, being duly sworn states
that the above petition and the matters therein
as stated he believes to be true,
Sworn to and Subscribed before
me this 21st day of September
A D 1857.

J. B. Jennings



Witness my hand and Seal of the Cir
cuit Court of St Francois County Missouri
hereto affixed at office

John Cobb Clk By W R Taylor. D C.

State of Missouri }
County of St Francois } Joseph B Jennings be
ing duly sworn states, that James Board defend
ant in the above petition resides out of the State
of Missouri, and is not within the State of Missouri
Sworn to and Subscribed
this 21st day of September } J. B. Jennings
A D 1857



Witness my hand and Seal of the Cir
cuit Court of St Francois County Missouri
hereto affixed at office

John Cobb, Clk By W R Taylor D C

Plaintiffs state that the title papers to the
above described lands are in possession of
the said Mrs Sarah Board, who is asked
to produce them in the trial by rule of Court,
J. G. Beal atty for Plff

Endorsed. " " " "

Filed Sept 23rd 1857. Elias F. Honey
Clerk

A true Copy of the original petition
and affidavits on file in my office

In Testimony whereof I hereto
set my hand and affix the
Seal of Said Court at office
Sept 23rd A D 1857
Elias F. Honey (Clerk)

COUNTY OF JEFFERSON, SS.

The State of Missouri.

Wayne

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

We command you, that you summon John H. Board

----- if - he - be
found in your County, that - he - be 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 November
next, then and there to answer unto Joseph B. Jennings
and Mary Jane Jennings, his wife

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

Elias F. Honey

Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this 28th
day of Sept A. D. 1857

Elias F. Honey

CLERK CIRCUIT COURT.

Executed the within as hereby Commanded by delivering
to the within named John H Board a true Copy of the
within Petition & Writ as the same was furnished by the
Clerk of the circuit Court of Jefferson County Missouri
Within Wayne County Missouri on the 13th day of
October AD 1857
Fees \$1.00

Wm Dennis Sheriff
of Wayne County Missouri

No 19

To Jefferson Circuit Court
Nov 1857

Joseph D Jennings
or J Summers

John H Board

Filed Nov 20th 1857
Edgar A. Hordley Clk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Sarah Board
William Board and Virgil Board

----- if they be
found in your County, that they be 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 November
next, then and there to answer unto Joseph B Jennings
and Mary Jane Jennings his wife

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

Elias J. Honey
Witness, THO. C. FLETCHER, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this twenty Eighth
day of September A. D. 1857

Elias J. Honey

CLERK CIRCUIT COURT.

I Executed the within writ at the county of Jefferson
on Sarah Bord on the third day of October 1854 by
delivering to her a true copy of the within writ and the
arrest petition (as furnished by the clerk and also on William
Bord and Virgil Bord on the same day by reading in
their presence and hearing

Augustine Wiley Sheriff

No 19

To Jefferson Circuit Court

November Term 1854

Joseph B Jennings & wife

vs } Summons

Sarah Bord

William Bord

Virgil Bord

Sheriff's fees \$ 3.00

State of Missouri, County of Jefferson.
In the Circuit Court
November Term 1857.

Joseph B. Summings and
Mary Jane Summings, his wife, Plaintiffs
Against

Sarah Board, James Board, John Board,
William Board, & Virgil Board and
unknown parties defendants,

The above named defendants Sarah Board
and John Board for themselves, and Virgil
Board and William Board, minors, by their
guardian Sarah Board, for answer to the
petition of the plaintiffs state, That the rights
of the parties, interested in the estate of the late
Jefferson Board, deceased, are not properly
set forth, because they say that Robert Board
a son of said Jefferson survived his father
and became vested with one undivided sixth
part of the real and personal estate of said
deceased, subject to the dower right of his
mother the said defendant Sarah Board.
That said Robert died in the year 1854 or 55
leaving as his heirs, his mother, said Sarah, his
sister, the plaintiff, Mary Jane, and his brothers
James, John, William and Virgil Board,
each of whom is entitled to one sixth of said
Robert's interest in the estate, or one thirty sixth
part of the whole each, so that the absolute
interest of said Mary Jane Summings in her
own right and in right of her deceased brother
is seven thirty sixths, of said Sarah Board
one thirty sixth, in right of her deceased son,

and of each of the other defendants in their own right and in right of their deceased brother Seven thirty sixths, subject to the dower interest of the said defendant Sarah Board.

For further answer to the petition of the plaintiff defendants say, that said Sarah did not "enter the lands in petition described as having been entered by her under the Act of Congress graduating the price of the public lands to actual settlers and cultivators, with the funds of the estate of said Jefferson, with said funds". Those lands were entered with said Sarah's own funds. Therefore, they belong to her and are not subject to be brought into ~~the~~ partition and division with the estate of said Jefferson. Plaintiff have no right or title to any portion of the lands in petition described which were entered in the name of said Sarah Board, under the said Act of Congress—

Defendants further say that all the real estate belonging to the estate of said Jefferson has not been brought into the partition by the plaintiffs. The said Jefferson owned another tract of mineral land entered by him and Amel Pernad to wit: The South East Quarter of the South West Quarter of Section 35 Township 39 Range 5 East containing forty acres the undivided half of which belongs to the estate of said Jefferson and is brought by the parties to this suit in the same proportions as herein above set forth.

Defendants further state that said James Board is married and his wife is a resident of this State and should be made a party to this suit as

she has a contingent interest in the estate of said Jefferson Board deceased. Defendants further state, that, the said Mary Jane Jennings James Board, and John Board were all nearly raised and educated before their father died. After his death the defendant paid out for the schooling of Mary Jane about dollars for John about dollars and James was educated by his father. In justice therefore the two younger children ought to be equally well educated and provided for out of the estate of said deceased. And for this purpose defendants pray the Court to make such an allowance in their favor as may seem just, or that the Court will cause the interest in the slaves and real estate belonging to said two boys and the absolute and dower interest of the said Sarah to be set off in one boys' mortgage so that the said Sarah may be thereby able to raise and educate the said children.

Defendants also pray the Court to cause the said Sarah's dower in the said several tracts of land belonging to the estate to be set off to her on the home place in as much as she has expended considerable money and labor in repairs upon the said home place, such as clearing land making fences building a cellar &c.

The interests ~~of the parties~~ of the parties to this suit are as follows.

1. Plaintiff and wife Severely thirty sixths, absolute
2. Defendant Sarah Board widow one thirty

sixths absolutely, and a dower interest of one third during her natural life.

3. James Board, seven thirty sixths, absolute

4. John Board, seven thirty sixths, Absolute

5. William Board seven thirty sixths, absolute

6. Vigil Board seven thirty sixths, absolute

All of the interests absolute are subject to said dower rights.

Sarah J. Board test.
by P. P. Perkins her atty.

John Board. On oath states that the foregoing answers and the matters therein as stated he believes to be true

John W. Board.

Sworn to & subscribed }
before me this 26th day }
of November 1857 }
Elias J. Honey Clerk

Stephen Lewis Court
November term 1857

Joseph B. Cummings
& Mary Davis his wife

Agnes

Sarah Board
Anna Board
John Board
Melius Board
Migil Board

Hebrew of Sarah John
Melius & Migil Board

Adel. Nov. 26th 1857

Geo J. McCreary
Clerk

Joseph B. Jennings & Mary Jane his wife } In Jefferson Circuit
 against } Court November
 Sarah Board. James Board John H. } Term 1857
 Board William Board, Virgil Board }
 and unknown parties. Defts }

Plaintiffs state that Jefferson Board late of said County of Jefferson departed this life about the year 1852 seized and possessed of the following described real estate and Slaves to wit: 1st $73\frac{23}{100}$ acres N. W. qr. S. E. qr. & S. E. qr. $\frac{1}{4}$ of N. W. qr of section 30. T. 39. R. 5 East. 2nd $63\frac{9}{100}$ acres being E. $\frac{1}{2}$ S. W. qr of section 30. T. 39. North of Range 5 East. 3rd $\frac{1}{3}$ of 40 acres undivided (the owners of the other interests being unknown to plaintiffs) in S. E. qr of S. E. qr section 35. T. 39. R. 5 East. 4th $\frac{1}{3}$ interest undivided (the owner of the other interest being unknown) in the E. $\frac{1}{2}$ North West qr sec 35. T. 39 Range 5 East. all said lands are lying and being in Jefferson County Missouri. Plaintiffs further state that Defendant Sarah Board Administered in the Estate of Jefferson Board deceased and has ever since the death of Jefferson Board had the possession of the farm and lands above mentioned. And that she has also had possession of and used the Slaves belonging to the Estate without accounting for any hire for same and that after the passage of the act of Congress for the graduation of the price of public lands she applied at the land office at ~~St. Louis~~ for permission and was permitted to enter at the graduation price for the benefit of the farm and lands above described the following described tracts of lands to wit: $33\frac{1}{100}$ acres S. W. qr of N. W. qr section 29. T. 39 North of Range N. 5 East 80 acres being South half of N. ~~W.~~ E. qr of section 30. T. 39 N. R. 5 East. also 160 acres being S. W. qr of N. W. qr. W. $\frac{1}{2}$ S. W. qr & S. E. qr of S. W. qr sec 29. T. 39 R. 5 East. Plaintiffs state that the money with which said entries were made was money

that jointly belonged to the Estate of said Jefferson Board
or that the same was made by said Sarah from the
use and services of the Slaves belonging to said Estate
on the farm and lands above described as owned by
said deceased at the time of his death and that
in equity the said Sarah holds the legal title thereof
in trust for the benefit of the real owners of the
farm and lands for the benefit of which she
was permitted to enter the same. Plaintiffs further
state that Jefferson Board also died possessed of the follow-
ing described Slaves to wit. Agnes a woman Alek
a boy Tom a Boy George a boy Andrew a Boy
Harriet a girl and Aaron a boy all of whom
are in possession of the said Sarah and have been
ever since the death of said Jefferson Board
That said Jefferson Board left as his heirs the said
Sarah his widow. The said Mary Jane Jennings
James Board John Board Virgil Board and also
our Robert Board (since dead without issue) his
Children. That said lands and Slaves descended to
the said widow and Children said widow being entitled
to Dower and the said Children each being entitled to
an equal share of one sixth Each subject to
said Dower of the widow in said land. And the said
widow and the said Children each being entitled
to one seventh part absolutely in said Slaves that
by the death of said Robert Board his share in said
real Estate and Slaves descended to his mother the
said Sarah and his said Brothers & Sisters each
more and share alike. That by virtue of the
premises the rights and interests of the parties in said
land and Slaves are as follows The said Sarah is
entitled to Dower of one third for life and one sixth
of one sixth part absolutely ^{subject to said Dower} of all the lands of said
of which said Jefferson Board died seized as well

the entire made by her as aforesaid. Each of the said Children of said Jefferson Board parties to this suit are entitled to one sixth part thereof and one sixth of one sixth part thereof subject to the widow's dower. The said widow and Children are each entitled to one sixth part of said Slaves. And unknown parties own two thirds of the two tracts described as aforesaid in which said Jefferson Board only owned an undivided interest of one third. (Plaintiff further States that the said Sarah has had the use of said Slaves for the benefit of herself and the said William Board and Virgil Board ^{ever since the death of said Jefferson Board} in addition to which appropriations have been made and expended out of the other assets of the Estate for their support and Education to the injury of the older heirs the amounts and specifications of which are unknown to Plaintiff and prays may be fully disclosed by Defendants and that upon a partition being made the said widow and younger heirs may be held to account for the same.) Plaintiff prays that the right and title of Sarah Board in the lands entered by her for the benefit of the other lands may be decreed by this Court to be held in trust for the benefit of plaintiffs and the other real owners of the lands for the benefit of which same was entered; ^{and that same may pass to and become vested accordingly} and that partition may be made of all said lands and Slaves according to the rights of the parties. and for such other relief as plaintiffs may be entitled to.

Plaintiff avers that all the title papers and evidences of title to said lands are in possession of said Sarah Board & prays that she may be required to produce them.

Stoll & Beal for plffs

J. W. Noell attorney and agent for plaintiffs makes oath and says he believes the above petition & the matters therein stated are true
Sworn to and subscribed before me November 28th 1857
Elias B. Hooley

J. W. Noell

South Kensington

West Bond St

Unmarked Returns

Dec 18 28 1857

Dec 21 1857

Circuit Court In Vacation—September 25th, 1857

STATE OF MISSOURI, }
COUNTY OF JEFFERSON }

Joseph B. Jennings and Mary Jane
his wife plaintiffs.

against

Sarah Board, James Board, John H.
Board, William Board, Virgil
Board, and unknown parties, de-
fendants.

Order of Publication.

THE plaintiff herein, having, on the 25th day of September, A. D. 1857, filed in the office of the Clerk of the Circuit Court of Jefferson county aforesaid, their petition, verified by affidavit as required by law, stating that said James Board is a non resident of the State of Missouri, and that part of the owners of a portion of the real estate hereinafter described are unknown to said plaintiffs. It is therefore ordered by the undersigned Clerk that said defendant, James Board and said unknown parties be notified by publication of the commencement of this suit, the object and general nature of which is to obtain a decree of partition and division of the following lands, situate in Jefferson county, Missouri, to-wit: The northwest quarter of the southeast quarter and southeast quarter of northwest quarter of section No. 30, in township No. 18, range 5 east. The east half of southwest quarter of section 30, township 9 north of range No. 5 east. The southeast quarter of southeast quarter of section No. 35, township No. 39 north of range No. 5 east. The east half of northwest quarter of section No. 35, township 31, range 5 east. The southwest quarter of northwest quarter of section No. 29, township 39, range 5 east. The south half of northeast quarter of section No. 30 township No. 39, range No. 5 east. Southwest quarter of northwest quarter, west half of southwest quarter and southeast quarter of southwest quarter of section No. 29, township No. 39, range 5 east. And also among the heirs and distributees of the estate of Jefferson Board, deceased, the following slaves, to-wit: Agnes, Aleck, Tom, George, Andrew, Harriet and Aaron. And unless they be and appear before the Circuit Court of said county, at the next term thereof, to be begun and held in the town of Hillsboro on the fourth Monday of November next, and on or before the sixth day thereof answer the petition of said plaintiffs the same will be taken as confessed against them. And it is further ordered that a copy hereof be published in the Missouri Republican newspaper for four weeks successively at the last session to be at least four weeks before said next term.

A true copy from the record. In testimony whereof I
{ L S } have to set my hand and affix the seal of said Court,
September 25th 1857 ELIAS F. HONEY Clerk.
J. G. BRADLEY for Plaintiffs. rep'd w4t



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

Personally appeared before the undersigned, a Notary Public within and for the County of St. Louis, *John Thompson* who, being duly sworn,

deposeth and saith, that the annexed advertisement was published in the "Missouri Republican," printed in this State, the newspaper of which he is printer, for five times, the first insertion being on the second day of October 1853 and the last insertion on, the thirteenth day of October 1853 as follows:

Oct. 2 to 46
" 9 " 41
" 16 " 42
" 24 " 43
" 30 " 44

John Thompson

Sworn to and subscribed before me, this thirteenth day of November 1853

Printer's Fee \$ *7.50*
Affidavit, \$ *7.75*
John J. Smith
Notary Public

Filed Dec 2^d 1857

Joseph B Jennings & Mary Jane his wife Plaintiffs

Against

Sarah Board, James Board, John A Board
William Board Virgil Board and
Unknown parties Defendants

In Jefferson Circuit
Court.

Defendants Sarah Board & John Board for themselves
and the said William Board and Virgil Board
by their guardian Sarah Board for answer to
the amended petition of the plaintiffs state,

That ^{they} do not deny the statements, but admit them,
as contained in that part of petition which speaks
of the death of said Jefferson Board and of the
land of which he was seized and possessed at the
time of his death.

They admit that said Sarah Board administered
upon the estate of deceased, but denies having
had the possession of any of the lands described,
except the first three tracts. They admit that
she has also had possession of slaves belonging
to the estate, and used them, under the orders of
the County Court of Jefferson County, having
jurisdiction of said estate, for the benefit of
the widow and children of deceased, including
the plaintiff, said Mary Jane Jennings -

They admit, that said Sarah Board, after the passage
of the Act of Congress, for the graduation of the
price of the public lands, entered the land in petition
described adjoining the farm upon which said
Jefferson died and upon which she was then
living for the use and benefit of the said

farm. But she denies that the money with which said entries were made was money that justly belonged to the estate, of said Jefferson Board, or that the same was made by said Sarah from the use and services of the Slaves belonging to said estate on the farm and lands in petition described as owned by deceased at the time of his death. They also deny that in Equity, she holds the legal title of said lands entered in on the graduation law in trust for the benefit of the owners of the farm to which ~~adjoin~~ these lands adjoin.

Defendants admit that the Slaves mentioned in petition belong to estate of said Jefferson Board, but some two of them were born after his death - They admit that they have been in the possession of said Sarah ever since the death of said Jefferson.

Defendants admit that the rights of the parties as set forth in petition, as amended, are correct. But denies plaintiffs right to a partition of any ~~of~~ the lands entered in on the graduation law, as stated above.

Defendants deny that the said Sarah has had the use of said Slaves for the benefit of herself and the said William and Virgil exclusively. Also denies that appropriations have been made and expended out of the other parts of the estate for their support and education to the injury of the older heirs. They say, that the reverse of this is true, that the older heirs and the said Mary Jane particularly has had appropriations for education and support beyond anything ever appropriated for the said William and Virgil.

The amount appropriated and expended for the education of said Mary Jane Jennings is about \$108.60 beside her clothing which furnished by her mother the defendant, said Sarah. The sum of fifty dollars was appropriated for the education of John, James was well educated by his father before his death and at a much greater expense than either of the others, while William & Virgil are yet quite small boys and have never had the first cent appropriated for their education.

At the time the estate ~~was~~ finally settled the sum for distribution ~~was~~ about \$301.73 of this sum the said Mary Jane received, one fifth part, an equal share with the other heirs, being \$60.34, this sum is all the said William and Virgil has ever received, in any way whatever;

Defendants further say that said Mary Jane after she left school lived at home and received as much, if not more, of the benefit, arising from the services of the Slaves, as any one of the other children and was never required to pay any thing for her support

For further answers to ~~plaintiffs~~ petition, they say that at the time of the death of said Jefferson Board and for a long time before, this defendant Sarah Board had been in bad health and the negro woman named ^{also in bad health &} in petition, was not worth more than her victuals and cloths. And the children both black and white were all small except one or two, under these circumstances it was a benefit to the estate to allow the widow to keep

Said Slaves. Defendants therefore deny that the widow and younger heirs have received any thing more than that they were entitled to, and deny that the plaintiffs are entitled to an account therefor. But say if any one should be made to account for what was received more than she is entitled to it is the said Mary Jane. Defendants say that it is right, that the two younger boys William and Virgil should, in the partition of the effects of this deceased father be allowed enough to educate and raise them in the same manner and to the same age as the older children and pray the Court for such allowance as they may shew themselves entitled to.

Defendants deny the plaintiffs right to any portion of the lands entered by the said Sarah Board under the graduation law, because she says that the same was entered by her own means and in her own name. She further says ^{that} if the slaves who belonged to the estate did remain in her possession & under her control their earnings were used in the support of the whole family of whom the plaintiff was one up to the time of her marriage, only a few years since, and ~~has~~ also that the property taken by the said widow ^{at the appraised price as shown} was used in common for support of the whole family. The said widow never pretending to make any charge for expenses of administration except, commissions on the money of the estate, when in fact she had a great deal of extra trouble in collecting a great many titled outstanding debts due deceased

She therefore says that by her own exertions and services, and by payment of Counsel out of her own funds, she has saved something for her children, of which the said Mary Jane has had more than her proportion and that it would be unjust to the younger children, and to the defendants all for the said plaintiffs to have more than their equal proportion of the lands owned by deceased at his death and of the said slaves.

Defendants pray the Court to cause said Sarah's dower, in the several tracts of land so belonging to deceased, as also in another tract of land not mentioned in petition of which he died seized of one half to wit, the South East Quarter of the South West Quarter of Section 35, Township 39 Range 5 East, containing forty acres to be set off to her on the home place in as much as she has expended considerable money & labor on said home place. Defendants would further pray the Court to cause the dower interest of said widow and her absolute interest in the said real estate to be set off in a body including the dwelling house in which she lives. The other half of the forty acre tract of land just above described is owned by some person or persons unknown to defendants,

Sarah Board & others
By P. P. Peckin this attorney,

P. P. Peckin agent and attorney for the above defendants on oath states that the foregoing answer and the matters therein as stated he believes to be true
Sworn to and Subscribed
before July 18th 1858. Elias P. Honey Clerk

Charles D. Jennings
Trustee

vs

David Dewart & Co

Debtors to Amended
Petitioners

Filed, July 18th 1858
Geo. J. Hoadley
Clerk

COUNTY OF JEFFERSON.

The State of Missouri,

To Elie Samuel Robert Williams & Thomas Lawrence

Greeting:

You are hereby commanded, that setting aside all manner of
excuse and delay, you appear before our circuit Court for the
County aforesaid, on the 30th day of April 1858
at St. Charles, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, wherein
Leah B. Lawrence & wife are Plaintiffs and
David J. Beaulac are Defendants on the part
of Defendants and hereby you are in no wise to fail.

Witness, THOMAS C. FLETCHER,

Clerk of our said Court

with the seal thereof hereto affixed, at office this

3th day of April A. D. 1858

Elie B. Henry

Clerk.

I Executed the within writ on Robert McMullin
and William Semester on the 13th and on Eliel
Donnell on the 14th day of April 1858 by reading
in their presence and hearing

Augustine Wiley Sheriff

Voluntarily Do not
appear herein 1868

Joseph B. Jennings vs

Aguinal

John J. Bond vs

for debt

Eliel Donnell 14

Robert McMullin 13

William Semester 13

Sherriff fees \$1.50

Joseph B. Jennings } In the circuit Court
vs. } of Jefferson County.
Sarah Board et al }

Defendant Sarah Board comes and demurs to the petition of the plaintiff for the following reasons.

1. That several causes of action have been improperly united, to wit: for a partition and division of lands. and for a decree of title to a part of the same lands.

Piptin & Hagaw
for defendants

Frederick D. Jennings

Against

Charles J. Donald

Examiner

Filed April 26th 1858

Clino J. Hooley att

Testained in fact.

COUNTY OF JEFFERSON.

The State of Missouri,

To

Greeting:

Salathiel Cole, Sarah Board

You are hereby commanded, that selling aside all manner of
expense and delay, you appear before our Circuit Court for the
County aforesaid, on the 23th day of April 1858
at St. Louis, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, wherein
Joseph B. Dickinson wife Plaintiff and
Sarah Board a laud Defendant on the part
of ~~Plffs~~

and herein you are in no wise to fail.

Clas J. McCoy

Witness, THOMAS C. FLETCHER,

Clerk of our said Court

with the seal thereof hereto affixed, at office this

28th day of April A.D. 1858

Clas J. McCoy

Clerk.

Executed the within Dea by reading the
same in the presence and hearing of the
within named S. Cole Sarah Board
by reading the same on the 30th day of
April 1858. J. J. McMullin

Jennings wife

Sarah Board et al

for D. H.

S. Cole

Sarah Board

COUNTY OF JEFFERSON.

The State of Missouri,

To Nathaniel Cole. Abel Donnell Robt M. Mullen

Greeting:

You are hereby commanded, that selling aside all manner of
excuse and delay, you appear before our Court and Court for the
County aforesaid, on the 28th day of October next
at Wellston, then and there to testify, and the truth to say in a
certain matter of controversy, now pending in our said Court, wherein
Leigh B. Stearns is or is to be Plaintiff and
Leah B. Board is or is to be Defendant on the part
of Defendant and herein you are in no wise to fail.

Witness, THOMAS G. FLETCHER, Clerk of our said Court

with the Seal thereof hereto affixed, at office this

25th day of September A. D. 1851

Chas. A. Hooley Clerk.

I executed the within Spas at the County of
Jefferson State of Mo by reading the same within
the presence and hearing of Nathaniel Cole
Eliel Donnell and Robert McMullen on the 6th
day of October A D 1858 Oscar Dover Sheriff

20 Percent Court
October Term 1858
Joseph B Jennings wife
vs
Sarah J. Burch et al
for debts
Nathaniel Cole oc
Eliel Donnell oc
Robt. W. McMullen oc
Sheriff fees \$ 1.50 cents

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Robt Willelman vs Lomanter*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Conscut* Court for the County aforesaid, on the *fourth day of June 1859* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *J B Lemmery trustee* Plaintiff and *Jamsh J Bounded* Defendant on the part of *deft* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

9 day of *June* A. D. 185 *9*
Elias F Honey
Clerk.

I executed the within ~~Spur~~ in the County of
Jefferson on Robert McMullen by reading to
him on the 9th day of June 1859

Oscar Doved Sheriff

I executed the within ~~in~~ in the County
of Jefferson on Wm Semaster by
Reading on the 11th day of June 1859
Done to the Court 1859
James A. Board

James A. Board
Sheriff for the
County of Jefferson
June 23 1859

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Salethel Cole, Sarah. Board*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Concord* Court for the County aforesaid, on the *ninth day of June next* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Joseph B. Dennings wife* Plaintiff and *Sarah J. Boarder also are* Defendant on the part of *Plaintiffs* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

19th day of *May* A. D. 1859

Elias F. Honey
Clerk.

I executed the within Spc in the County of
Jefferson State of Missouri on Nathiel Cole &
Sarah J. Board by reading the same within
their presence and hearing on the 31st day of May
1859 Oscar Dover Sheriff

To Circuit Court
June Term 1859

For B. Jennings wife

vs
Sarah J. Board et al

for Pffs

Nathiel Cole

Sarah J. Board

Sheriff fee \$ 1.00

Summary & wife
against
Sarah Board

Be it remembered
that upon the reading of the record as
entered by directions of the court in
this cause the defendant moved the
court to have the same corrected so
as to state that the matter in dispute
as to the land mentioned in the petition
as bought by Sarah Board under the
graduation law was submitted to the
court upon the petition and answer
there having been no evidence offered
by either party upon that issue and
the court refused to have the same
so corrected and overruled said motion
to which opinion of the court the
defendant excepted and prays that
this bill of exceptions be signed
sworn and made a part of the record
in the cause which is done

John N. Stone

Pro

Donning for the
" Sarah. Boardman

Recd of exception

Tell June 14th 1859
Ala. Henry

State of Missouri } p. In the Circuit Court.
County of Jefferson } June 14th A D 1859

Joseph B Jennings & Mary Jane his wife }
against } In Partition
Sarah Board James Board John H }
Board Virgil Board William Board } Decree
and unknown Defendants }

And now again at this day
come the several parties aforesaid Plaintiff and
defendants by their respective attorneys and neither
party requiring a jury, the matters in controversy be-
tween the parties are submitted to the Court, And
after hearing the allegations of the parties the evidence
offered by each in support thereof and the argument
of counsel, the Court finds, that sometime in the
year 1851 one Jefferson Board, the late husband
of the said Sarah Board, and the ancestor of the
other parties, departed this life in Jefferson County
Missouri Seized in fee of the following described
tracts of land situate lying and being in said
Jefferson County to wit: ^{Egt} 1st 73²³/₁₀₀ acres NW¹/₄ of
E¹/₄ of NW¹/₄ of Section 30. T. 39. R. 5 East, 2nd
63⁹/₁₀₀ acres being E¹/₂ S. W¹/₄ of Section 30 T. 39.
north range 5 East, 3rd 1/3 of 40 acres undivided
in S E¹/₄ of S E¹/₄ Section 35. T. 39. R. 5 East; 4th
1/3 interest undivided in the East half of North
West quarter Sec. 35. T. 39. Range 5 East. all of

said land lying in Jefferson County, the owners of
the two thirds of the last two last above tracts being
unknown: Also Certain Slaves To wit: Agnes a
woman, Aleck a boy, Sam a boy, George a boy, An-
drew a boy, Harriet a girl, and Aaron a boy
that the deceased left Surviving him his said wife
Sarah Board, and Children as follows, James
Board, John H. Board, William Board, Virgil Bo-
ard, Robert Board, since deceased and Mary Jane
Jennings, the wife of said Joseph B. Jennings, that
since the death of said Jefferson Board and since
the descent of the lands aforesaid, said Robert
Board departed this life in Jefferson County in-
testate and without issue, leaving his Mother, Broo-
thers and Sister as his heirs at law, the Court further
finds, that since the death of said Jefferson Board
the said Sarah, occupying the Mansion House, and
farm situated on the said land, and that du-
ring her occupancy she caused to be entered at the
land office at St Louis, under the act graduating the
price of the public lands, for the use and benefit of the
above land and farm the following additional tracts
to wit: 33 $\frac{1}{100}$ acres S W qr of N W qr. Section 29. T 39
north of range 70th East. 80 acres being South
half of N. E. qr of Section 30. T 39. N. R 5 E: Also
160 acres, being S. W qr of N W qr. W $\frac{1}{2}$ S W qr & S E
qr of S W. qr Sec. 29 T 39. R 5 E. which said last
named tracts entered as above the Court adjudges

to belong to the said Several parties in proportion
to their Several interests hereinafter ascertained
It is therefore ordered and adjudged by the Court
that the Dower of said Sarah be assigned in said
Several tracts of land, being the one third part qua-
lity and quantity relatively considered thereof, for
and during her natural life, and that partition
of the said Slaves and the residue of said land be
made amongst the said Sarah Board and the
other parties interested according to their respective
Shares, and interests as follows: The said Sarah
Board is entitled to one third part of the Slaves a-
bove, for and during her natural life, and as one
of the heirs of her said Son Robert Board to one
thirty Sixth of the remaining land and Slaves as
above. The said Mary Jane Jennings, James Board,
John H. Board, William Board and Virgil Board
is entitled as heirs of their father one Sixth of the
said land and Slaves, Subject to the dower of
their said Mother, and as heirs to their said de-
ceased Brother, Robert Board, to one thirty Sixth
part thereof Subject to the dower of their mother as
above: And forasmuch as it appears to the sat-
isfaction of the Court, that the undivided interest of
said Jefferson Board at the time of his death in
and to the S. E. q^r of S. E. q^r Section 35. T. 39. R. 5
& containing 40 acres as also the following
tract being mineral land to wit: the E. 1/2 North

West 9th Sec. 35 & 39 range 5 E cannot be divided
in kind without great prejudice to the interests of
the parties, and all parties hereto consenting. It is
ordered by the Court that the said last named two
tracts be sold on a credit of twelve months and the
proceeds divided amongst the said parties as above.
And as to the residue of said land. It is ordered
by the Court, that William L. Lemaster, Francis
D. Pratte and Robert M. Mullen, be and are hereby
appointed Commissioners to assign and set off
the dower of the said Sarah Board, as above if the
same can be done without great prejudice to the
interests of the other parties interested, and make
partition and division of the said Slaves and re-
maining lands amongst the parties entitled ac-
cording to their several Shares and interests as
above ascertained. Setting apart the Dower and
Shares of the said Sarah Board, James Board, John
H. Board, William Board and Virgil Board in a
body if the same can be done without great preju-
dice to the interest of the said Mary Jane Jer-
mings, and report their proceedings herein to the
next term of this Court, and this cause is continued

I Elias J. Honey Clerk of the Circuit Court in
and for the County of Jefferson aforesaid hereby
certify that the foregoing is a true and complete
copy of the Judgment and order of said Court

made in the case of Joseph B Jennings and wife
and Sarah Board and others, as fully as the same
remains and appears on the record of said Court
in my office

In Testimony whereof I hereto
set my hand and affix the
Seal of said Court, at Office in
Hillsboro August 31st A D Eigh-
teen Hundred and fifty nine
Elias D. Honey clerk, for Ct.

To Jefferson Circuit Court
December Term 1859

Joseph, B. Jennings & wife
vs & App't. Cunningham & Co
Sarah Board et al

Wm. L. Lennaster }
Francis, R. Pratte }
Robt. W. Muller }
Sheriff fee \$1.50

Filed June 18th 1860
Elias J. Horney Clerk

I executed the within notice in the County
of Jefferson State of Missouri on William L
Lennaster, Robert W. McMullen by reading it
to them and on Francis R. Pratte by Delivering
him this copy on the day of October 1859
Oscar Dover Sheriff

State of the Factors
County of Jefferson

This Day personally appeared before the undersigned a Justice of the Peace in and for the County of Jefferson William L. Demaria Francis H. Hall Robert A. Culkin Commissioners appointed to set off the division of Sarah Baars and divide the several Shares of the heirs of Jefferson Baars received according to their respective interests share both that they severally & jointly and innocently the best of persons in them becoments and do hereby certify before the this 17 Day of April William L. Demaria 1859. William Henry

Justice of the Peace

Robert A. Culkin

William L. Demaria

Alfredus J

Quintus Huc. 194

Collection of the Flowers

Agnes & Charles

\$ 7.00

Sam & Mary

\$ 11.00

\$ 11.00

Sam

\$ 11.50

George

\$ 8.00

Mary

\$ 11.00

\$ 11.00

Ernest

\$ 3.00

\$ 15.00

\$ 44.50

State of Missouri
County of Jefferson } set

Joseph B Jennings, & wife
vs.

Sarah Board, James Board,
John H Board, Virgil Board,
William Board & unknown
Dependents.

To the Hon Circuit
Court of Jefferson County we the
undersigned Commissioners ap-
pointed by said Court at the
term 1859 to make
partition of the real & personal es-
tate & slaves belonging to the
estate of Jefferson Board deceased
and to set off & apportion to said
Sarah Board her dower interest
therein respectfully submit the
following report.

After being duly sworn as such
Commissioners, faithfully & impartial-
ly & honestly to execute the trust re-
posed in us, we did on the
day of November 1859. proceed to
view and appraise the following
lands & real estate mentioned in

The Decree of Partition rendered
in this cause to wit -

$S\frac{1}{2}$ & $SW\frac{1}{4}$ of $SW\frac{1}{4}$ $S29$ & $NE\frac{1}{4}$ of $NE\frac{1}{4}$
& the $S\frac{1}{2}$ of Lot one of $SW\frac{1}{4}$ & South $\frac{1}{2}$ of Lot
No 2 of $SW\frac{1}{4}$ $S30$ & $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec
 29 , $S39$ R $5-E$

And after a careful view & apprais-
ment of the same did proceed to as-
certain & set off, to said Sarah Bond
& Dower in said lands & Real
estate the following to wit.

~~South half and North West quarter~~
of South West $\frac{1}{4}$ gr. of Section 29. And
 ~~$NE\frac{1}{4}$ of N.E. gr. (4)~~

$NW\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec 30 - also $NE\frac{1}{4}$ of
 $SW\frac{1}{4}$ of same; also $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of same
also $W\frac{3}{4}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of same; All
in Township No 39 N Range 5 East
in the aggregate being - $136\frac{67}{100}$
acres. And that we called Francis
Brickey, surveyor, to assist us
in measuring & setting off said
lands, and we return herewith a

plat of said lands set apart
to said Jurors Board as Dower
& to which reference is made
herein for a more particular
description of said lands.

And we further report that as
to the balance of said real estate
owing to the quantity, ^{& quality} of the
land & situation thereof, and
the number of heirs, it cannot
be divided in kind without great
prejudice to the owners thereof
& your commissioners recommend
a sale thereof, & apportionment
of the proceeds.

And we further report that we
did on the same day proceed to
view and appraise the follow-
ing slaves as belonging to
said estate & in said Decree
mentioned, & to ascertain &
set apart one third part thereof
number, quality, & value considered
as the Dower of said Jurors
Board to wit

Agnes a woman, (1 Child, Sarah,
Alick a boy, Tom a boy; George

a boy; Audin a boy; Harriet
 a girl; and Aaron a boy;
 And that we set apart as
 the dower of said Sarah
 Brent in said slaves the
 following to wit; Harriet a
 girl & Allick a boy - And
 that owing to the number
 and value of the balance
 of said slaves as well as
 the number of interests then
 in we were unable to divide
 the same in kind, and recom-
 mend that the same be sold
 for partition.

Given under our hands this
 18th day of June A.D. 1860
 Francis X. Patte
 his
 Robert M. Mullen
 by J. M. Smith
 Wm. L. Somaster
 Commisioners
 sworn

For 13 Mmms &c
 17
 Sarah Brent Dyer

Report of
 Commisioners

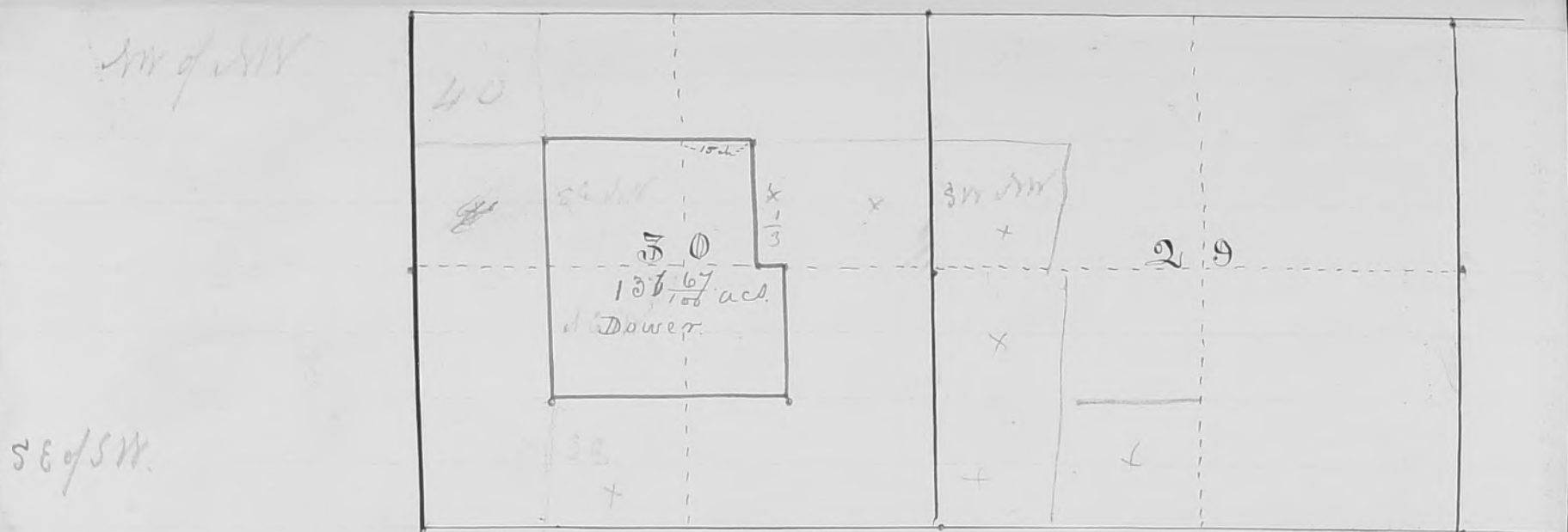
1860

We the Commisioners
 Claim for our
 services
 Wm L. Somaster 750
 Francis X. Patte 750
 Robert M. Mullen 750

Chairmen
 Wm Butler 300
 David Robinson 200
 Surveyor
 H. A. Buckley 750

Filed June 1860
 Elias J. Honey
 Clerk

Township 39 N Range 5 E



Description of Dover of Sarah & Board

SE 1/4 of NW 1/4 Sec 30 Town 39 R 5 E.	33, 20 ac
Western 3/4 of SE 1/4 of NW 1/4 " " " " "	30 "
SE 1/4 of NW 1/4 " " " " "	33 47 "
NW 1/4 of SE 1/4 " " " " "	40 "
	13 1/2 ac.

of the North West quarter of Section Number Thirty five, in Township
Thirty Nine, Range Number Five East, And also the following per-
sonal property Do Wits: Agnes, a Woman and child; Tom, a Boy,
George, a Boy; Andrew, a Boy, and Aaron, a Boy, Slaves, and
James A. Board, John H. Board and Sarah J. Board, was
then and there the highest and last bidder, for the above described
property, the same having been sold separately, were severally
stricken off and sold to them, at and for the sum and price
of Twenty Nine Hundred and Eighty dollars, the said James A.
Board, purchasing the Undivided ^{one fourth} part of said property, the said
John H. Board, purchasing the Undivided one fourth part of
said property, and the said Sarah J. Board, purchasing the
Undivided one half part of said property, and they having
paid to me the full Amount of said purchase Money, request-
ed a Deed for the same, which I have made to them setting
forth their respective interests in said property.

This report is respectfully submitted

Oscar Dover Sheriff 

Joseph B. Summings wife In Partition

Sarah J. Board et al. } In the Circuit Court Jeff Co.
See Bill

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Salathiel Cole "	2.30
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Printer fee. Publication paid to Hooney	8.75
Jefferson County Herald advertising pair	8.00
	\$184.40
	2.00

Depl pair

Received of James Board \$1844.40^{cs} in full of
the amount in full of expenses on the suit & sale
of Land & property of Jefferson Board Estate
Oscar Dover Sheriff

Joseph P. Manning
" "
Sarah J. Board

State of Missouri
County of Jefferson

In the Circuit Court
June 20th 1860

Joseph B. Jennings and
Mary Jane his wife

against
Sarah Board, James Board
John H. Board, William Board
Virgil Board. Defendants.

Order of Sale

And again at this day
came the parties aforesaid by their respective attor-
nies, and the report of Francis S. Pratte, William
S. Lennister, and Robert M. Muller, commis-
sioners herein appointed to make partition and
division of the lands and Slaves sought to be
divided, and to admeasure and set off the
dower interest of the said Sarah Board therein
having been filed and recorded; And it appear-
ing to the Court, from said report, that the follow-
ing described lands and Slaves, are not suscep-
tible of partition and division among said
parties in kind, without great prejudice to the
said owners; It is ordered by the Court, that the
Sheriff of Jefferson County proceed to sell at
Public Auction to the highest bidder, for ten per
cent of the purchase money in cash at the time
of sale, and the residue in twelve months, the
following lands and Slaves, so reported as

not susceptible of partition Viz. The South East quarter of North East quarter of Section No^o thirty, Township No^o 39. range 5 East; the South East quarter of the South west quarter, of Section No^o 30. Township 39. range 5 East; the East one third of the South west quarter of North East quarter of Section No^o 30, Township 39. of range 5 East; the South West quarter, of North West quarter of Section 29. Township 39. range 5 East; the West half of South West quarter & South East quarter of South West quarter of Section No^o 29. Township 39. of range 5 East; and the undivided one third of the South East quarter, of the South East quarter, of Section No^o 35, Township 39. range 5 East; And the undivided one third of the East half of the North West quarter of Section thirty five (35) Township No^o 39. range 5 East; And the following named Slaves; Agnes a woman and Child; Tom a boy, George a boy, Andrew a boy, and Aaron a boy, and the Court proceeding to settle and adjust, the rights of said parties in and to said property doth find the same as follows, the said Sarah Board is entitled to one thirty sixth part thereof, and the said Mary Jane Jennings, James Board, John C. Board, William Board, and Virgil Board, are each entitled to Seven thirty sixths part thereof, And it is further ordered by the

Court, that said Sale take place on some day during the Session of the Circuit-Court, of said County and be governed in all things by the regulations prescribed by law, for sales of real estate under executions; Notice thereof being given by the Sheriff in the manner provided by law, for such sales, and that said Sheriff take for the deferred payment a bond or note from the purchaser, with good security, bearing interest from date at the rate of Six per cent-per annum, and pay over the proceeds of said sale to the parties respectively according to their interests as so found by the Court, and report this proceedings herein

State of Missouri }
County of Jefferson } I, the undersigned Clerk of
the Circuit Court in and for said County do hereby
certify that the foregoing is a true copy of
of sale, in partition in the above en-
sured of Joseph B. Jennings and wife
Sarah Board et al., as fully as the
manis and appears of record in my

In Testimony whereof I hereto
set my hand and affix the seal
of said Court, Sept. 5th 1860
Elias F. Honey Clerk

Sheriff's sale in partition.

JOSEPH B. JENNINGS and
MARY JANE, his wife,

vs.

SARAH BOARD, JAMES
BOARD, JOHN H. BOARD,
WILLIAM BOARD, VIRGIL
BOARD, Defendants.

In the Circuit Court
of Jefferson County,
Mo.

BY VIRTUE AND AUTHORITY OF AN ORDER
made by the Circuit Court of the County of Jef-
ferson, State of Missouri, at its June term A D 1860,
I will on Thursday the 18th day of December next,
1860, 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 and slaves, to wit:

The south-east quarter of the north east quarter
and the south-east quarter of the south-west quarter,
and the east one-third of the south-west quarter of the
north-east quarter of section number thirty (30) in
Township number thirty-nine (39) range number five
(5) east, and the south-west quarter of north-west
quarter of north-west quarter, and the west half of
south-west quarter, and south-east quarter of south-
west quarter of section number twenty-nine (29) in
Township number thirty-nine (39) of range number
five (5) east, and the undivided one-third of the south
east quarter of section number thirty-five (35) in
Township number thirty-nine (39) of range number
five (5) east, and the undivided one-third of the east
half of north-west quarter of section thirty-five (35)
Township number thirty-nine (39) range number five
(5) east, and the following named slaves: Agnes,
a woman and child, Tom, a boy; George, a boy;
Andrew, a boy; and Aaron, a boy, for the purpose
of making a partition between said parties, for which
the purchaser will be required to pay ten per cent
of the purchase in hand at time of sale, the balance in
twelve months, the purchaser giving his bond with
approved security, bearing interest at the rate of six
per cent. per annum from date, this October the 20th,
1860.

OSCAR DOYER, Sheriff.

Dr. J. H. Brown & Co. - Cash
December 1860

Joseph B. Brown & Co.
or J. Brown of Sale
Sarah. Board & etc.

Printers fee \$ 8.00

Filed Dec 20th 1860
Oliver & Hooney
Clerk

Joseph B Jennings & wife
Against
Sarah Board & others

And now again at this day come the several parties aforesaid plaintiffs and Defendants by them respectively Attornies and neither party requesting a Jury the matters in controversy between the parties are submitted to the Court, And after hearing the allegations of the parties, the Evidence offered by each in support thereof And the arguments of Counsel, the Court find that sometime in the year 1853 one Jefferson Board the late husband of the said Sarah Board, and the Ancestor of the other parties, departed this life in Jefferson County Missouri seized in fee of the following described tracts of land situate lying and being in said Jefferson County to-wit (here insert the description including the undivided interest in the tract owned by deceased and one Person), as also Certain Slaves to-wit (here insert it), That the deceased left surviving him his said wife Sarah Board, and Children as follows James Board, John B Board, William Board, Bogel Board Robert Board since deceased and Mary Jane Jennings the wife of said Joseph B Jennings. That since the death of said Jefferson Board, ~~the said~~ and since the descent of the lands aforesaid, the said Robert Board departed this life in Jefferson County, intestate and without issue, leaving his Mother, Brothers and Sisters as his heirs at Law. The Court further find that since the death of said Jefferson Board, the said Sarah occupying the mansion house and farm situated on said land, and that during her occupancy she caused to be entered at the land office in Illinois, under the act granting the price of public lands for the use and benefit of the above land and farm the following additional tract to-wit (here insert the Number) which said last named tract Entered as above, the Court adjudges to belong to the said several parties in proportion to their several interests as hereafter ascertained.

It is therefore ordered and adjudged that by the Court that the Dower of said Sarah be assigned in said several tracts of

land, being the ^{quality and quantity} ~~one third part~~ thereof for and during her natural life. And that partition of the said Slaves and the residue of said land be made amongst the ~~said~~ said Sarah Board and the others parties interested, according to their respective shares and interests as follows - The said Sarah Board is Entitled to one third part of the Slaves above for and during her natural life, and ^{one of the} as heirs to her said son Robert Board to one thirty sixth of the remaining land and Slaves as above, the said Mary Jane Jennings James Board John W Board William Board and Virgil is Entitled as heirs to their father to one sixth of the said land and as ~~Slaves~~ ~~remaining~~ Slaves, subject to the dower of their said Mother and as heirs to their said deceased brother Robert Board to one thirty sixth part thereof subject to the dower of their Mother as above. And forasmuch as it appears to the satisfaction of the Court that the undivided interest of said Jefferson Board at the time of his death is and to the (here describe that tract) as also the following described tract being Mineral Land (here insert the Number of the Mineral tract) Cannot be divided in kind without great prejudice to the interests of the parties, and all parties hereto Consenting It is ordered by the Court that the said last named two Tracts be sold on a Credit of twelve Months, and the proceeds be divided amongst the said parties as above.

And as to the residue of said land it is ordered by the Court that William A Masters, Francis H Poole and Robert M. M. be and are hereby appointed Commissioners to assign and set off the Dower of the said Sarah Board as above if the same can be done, without great prejudice to the interests of the other parties interested, and make partition and division of the said Slaves and remaining land amongst the parties entitled according to their several shares and interests as above ascertained setting apart the Dower and share of the said Sarah Board James Board John W Board William Board and Virgil Board in a body if ^{the same can be done} ~~practicably~~ ~~and~~ without great prejudice to the interests of the said Mary Jane Jennings, and report their proceedings here to the next Term of this Court, and the Court is Continued

also entered

Desoto Mo. Oct. 8, 1885

Mr. - Honey, Recorder,
Hillsboro Mo.

Dear Sir

Messrs John C. Cole & Geo. Jennings
wish to have the Board land divi-
-ded and they want to know if the land
in the Dover was sold at the partition
Sale. If you can not tell without calling
in help. do so, and state charges and it
will be paid - They want to know how
much each owns. This will be handed
you by Mr. Jas Haverstick. attend to it
at Once. both parties do not seem satisfied
with a statement that Judge Thomas made.
The statement will be handed you by
Haverstick and it may be of service to
you. - they want to know if it is all
right

Yours Respectfully
J. J. Donnell,

Cole thinks he owns full half +
 Gummings thinks not

Was Jas. Board's interest in the lower
 land sold

$\begin{array}{r} 5p319 \\ R p 119 \\ N p 203 \\ 3 p 363 \end{array}$

May Term 1868

John H. Board $\frac{1}{4}$
 James A. Board $\frac{1}{4}$
 Sarah J. Board $\frac{1}{2}$

$\frac{5}{20} \div \frac{1}{4}$

$\frac{1}{20} \times \frac{1}{5}$