

Jefferson County Circuit Court  
Case Files - Civil  
November 1857

Box 9 Folder 28

Couch, James

v,

Horine, Mathias T.

Drury, Joseph

Horine, Louisiana

Horine, Samantha, et al

Partition

Other defendants: Adaline Horine, Elanora Morrison,  
and William R. Morrison; Heirs of Mary Drury;  
80 acres in S11T40R3E.

James Couch

Plaintiff

against

Mathias J. Horine

Joseph Dury

Louisiana formerly Louisiana

Horine and her unknown

husband. Samantha Horine

Adeline Horine

Eleanor Morrison formerly

Eleanor Horine and her husband

William R. Morrison

Defendants.

In the Circuit Court  
Jefferson County,

Plaintiff states that the following described tract of land to wit: The East half of the South West quarter of Section No. Eleven in Township forty North of Range Three East containing eighty aers. in Jefferson County Missouri is owned and held by the parties to this suit as joint tenants and tenants in common and by the Courtsey in the following proportions to wit:

The plaintiff is the owner of and interested in five undivided sixths of said land.

The said Mathias J. Horine is interested as tenant by the Courtsey in one undivided sixth part of said land by virtue of his marriage with Mary Dury now deceased formerly Mary Bryant, who left the following named children to wit Mary Jane Dury now deceased, and her brother Joseph Dury. Louisiana formerly Louisiana Horine but now married to some person whose name is unknown to petitioner Samantha Horine Adeline Horine Eleanor Morrison formerly Eleanor Horine, and her husband William R. Morrison each

of whom is entitled to one fifth of one sixth, or one  
thirtieth of the said tract of land subject to the County  
of said Matthias J. as aforesaid

Plaintiff further says that all of the  
defendants are now residents of the State of  
Missouri and that the name of the husband  
of said Louisiana is unknown.

He therefore prays the Court for a division  
and partition of said tract of land according  
to the respective rights of the parties interested  
therein and if it shall appear that partition  
cannot be made without great prejudice to  
the owner that the same may be sold.

James Couch  
By his attorney Pipkin

Philip Pipkin attorney for  
James Couch the above plaintiff on  
oath states that the foregoing petition and  
the matters therein as stated he believes  
to be true.

Philip Pipkin

Subscribed before me

Decr. 3<sup>rd</sup> 1857 Elias J. Hovey clk



*In the Circuit Court in Vacation September 10th, 1857.*  
STATE OF MISSOURI }  
COUNTY OF JEFFERSON } SS

James Couch, Plaintiff,  
against

Mathias T. Horine, Joseph Drury,  
Louisiana, formerly Louisiana  
Horine, and her unknown  
husband, Samantha Horine,  
Adeline Horine, Elanora Morrison,  
formerly Elanor Horine,  
and her husband, W. R. Morrison,  
defendants.

Order of Publication.

THE PLAINTIFF herein having on the 10th day of September, 1857, filed in the office of the Clerk of the Circuit Court of said County, his petition verified by affidavit stating that all of said defendants are non residents of the State of Missouri. It is, therefore, ordered by the undersigned, Clerk of said Court that said non resident defendants be notified by publication of the commencement of the suit, the object and general nature of which is to obtain a decree of partition and division of the following described land, situate in Jefferson county, Missouri, to-wit: The east half of the south-west quarter of section number eleven, in township number forty of range number three east, containing eighty acres, and for a sale thereof if partition cannot be made without great prejudice to the owners thereof, and that 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, in said county on the fourth Monday of November next, and on or before the sixth day thereof answer the petition of said plaintiff, the same will be taken as confessed against them. and it is further ordered that a copy of this order be published in the Missouri Republican newspaper for four weeks, successively, the last insertion to be at least four weeks before said next term.

A true copy from the record.

(Attest)

P. PIPAIN, Att'y for Plaintiff,

ELIAS F. HONEY, Clerk.

sep14wt

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

Personally appeared before the undersigned, a Notary Public within and for the County of St. Louis, *John B. Smith* 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 four \_\_\_\_\_ times, the first insertion being on the *Eighteenth* day of *September* 1857 and the last insertion on, *the ninth* \_\_\_\_\_ day of *October* \_\_\_\_\_ 1857 as follows:

*Sept 18 40 38*  
" *25 " 39*  
*Oct 2 " 40*  
" *9 " 41*

Sworn to and subscribed before me, this *Twenty fourth* day of *November* 1857

Printer's Fee \$ *7.50*  
Affidavit, *25*  
*7.75*

*John B. Smith*  
Notary Public

James Couch  
by  
W. J. Horne

Proof of Publication  
of notice

Filed Nov 26<sup>th</sup> 1857  
Elias & Hony  
att

Joseph Couch  
vs  
Samantha Horine  
Adaline Horine

In Partition  
Circuit Court Jefferson Co  
Nov Term 1857

The Defendants by their  
Guardian ad litem state that they have  
not a sufficient knowledge touching the  
subject matter of plaintiffs petition, to form  
a belief thereof and request that their interests  
may be protected by requiring strict proof  
of the allegations in said petition

Samantha Horine &  
Adaline Horine minors  
By Thos C Fletcher their Guard  
ad litem

Thos C Fletcher being duly sworn states that  
he believes the foregoing answer and the  
matters therein contained to be true as  
therein stated

Thos C Fletcher

Signed & Sworn to in open court  
Dec 3<sup>d</sup> 1857.

Elias F Hovey — Clerk

James Leach

45.

*Semantia storine*

*Adalio storine*.

Care of Geo. Adkins

Filed Dec 3<sup>rd</sup> 1857.

Geo. J. Henry

GEORGE KNAPP.

N. PASCHALL.

JOHN KNAPP.

# MISSOURI REPUBLICAN

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

GEORGE KNAPP & CO., Editors and Proprietors.

## Terms of subscription per annum:

|                                              |         |
|----------------------------------------------|---------|
| 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 directed to be displayed, or set in large type, charged double rates.

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

☒ Yearly advertisers will be charged extra at regular rates for Wants, Rents, Removals, Co-partnership Notices, To Consignees, &c.

☒ All WANTS, LOST and FOUND, BOARDING, FOR RENT, 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.

## Cash Rates for Advertising.

|                                          |        |
|------------------------------------------|--------|
| ONE SQUARE, eight lines or less.....     | \$1 00 |
| " " three times without alterations..... | 1 50   |
| " " one week.....                        | 2 50   |
| " " two weeks.....                       | 3 50   |
| " " three weeks.....                     | 4 00   |
| " " one month.....                       | 6 00   |
| " " two months.....                      | 7 00   |
| " " three months.....                    | 10 00  |
| " " six months.....                      | 10 00  |
| " " one year.....                        | 18 00  |

*Mr. Huelsh's*

GEORGE KNAPP & CO.,

*Sept 14th 1885*  
*Red Cedar & Horning*  
*Geo. Knapp & Co. 9/15/85*  
*George Knapp & Co.*  
*St. Louis*

Conch  
no  
He min

Subvention

Filed April 27 1878  
Elias J. Hooley

State of Missouri }  
County of Jefferson. } In the Circuit Court  
December Third 1857

James Couch  
vs  
Mathias T. Horine et al } In Partition  
Order of Sale

Now at this day comes  
said plaintiff, by his attorney, and proves to the sat-  
isfaction of the Court, the due publication of the  
order herein, and said defendants, failing to ap-  
pear, neither have they answered the petition of  
the plaintiff, whereby the same remains wholly un-  
defended, Ordered that their default be entered  
and the answer of the Guardian ad litem for  
the minor defendants, being filed and seen  
by the Court: It is ordered adjudged and  
decreed by the Court, that the land in plaintiff  
petition, mentioned and described as situate  
in the County of Jefferson, State of Missouri, and  
being the East half of the South West quarter  
of Section No Eleven, in Township forty, north  
of Range, three East, containing Eighty acres  
be sold, for the purpose of partition and divi-  
sion, it being satisfactorily shown to the Court  
that partition thereof cannot be made without  
great prejudice to the parties interested therein  
And the Court proceeding, to ascertain and set-  
tle the respective rights and interests of the par-  
ties herein, doth declare the same as follows,

To Wit: The said James Couch is the owner of and interested in five Sixths of said land. The said Mathias Horne is interested as tenant by courtesy in one undivided Sixth part thereof. And the said Joseph Drury, and the legal representatives of Mary Jane Drury deceased, Louisiana, formerly Louisiana Horne & her unknown husband, Samantha Horne, Adaline Horne, and Eleanor Morrison and her husband William R Morrison are each entitled to and interested in one fifth of one Sixth part thereof or one thirtieth part of the whole of said land. Subject to the courtesy of said Mathias. And it is further ordered by the Court, that the Sheriff of Jefferson County, proceed to sell said land at Public Auction, 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 a bond or note with security for the deferred payment, bearing Six per cent interest per annum from date. That said sale take place on some day during the sitting of the Circuit Court of said County, and be governed by the same regulations prescribed by law for the sales of Real Estate under Execution. Notice thereof being given by the Sheriff in the same manner provided by law for such sales, and bring into Court the proceeds, to abide the further orders of the Court, and this cause is continued

I, Elias P. 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 matter of  
James Couch against Matthias F. Horrie  
et al. in partition. in said Court 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 in  
Hillsboro. this fourth day of  
February A D 1858  
Elias P. Honey Clerk

Defferson Circuit Court  
April Term 1858

James Leach  
as Order of Sale  
Mathias J. Horvick,  
as

Filed & Approved May 1<sup>st</sup> 1858  
Geo H. Honeywell

Sale on Wednesday 28<sup>th</sup> of April

## Sheriff Sale In partition

James Couch  
vs  
Mathias I Morine et al } In partition in the Circuit  
Court of Jefferson County  
Missouri

By authority of an order of Sale made by the Circuit Court of Jefferson County on the 3rd day of December 1837 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 Room 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 tract of land lying in the County of Jefferson and State of Missouri to wit the East half of the South West 1/4 of Section No Eleven in Township 40 North of Range 3 East containing 80 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 12th day of February AD 1838

Augustine Wiley Sheriff

James Couch

As)

Mathias of Aberville et al.

On partition

of realty

James Couch.

vs.  
Mathias J. Dorine, et al

In the Circuit Court  
In Partition

### Sheriff's Report

To the Honorable the Circuit Court of Jefferson County Mo. The undersigned Sheriff of Jefferson County, that in obedience to the annexed order of Sale issued from the office of the Clerk of the Circuit Court of said County, 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 situated 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 herewith filed and made 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 Millboro, 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 advertisements, expose to sale publicly by auction the following described land To Wit: The North West portion of quarter of Section No. 11, in Township No. 40, North of Range 3, E, containing 80 acres, and James Couch, became the purchaser thereof, he being the highest and last bidder at and for the price and sum of Three hundred and fifty dollars, the same was struck off and sold to

him the said James Couche for that sum, which  
has been fully paid in accordance with the order of the  
court, and the same is hereby acknowledged,

And he having fully complied with the require-  
ments of said order of Sale, the same is respectfully  
Submitted, *Aug* Augustine Wiley  
Sheriff

James Couch St.

In the Circuit Court,

Jefferson County Mo.

M. J. Horvick et al vs.

In Partition

Due Bill

Money due to Order Paid. 50. Copy same 25<sup>¢</sup> Court. 50

Off. 25<sup>¢</sup> order Sept. 1890. 25. Copy of same 25<sup>¢</sup>

Order paid 50. Copy same Court. 14. Report 25<sup>¢</sup> atty

fee. 25<sup>¢</sup> prof. Paid. 10<sup>¢</sup> file 5<sup>¢</sup> pro. 25<sup>¢</sup> default

defts 25<sup>¢</sup>. order distribution 25<sup>¢</sup>. making cuts 25<sup>¢</sup>

Shrunk fee. Republican

2<sup>d</sup> of speech in attorney fee all by Court,

Grand and Order. \$350

5.35

7.75

15.00

7.00

\$35.10

James Couch

is

Horine et al