

Dakota County Circuit Court

Case File - Civil

April 1858, #28

Hunt, Isaac

Smith, Francis T.

Hunt, Ruth

Hunt, James,
et al

VS

Taylor, Emily S.

Taylor, Fanny H.

Taylor, Laura

Taylor, Carol,
et al

Partition

600 acres in U.S. Survey 1932

T43R3E; other plaintiffs George

Hunt; other defendants Archie,

Marty, Emily Taylor

Isaac Hunt
Francis Smith
Ruth Hunt
James & George Hunt minor children
of David A Hunt by Isaac Hunt their Guardian
against
Emily S. Taylor }
Fanny H. Laura, Canol Archie }
Mary & Emily Taylor. Heirs at Law of John B Taylor

In the circuit Court of Jeff
erson County Missouri

The plaintiffs state that they and the
defendants are tenants in common of the fol
lowing real estate viz Six hundred acres
of the tract of land confirmed by US government
to Augustus Lemache in Township 43 of
Range three East being a part of the un
ited States Survey No 1932, acquired by James
Hunt & Francis Smith of the Sheriff
of Jefferson County Mo on partition sale
among the heirs of John Perry deceased

Plaintiffs state that the interest of the
parties is as follows viz Francis Smith
is entitled to the one half, the heirs of John
B Taylor are entitled to the one fourth,
Ruth Hunt is entitled to the one twelfth
part, Isaac Hunt is entitled to the one twel
fth part, James and George Hunt is ent
itled each to the one twenty fourth part

Plaintiffs pray this Court for partition
of the premises and sale thereof in case partition
cannot be made without great prejudice to
the owners

J A Beal Atty for Plaintiffs

State of Missouri } ss Isaac Hunt being sworn says
 County of Jefferson } on oath that the foregoing peti-
 tion & the matters as therein stated he believes to be true
 Sworn to and Subscribed } Isaac Hunt
 before me, Mar. 30th 1858 }
 Elias D. Hoovey Clerk }

Isaac. Wheelbar

As Petitioner

Wm of Mrs D. Hughes,

Subscribed Mar. 30th 1858

Elias D. Hoovey
Clerk

2 copies per 50
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 all these 35
 3 05
 15

Isaac Hunt, Francis J. Smith, Ruth Hunt, James &
George Hunt, minor children of David H. Hunt by
Isaac Hunt their Guardian

Against

Emily S. Taylor, Fanny H. Laura, Carrol, Archie,
Mary & Emily Taylor. Heirs at Law of John B. Taylor.

In the Circuit Court of Jefferson County, Missouri.

The Plaintiffs state that they and the defendants are
tenants in common of the following Real Estate, viz: Six Hundred
Acres of the tract of land confirmed by U. S. Government to
Augustus Gamache in Township 43, of Range Three East, being a
part of the United States Survey No. 1932, acquired by James Hunt
& Francis J. Smith of the Sheriff of Jefferson County Mo. in
partition sale among the heirs of John Perry Deceased.

Plaintiffs state that the interest of the parties is as follows,
viz: Francis J. Smith is entitled to the one half; the heirs of John B.
Taylor are entitled to the one-fourth; Ruth Hunt is entitled to the one-
twelfth part; Isaac Hunt is entitled to the one twelfth part; James
and George Hunt is entitled each to the one-twenty-fourth part.

Plaintiffs pray this Court for partition of the premises, and
sale thereof, in case partition cannot be made without great preju-
dice to the owners.

J. A. Beal Atty. for Plaintiffs.

State of Missouri }
County of Jefferson }

Isaac Hunt being sworn says on oath, that the
foregoing petition & the matters as therein stated, he believes to be true.

Isaac Hunt.

Sworn to and Subscribed
before me. Mar. 30th 1858.

Elias H. Honey Clk.

Endorsed "Filed Mar. 30th 1858. Elias H. Honey
clk

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

In Testimony whereof. I hereto
Set my hand and affix the Seal
of said Court at office April
3^d A D 1858

Elias J. Honeyclerk

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon *Emily S Taylor Fanny H Taylor Laura Taylor Carol Taylor Archie Taylor Mary Taylor & Emily Taylor heirs at law of the B Taylor dec'd* 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 *April* next, then and there to answer unto *Isaac Hunt Francis South Ruth Hunt James & George Hunt* by their Guardian *Isaac Hunt* upon their original petition, a copy whereof is herunto annexed and accompanied this writ—and have you then there this writ.

Elias J. Hovey

Witness, ~~THO. C. FLETCHER~~, Clerk of our said Circuit Court, with the seal thereof hereto affixed, at office, in Hillsboro, this *third* day of *April* A. D. 1858

Elias J. Hovey

CLERK CIRCUIT COURT.

No 28
 1858
 Jefferson Circuit Court,
 April Term 1858

Geo. C. Hunt, Jno. J. Smith
 and others

vs. Summons

Emily S. Taylor et al

Filed April 9th 1858

Elias J. Honey

Recorder

Dumped

cho

Executed this writ in the County of St. Louis April
 6th 1858, by delivering a copy of the same with the
 petition as furnished by the Clerk to Emily S. Taylor
 one of the defendants; further by delivering a copy of
 said writ to each of the defendants to-wit Henry
 S. Taylor Laura Taylor Carroll Taylor Archie
 Taylor & Mary Taylor; further by ^{leaving} ~~delivering~~ a copy
 of said writ at the usual place of abode of Emily
 Taylor the other defendant, with a white person of
 her family over the age of fifteen years

Fee	700
Copies	150
	850
Repts. Paid	250
	\$6.00

James Castello Sheriff
 By M. Chadbourne
 Deputy

Isaac Hunt & Francis Smith

vs

Emily S Taylor and others

The answer of the guardian ad
Litem of Emily S Taylor, Fanny, Laura, Carol
Archie Mary & Emily Taylor minor dependants

E J Honey guardian ad Litem of said mi-
nor dependants, states that he has personal
knowledge of the facts set forth in the
petition mentioned but from conversations
among the parties, and what he has understood
he believes that the interests of the parties
are correctly set forth in said peti-
tion, he therefore proposes partition as in
petition proposed

Subscribed & sworn to
before me this 30th
day of October 1858

Elias J Honey
Guard ad litem of
minor depts

J C M Parker
Justice of the Peace

Dear Aunt Francis
I should so often:

by
Family of Taylor & others

consist of
~~100~~ 100
of them

Old Oct 30th 1878
Ellen & Henry etc

State of Missouri }
County of Jefferson }

Isaac Hunt & others

vs

Emily S Taylor & others }

In the circuit

Court of Jefferson County Mo

On this day came before the undersigned Justice of the Peace of said County ~~Came~~ James M Brown, Peter M Brown & Lewis C Wilson commissioners appointed by the Court in the above Cause to make partition, who being sworn state that they will honestly and impartially execute the trust reposed in them as commissioners aforesaid

Subscribed & sworn to
before me this
day of

1859

Isa

State of Missouri }
County of Jefferson } In the Circuit Court.
November 2nd 1858

Isaac Hunt. Francis J. Smith
Ruth Hunt. James and George
Hunt, minor heirs of David Hunt.
dec^d by ~~Isaac~~ Isaac Hunt. their Guardian

vs
Emily S. Taylor. Fanny H. Taylor ^{Lazara Taylor}
Carrol Taylor. Archie Taylor. } In Partition
Mary Taylor. and Emily Taylor.
heirs at law of John B Taylor deceased }

Now at this day come
said Plaintiffs, by their attorney, and the said de-
fendant, Emily S. Taylor, still failing to appear
and answer the petition of said Plaintiffs, and the
answer of the Guardian ad litem for the minor
heirs herein having been filed, and the petition of
said Plaintiffs for Partition and division of the
following described Real Estate, Situate in Jef-
ferson County Missouri, to wit "Six hundred acres
of the tract of land confirmed by the U. S. Govern-
ment, to Auguste Gamache in Township 43
of range three East, being a part of the United
States Survey N^o 1932, acquired by James
Hunt, and Francis J. Smith of the Sheriff of
Jefferson County Mo. on partition Sale among
the heirs of John Perry deceased," being seen
and heard: It is considered by the Court that

partition thereof, be ordered and adjudged between said parties according to their respective rights and interest, therein, and the court proceeding to adjust and settle the rights of said parties, in and to the said real estate, doth adjudge and declare the same as follows, to wit; The said Francis J. Smith is entitled to the one half thereof, the heirs of John B. Taylor, are entitled to one fourth, Ruth Hunt is entitled to the one twelfth part thereof, Isaac Hunt, one twelfth and James and George Hunt, to one twenty fourth each, or the remaining one twelfth part of said lands; And the court doth appoint James S. Brown, Peter M. Brown, and Lewis C. Wilson, commissioners to make partition, and allot the several portions and shares thereof to the respective parties, quality, quantity and value relatively considered by them according to the respective rights and interest of the parties so adjudged by the court, designating the several shares and portions, by metes and bounds, and make report of their proceedings herein, to the court at the next term thereof and this cause is continued

J. Elias D. Honey Clerk of the Circuit Court within and for the County of Jefferson aforesaid do hereby Certify that the foregoing is a true copy of the Judgment of partition

in the above entitled cause, and the order of
appointment of Commissioners to make said
partition as full and complete as the same
remains and appears on the record of said
Court in my office in Book No 4. page
217.

In Testimony whereof I hereto
sign my name and affix the
Seal of said Court. at office
in Hillsboro December 16th
A D 1858

Elias D. Hoovey Clerk

In the Circuit Court
Wednesday June 15th 1859

Isaac Hunt. Francis J. Smith et als
vs
Emily S. Taylor et als

Now at this day comes said
Plaintiffs by their attorney and the Commis-
sioners herein appointed to make having
failed to make their report. on his motion
It is ordered by the Court that said order of
appointment of said Commissioners be in
all things reserved and the cause con-
tinued

A true copy from the record
In Testimony whereof I hereto set
my hand and affix the seal of
said Court. Oct 24th 1859
Elias D. Hoovey Clerk

I Executed this Notice in the County of Jefferson
on the 17th day of January 1859 by Leaven a True copy
at Jas S Brown & Peter M Brown Place of a hande
With a free White member of the family over
the age of fifteen years also also by De linern
this Notice Lewis & Wilson Oscar Daves Sheriff
by J. C. Daves Deputy

To Circuit Court

April Term 1859

Isaac Hunt, Jas S. Smith

Ruth Hunt, & James Hunt

George Hunt, by Guardian

Isaac Hunt

vs } App't. Commissioners

Emily S. Taylor, Janey

H. Taylor, Leard Taylor

Archie Taylor, Mary Taylor

and Emily Taylor, &

Gaura Taylor

James S. Brown

Peter M Brown } Com'p.

Lewis & Wilson } - \$ 3.00

Sheriff Fees \$ 1.50

Isaac Hunt J. J. Smith et als } In the Circuit Court
 " } Jefferson County
 Emily S Taylor et als } In Patition
 "See Bill"

Mary clerk 2 copies petition 50¢ 2 Cents Seals 1¢
 Writ Copy \$1.20 aff. 25¢ Docket 10¢ Index 10¢
 Appointment Cornip 50¢ Copy same 50¢ Cert Seal 50¢
 Report Cornip 25¢ Appoint Guardian ad litem 50¢
 and same 25¢ file 4 papers 20¢

Jas Castello. Sheriff St Louis Co.

Serve 7 depts \$7.00. Copies \$1.50

8.50