

Jefferson County Circuit Court
Case Files - CIVIL
February 1859

Box 10 Folder 69

Wright, David W, gdn.
Hays, Ruthy

v.

Davis, Mary Ann

Partition

40 acres S17T42R3E and 50 acres
in S13T44R5E

Plaintiff
Lydia Hays By David H Wright Guardian
against
Mary Ann Davis
Defendant

In the Circuit Court
of Jefferson County Missouri

The plaintiff states that she and
the defendant are tenants in common and
own the following real estate to wit The
South West quarter of the South West quarter
of Section 17, Township 42 Range 3 East
Containing forty acres lying in Jefferson
County Mo also ten acres part of West
half of South East qr of Section 13 Township
44 of Range 5 East and the Sd 1/4 of the
NE 1/4 of Section 13 Township 44 Range
5 East containing forty acres lying in
St Louis County Mo. The interest of pla
intiff and defendant in the first described
tract of land is an equal undivided
half. The interest of plaintiff in the
second described tract is ten acres undi
vided & the remainder belongs to defendant
The interest of defendant in the third
described tract if any is unknown. Plaintiff
says for partition & sale &c.

J A Real Atty
for plaintiff

The attorney for the plaintiff states on
oath that the foregoing petition & the matters
as therein stated he believes to be true
Subscribed & sworn to } J A Real Atty
before me Feb 24 1859 }
Elias J Kearney clerk. }

Reithy
Septua Mayo

us
Mary Anna Davis

Filed July 24th 1859
Geo. W. Henry
Clerk

2 copies 25¢ 50
2 copies 1.50
miscellaneous 1.25
ad. work 30

David W Wright Guardian
of Ruthy Hays
against
Mary Ann Davis

In the Circuit
Court of Jefferson
County Missouri

The plaintiff, per amended
petition by leave of court, states that the
said Ruthy Hays and the defendant
are tenants in common and as such own
the following real estate lying in Jefferson
County Mo viz The South West quarter
of the South West quarter of Section 17
Township 42 Range 3 East containing
forty acres of land. The interest of Ruthy
Hays is the undivided half thereof and
the interest of defendant is the undi-
vided half of the premises.

Plaintiff prays the Court per par-
tition of the premises according to the
rights of the parties and for sale if
partition cannot be made without
great prejudice to the owners thereof
David W Wright Guardian
of Ruthy Hays

J A Deal Atty per petitioner states
on oath that the foregoing petition &
the matters therein stated he believes
to be true

Shown to before me

Aug 2^d 1859

Elias J Honey clerk

David W. Wright & Son
Printing House
as
Mary A. Davis

Answered petition

Filed Aug 20 1859
Edw. J. Henry Clerk

2 copies

David W Wright Guardian
of Ruthy Hayes
against
Mary Ann Davis

} In the Circuit Court
of Jefferson County
Missouri

The plaintiff, for amended petition
by leave of Court, states that the said
Ruthy Hayes and the defendant and
tenants in common and as such own
the following Real Estate lying in Jefferson
County Mo viz. The South West quarter of
the South West quarter of section 17 Town
ship 42 Range 3 East containing forty
acres of land. The interest of Ruthy
Hayes is the undivided half thereof and
the interest of the defendant is the
undivided half of the premises

Plaintiff prays the Court for partition
of the premises according to the rights
of the parties and for sale if partition
cannot be made without great
prejudice to the owners thereof

David W Wright Guardian
of Ruthy Hayes

J A Beal Attorney for petitioner states
on oath that the foregoing petition &
the matters therein stated he believes
to be true

J A Beal

Sworn to before me Aug 2^d 1859

Elias J. Harey Clk

A true copy of the original ~~Amended~~
petition on file in my office

Witness my hand and Seal
of said Court Aug 3rd 1859

Elias J. Honey

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon *Mary Ann Davis*

----- if she be
found in your County, that she do and appear before the Hon.
Judge of our Circuit Court, on the first day of the next term thereof,
to be begun and held at the town of Hillsboro, within and for the
County of Jefferson, on the ^{Second Monday after} fourth Monday of November
next, then and there to answer unto *David W Wright*
Guardian of Ruthy Wags

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

LS

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 *August* A. D. 1859

Elias J. Hovey
CLERK CIRCUIT COURT.

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David H. Wright Esq.
of Newbury Mass
Henry A. Davis

THE STATE OF MASSACHUSETTS

COURT OF COMMONS

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Mary Anne Davis

----- if she be
found in your County, that she 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 ^{Second Monday} day after the
fourth Monday of November
next, then and there to answer unto David W. Wright
Guardian of Ruthy Lays.

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

Elias J. Honey
Witness, ~~the Clerk~~ Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at
office, in Hillsboro, this Third
day of August A. D. 1859.

Elias J. Honey
CLERK CIRCUIT COURT.

No. 16.
To Circuit Court
December term 1859

David W. Wright & S.
of Peckay Hays
v. J. Summers
Mary A. Davis

Heard when served
returned to J. C. Fletcher

The within named defendant
not found by court
Attest
MA

The State of Missouri, } SS.
COUNTY OF JEFFERSON.

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

We command you, that you summon *Mary Ann Davis*

if she be found in your County, that she
do and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of
Hillsboro, within and for the County of Jefferson, on the second
Monday after the fourth Monday of *November*
next, then and there to answer unto *David H. Wright*
Guardian of Ruthy Hays

upon ~~her~~ ^{amended} original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

Witness, **ELIAS F. HONEY**, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at office
in *Hillsboro*, this *Third*
day of *July* A. D. 1860

Elias F. Honey

Clerk Circuit Court.

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To Jefferson Co. Court
Decer. Term 1860

David W. Wright, Guard
of Ruthy Hays

vs. Summons

Mary Ann Davis

Exhibited this writ and petition
in St Louis County on the 14 day
of August 1860 by delivering a
copy of the same to Mary Ann Davis
the writ in defendant

Fees \$1.00

Paid by Real Atty
for plaintiff

J. E. Spawtenay, Atty
By W. D. Douglass, Esq.

St Louis Mo Feb 10 1861

Dear Sir

I wish that you would let
me know if you have sold
that land ~~you~~ yet please to
rite to me as soon as you get this

Mrs Mary Ann Davis

M. A. Davis



St Louis Mo April the 20 1868

Dear Sir

I wrote to you to know if
you had sold that land yet
but I have got no answer
from you I wish that you
would write to me and let
me know what you have
done, Direct to your letter 379
North 11 Street

Mary Ann Davis

In Davis

State of Missouri }
County of Jefferson }

In the Circuit Court
January 20th 1863

David W. Wright Guardian
of Ruthy Wears

Mary Ann Davis

In Partition
Order of Sale

Now, again at this day,
comes said Plaintiff by his attorney, and
said defendant, having failed to set
aside her default herein entered at the
last term of this Court, and this cause
coming on to be heard upon the petitions
and evidence submitted by said Plain-
tiff, the Court doth find that the said
Plaintiff and said defendant, are the
owners of and interested as tenants in
common in the real estate and premi-
ses in the petition of plaintiff described
as follows: The South West quarter of the
South West quarter of Section 17 Town-
ship 42 range 3 East, containing forty
acres, in the following proportions and
shares. the said Plaintiff is the owner
of one undivided half of said land,
and the said defendant, to the remain-
ing one half. And it appearing to the
satisfaction of the Court, that Partition
in kind cannot be made between
said parties without great prejudice to
said owners, It is ordered and decreed
by the Court, that the Sheriff of Jefferson

County do proceed to sell the land and premises herebefore described at Public Vendue to the highest bidder for Cash that said Sale take place on some day during the Session of the Circuit Court of said County at the Court house door. Notice thereof being given by the Sheriff in the manner required by law for Sales of real estate under Execution and be governed in all things in the manner prescribed by law for such Sales, and pay over the proceeds to the parties according to their respective rights and interests therein and make report of his proceedings herein to the Court, and this cause is continued)

State of Missouri }
County of Jefferson } I, the undersigned
Clerk of the Circuit Court within
and for the County aforesaid hereby cer-
tify that the foregoing is a true and
correct copy of the Order of Sale of the
real estate therein mentioned in the
case of David W. Wright Guardian of the
Estate of Mary Ann Davis
for partition as fully as the same remains
of records in my office

In testimony whereof I have here
to set my hand and affixed
the Seal of said Court at office
this Twenty Sixth day of

March 11 Eighteen hun
dred and Sixty three
Elias F. Hooley Clerk

To Jefferson Lee Court
June Term 1863

David M. Wright Clerk
of County Courts
as { Clerk of Sale
Henry Brandeis

Filed June 18th 1863
Elihu J. Honey Clerk

SHERIFF SALE IN PARTITION.

David W. Right guard,
of Rutty, Moys.

vs
Mary Ann Davis,

In the Circuit Court of Jefferson Co., Mo.

By virtue and authority of an order made by the Circuit Court of the County of Jefferson, State of Missouri, at its January Term, A. D. 1863, I will, on the 11th day of June next, 1863, 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 or real estate, to-wit: the

South West qr of the S. W. qr of Section 17, Township 42 Range 3 East containing forty acres

For the purpose of making partition between said parties, for which the purchaser will be required to pay ten per cent. of the purchase money in hand at the 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 28th day of April 1863

JEROME B. DOVER, Sheriff.

David W. Right, guard. In the Circuit Court
of Ruthy, Slays

vs } Order of Sale

Mary Ann Davis

June Term 1863.

To the Hon Circuit Court
of Jefferson County Missouri

The undersigned Sheriff of Jefferson County would respectfully report that in obedience to the annexed order of sale issued from the office of the Clerk of said Court that having previously given not less than twenty days notice of the time terms and place of sale and what Real Estate was to be sold and where situate by putting up six advertisements in the most public places in said Jefferson County Missouri a copy of which advertisement is herewith filed and makes a part of this report I did agreeably with said Advertisements at the Court house door in the town of Hillsboro on Thursday the eleventh day of June A D 1863. between the hours of nine o'clock in the forenoon and five in the afternoon of said ^{day} and during the Session of the Circuit Court for said County at the June Term thereof for the year eighteen hundred and sixty three expose to sale publicly by auction the following described Real Estate situate in said Jefferson County To Wit: The South West qr of the South West qr of Section 17 Township 42 Range 3 East containing forty acres and James A Real became the purchaser he being then and there the highest and best bidder at and for the price and sum of ten Dollars on which sum he has to me in hand paid ten per cent and gave his note for the Balance as Required by Terms of Sale and This Report is Respectfully Submitted
Jerome B. Doren Sheriff

David H. Wright Guardian of } In the Circuit
 Ruthy Hoays } Court, Jefferson
 Mary Ann Davis } County Mo
 for Partition
 Fee Bill

E. F. Hooney Clerk, 2 copies pet 50¢ 2 cents H. 1¢
 writ Hoopy 1.20¢ affd. 10¢ amended
 pet. 25¢ 2 copies 50¢ 2 cents H. 1¢
 writ Hoopy \$1.20. postage 10¢ docket 50¢
 default deft. 50¢ contrs. 1¢. trial 50¢
 Judgt. 50¢ order sale 50¢ Hoopy same 50¢
 Cert Heal 50¢, report shuff 25¢ dock. Judgt 25¢
 Indexes 20¢ files 30¢ make contrs 25¢
 this fee bill 75¢ atty fee. 25¢ cont 50¢ \$13.10
 J. A. Beal Costs paid by him 1.00
 " atty fee _____
 M. Berre, shuff St Louis Am Ebor
 Summons _____ 50
 J. B. Dover advertising 1¢ bonus 20¢ 1.20

Egda Hoops by her

"

Henry Ann Davis