

Jefferson County Circuit Court
case file civil

Box 11 Folder 41

Breen, Henry S
Breen, Christina

VS

Lee, Mary Eliza
Lee, Samuel J. W.
Ficht, Josephus
Weaver, John W.
Weaver, Mary

Partitions

Heirs of Andrew Ficht; one half of
477 acres in various locations; survey
Map

H S Breen & Christina his wife Plaintiffs
against

Mary Elizabeth Lee

Samuel J W Lee

Josephus Fight

John W Weaver & Mary his wife

Late widow of Andrew Fight Defendants

In the Circuit Court of Jefferson County
Missouri

The plaintiffs state that one Andrew
Fight late of Jefferson County, heretofore
deceased this life and at the time of his
death owned & was seized of the following
property lying in said County viz

1 102 $\frac{52}{100}$ acres of land, fractional Section 32 Town
ship 40 Range 7 East

2 145 $\frac{40}{100}$ acres of land being the North half of Section
5 Township 39 Range 7 East.

3 127 $\frac{13}{100}$ acres, being the South half of Section 5
Township 39 Range 7 East

4 27 $\frac{27}{100}$ acres of Section 4 Township 39 Range 7 East

5 76 $\frac{50}{100}$ acres being Section 9 Township 39 Range 7 East

Said deceased owned one half of these tracts of
land and said Samuel J W Lee owned the other
half by conveyance from said Fight to said
Lee in his life time. A division line of

Said lands was established between said Ficht
& Lee in life time of said Ficht-

The said Ficht owned at his death
the following lands

6 Lot No 5 of NW quarter of Section 4 Town
ship 39 Range 7 East containing 31 acres

7 The North East fractional quarter of North
West fractional qtr of Section 4 Township 39. Range 7
Containing $34\frac{28}{100}$ acres

8 Fractional Section 8 Township 39 Range 7 contain
ing 14 acres

9 Lots 2 & 3 of the North East qtr of Section 5 Town
ship 39 Range 7 East containing $155\frac{40}{100}$ acres

10 Lot No 3 of NW 1/4 Section 6 Township 39 Range 7
Containing $60\frac{25}{100}$ acres

11 Lot No 2. NW 1/4 Section 5 Township 39 Range 7
Containing $77\frac{20}{100}$ acres

12 Lots 1 & 4 of NW 1/4 of Section 5 Township 39
Range 7 containing $119\frac{7}{100}$ acres

13 Lot 3 of NW 1/4 Section 4 T 39 R 7. containing $22\frac{54}{100}$ acres

These last tracts of land from No 6 to 13 in
clusive descended to the heirs of Andrew Ficht
as tenants in common as also the five pieces
first aforesaid descended, the one half to the
heirs of said Ficht

The said Ficht left his widow, Mary who
has since married John W Weaver, and Chris
tina his daughter who has since married said

He S. Breen the plaintiff, and also left Mary Elizabeth a daughter who married Samuel W. Lee and also Josephus Ficht a son.

The said Ficht in his life time made the conveyance first aforesaid to said S. W. Lee as an advancement to his daughter Mary Elizabeth. In addition to which said Ficht made additional advancements to Mary E. & S. W. Lee in cash & personal property.

The interest of said Christina as tenant-in common with the other heirs is the one third of the said lands belonging to said Ficht. The interest of said Mary E. Lee is the one third of the lands belonging to said Ficht. The interest of said Josephus Ficht is the one third of the said lands belonging to said Ficht.

The widow of said Ficht is entitled to dower in said real estate.

The plaintiffs pray the Court to make said Lee & his wife make discovery of the advancements made by said Ficht in his life time to said Lee and to bring the advancements in Hotchpot and further pray for partition of said Real estate and order of sale if partition cannot be made without great prejudice to the owners, according to the resp

correct copies of the owners and for such
other documents orders verified as may be right
&c.

(J. A. Deal, atty)
for Plaintiff

State of Indiana }
County of Jefferson } ss

Jas A Deal Attorney

for the plaintiff's State on oath that
the foregoing petition & the matters as
therein stated, he believes to be true
subscribed & sworn to
before me the 18th day
of March 1859
Chas J Honey Creek

W. S. Green & wife

vs

Mary E. Lee & others

Dated Mar 18th 1859

Elias J. Hooney

Recorder

Copy 25
S. 10
" 10
" 10
" 10

COUNTY OF JEFFERSON, SS.

The State of Missouri.

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

We command you, that you summon Mary Elizabeth Lee
Samuel J. W. Lee, Josephus Fight, John W. Weaver &
Mary his wife late widow of Andrew Fight 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~~ ^{second} ~~Monday~~ ^{after the fourth} ~~Monday~~ ^{Monday} of May
next, then and there to answer unto H. S. Breer &
Christina 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 Nineteenth
day of March A. D. 1859

Elias J. Honey

CLERK CIRCUIT COURT.

I Executed the within writ at the County of Jefferson
the 21st day of March 1859 on John W. Weaver by delivery
to him a true Copy of the within writ and the annexed petition
(as furnished by the Clerk) ^{being the party first served} and also on same day on Samuel
J. Lee and Josephus Ficht by leaving a true Copy of the within
Summons at their respective places of abode with free white
persons of their respective families over the age of fifteen years
and also on the same day on Mary Weaver and Mary E
Lee by reading the within Summons in their presence and
hearing

Oscar Dover Sheriff
By Augustine Wiley Deputy

No. 32
2165
To Jefferson Circuit Court
Dated Term 1859

H. J. Brown and wife
vs
Summons
Mary E Lee
Sam. J. W. Lee
Josephus Ficht
John W. Weaver
Mary Weaver

Sheriff fees & summons \$3.00
Filed April 4th 1859
Clarence & Henry, Att.

Sept 17 1872

J^d S Breen & Christina his wife Plaintiffs

vs

Mary Elizabeth Lee, Saml J^r Lee
and Josephus Dight Defendants
In the Circuit Court
Jefferson County.

The said defendants by Tho C Fletcher
attorney for Mary Elizabeth Lee and Saml
J^r Lee, and guardian ad litem for the defendant
Josephus Dight who is a minor, come and for
themselves only, for answer to the plaintiffs petition state ^{that they believe} the rights
and interests of the parties in the lands in the
plaintiffs petition described are correctly
set out in said petition. and that they are
tenants in common of the said land

Mary E Lee & Saml J^r Lee
by Fletcher their attorney
Josephus Dight by
Tho C Fletcher his guardian
ad litem,

Tho C Fletcher attorney for said Saml
J^r Lee and Mary E Lee the above defendants
on oath states that the foregoing answer and
the matters therein as stated he believes to
be true

Signed & sworn to before me
June 15th 1859.

Elias J. Honey

Clerk

W. J. Green

as

Land of W. J. Green
Baltimore, Md.

Answered

Ala June 15th 1859
W. J. Green
Baltimore

Platt of Dover n.

Rush

ididididid

60. $\frac{26}{100}$ acres

Dover

over-

88

1081

Fight

North

120 $\frac{82}{100}$ acres

River

Smith



67

80 32

77 50

60 75

80 40

16

15

14

13

0

80 50

77 62

66 00

80

21

22

23

24

00

80 40

80 00

East 67.50

80 10

28

27

26

25

28

77 70

80 00

B.O. 15 S 27 W 10

80 00

33

34

35

36

2

Maple 18

B.O. 15 S 27 W 10

Hickory 27 8 11 W 10 5

Sugartree 10 5 5 3 3

2 8 8 5 3 10 2 2

11 0 12 10 6 11 5

B.O. 15 S 27 W 10

Hickory 27 8 11 W 10 5

Sugartree 10 5 5 3 3

2 8 8 5 3 10 2 2

11 0 12 10 6 11 5

B.O. 15 S 27 W 10

Hickory 27 8 11 W 10 5

Sugartree 10 5 5 3 3

2 8 8 5 3 10 2 2

11 0 12 10 6 11 5

State of Missouri }
County of Jefferson } In the Circuit Court
December 18th 1860

Henry S. Breen & Christened his wife

Mary E. Lee, Josephus Dight
John W. Weaver & Mary his wife late
widow of Andrew Dight

For Partition

Order of Sale

Now again at this day
comes said plaintiffs by their attorney, and the
answer of Mary Elizabeth Lee, Saml. J. Lee, and
Marcius J. Dight, being filed making no issues
and the said John W. Weaver and Mary his wife
feeling to appear and set aside their default her-
-in, and this cause coming on to be heard upon the
petition, answers and evidence submitted by said
plaintiffs, the court doth find that said parties are
interested in the lands and tenements in the pe-
tition described to wit: The half of Five tracts of
land, viz. 1st 102 $\frac{52}{100}$ acres of land, fractional Sec-
tion 32, Township 40, Range 7 East, 2nd 145 $\frac{40}{100}$
acres of land, being the North half of Section 5, Town-
ship 39 Range 7 East: 3rd 127 $\frac{13}{100}$ acres being the
South half of Section 5, Township 39 Range 7 East,
4th, 27 $\frac{2}{100}$ acres, frl. Section 4 Township 39, Range
7 East, 5th 76 $\frac{50}{100}$ acres being frl. Section 9 Township
39 Range 7 East, and the whole of the following tracts
of land, Lot No 5, of N.W. quarter of Section 4 town-
ship 39 Range 7 East, containing 31 acres, the North
East fractional quarter of the North West fractional

qr of Section 4 Township 39 range 7, containing
34 $\frac{38}{100}$ acres. Fractional Section 8. Township 39
range 7 containing 14 acres: Lots 2 & 3 of the North
East qr of Section 5. Township 39 Range 7 East con-
taining 135 $\frac{40}{100}$ acres: Lot 3 of N W $\frac{1}{4}$ Section 6. Town-
ship 39. Range 7 & containing 60 $\frac{37}{100}$ acres: Lot No 2
N W $\frac{1}{4}$ Section 5. Township 39 range 7, containing
77 $\frac{7}{100}$ acres. Lots 1 & 4 of N W $\frac{1}{4}$ of Section 5. Township
39 range 7. Containing 119 $\frac{7}{100}$ acres: Lot 3 of N W $\frac{1}{4}$
Section 4. Township 39 range 7 containing 22 $\frac{34}{100}$ acres
in the following proportions and shares, the said
Plaintiff Christina Brown, and the defendants, Mary
Elizabeth Lee, and Josephus Night are each the own-
ers of One third of said lands Subject to the dower
interest of the said Mary Weaver of one third
thereof, for and during her natural life. It is
therefore considered by the Court, that partition and
division of the lands and premises sought to be
divided be ordered and adjudged between said
parties according to their several rights and
interests therein, and the Court doth thereupon
appoint Frances A Buckley, John Matt and
Reuben G Waggoner commissioners to assign
and admeasure the dower interest of the said
Mary Weaver, and make partition and di-
vision of said lands among the said owners
who before they enter upon the discharge of their
duties shall take and subscribed an oath faith-
fully and impartially to discharge the trust
reposed in them according to the Statute in
such cases made and provided.

State of Missouri }
County of Jefferson }

I the undersigned clerk
of the Circuit Court in and for said County
hereby certify that the foregoing is a full and
true copy of the judgment of partition of
said Court and the order appointing com-
missioners therein as full as the same remains
of record in my office

In Testimony whereof I here to
set my hand and affix the
Seal of said Court at office
in Huston March 23rd 1861

Elias D. Honey Clerk

State of Missouri
County of Jefferson 3 ss

Be it remembered that Francis A Brickey and R G Waggoner who are personally known to the undersigned Justice, of the ~~County Court~~ ^{Peace} of Jefferson County Missouri, to be the persons whose names are subscribed to the within Report as commissioners, as parties thereto, this day appeared before ^{me} and acknowledged the same to be their voluntary act and deed for the purposes and uses therein contained

Given under my hand this 2 day of June
1863 E. Vernon J. Peace

I executed the within notice in the County of Jefferson on John Waggoner & John Wiatt & R. G. Waggoner by reading it to them also on Francis A Brickey by delivering him this writ on the 10th day of April 1861
Oscar Dover Sheriff

20 Jefferson Circuit Court
June Term 1861

Re S Christensen Brever

as & for Partition

Mary E Goetsch

Elinor Vernon ~~Wheat~~ \$2.00

John Wiatt

J. A. Brickey } Comps.

R. G. Waggoner

Sheriff fee \$ 1.50

R. G. Waggoner } Comm 7.50

J. Wiatt } 7.50

J. A. Brickey } Surveyor 25.00

W. S. Haggard } 3.00

J. S. Haggard } Chairman 3.00

Deed given 20th 1861

Edward H. Berry att

To the Honorable Circuit Court of the County of Jefferson
State of Missouri greeting

We the undersigned Commissioners appointed in
the above cause, report as follows, First having made oath
to perform our duties as Commissioners. (Said affidavit being
herewith filed) We proceeded to admeasure the Dower of the
said Mary Weaver formerly Mary Ficht, and by the request of
the parties interested, set off the Dower interest in the Rush
Island lands, on the upper part of the Island. Said part
including the only tenanteable house on the lands owned by the
late Andrew Ficht, and beginning at a stake (100) links from
the River bank from said stake a Sycamore 36 inches in
diameter bears S 5° W 18 links, thence running S 34° W 22,50 Chains
to a stake in the middle of Slough from which a Cottonwood
10 inches in diameter bears N 19° E 100 links thence with the
meanderings of the Slough to the River at the head of the
Island thence with the meanderings of the River to place
of beginning Containg $60\frac{26}{100}$ acres

We then proceeded to
admeasure Dower in Lot N^o 3 of NW¹/₄ Section 6 Town 39 Range 7
and Lots N^o 1, 2 & 4 of Section 5 Town 39 Range 7 and Lots
N^o 2 & 3 of NE¹/₄ of Section 5 Town 39 Range 7, and being
fully convinced that the Widow did not care anything
about a Dower in the above described lands (Lot N^o 3 of
Section 6 being detached from the other lands) believing
as we did that it would not be prejudicial to the
interest of the widow, and knowing that it would result

in a benefit to the heirs in case the land should be sold for the payment of the debts of the Estate and believing that we had the right) we consolidated the Dower of the two pieces in one, giving what we considered an equivalent of the one third of lot N^o 3 of Section 6 said dower containing 137.⁷¹/₁₀₀ acres, and beginning at the west $\frac{1}{4}$ Section corner of Section 5 thence S 81° 5' E 38,85 chains thence North 20, chains thence N 81° 5' W 8,60 chains thence North 20, chains thence N 81° 5' W 30,25 thence South 40, chains to place of beginning. The plat of the above lands showing the subdivisions herewith accompany this report

The remaining lands described and having been sold to other parties who were not made parties to this suit, we did not deem it our duty to report farther upon the said lands.

We farther report the land unsuceptible of division among the heirs without prejudice and they also stated that they did not wish them divided, believing that we have fully discharged our duties according to law we submit the report for your approval

May 9th 1862

Commissioners

{ R. L. Waggoner
John Watt
F. A. Buckley

The State of Missouri }
County of Jefferson }

R. G. Haggner John W. A. Brickley being appointed Commissioners to assign and administer the dower interest of Mary Weaver in and to the real Estate of Andrew Fick (deceased) and make partition and division of said Lands among the heirs of said deceased before entering upon our respective duties do make oath and say that we will faithfully and impartially discharge the trust reposed in us according to law

Subscribed and sworn to { J. A. Brickley
before me the 16th day of { John W. A.
April 1867 { R. G. Haggner

M. B. Weaver J. P.

Green

vs

Mary E. Lee

Now comes the defendant
John H. Beamer and Mary his wife
and object to the report of Commissioners
herein made assigning dower herein &
for grounds of objection assign the
following reasons

1. The report is not acknowledged as
required by law
2. The report is inoperative and
does not assign dower in a clear
definite manner
3. The report states that, ^{the Commission, were badly deceived} "the widow
did not care for dower on certain
lands in report mentioned, which
assumption is not true.
4. The report undertakes to determine
what in their judgment would
be best to do to make the lands
to sell to advantage.
5. The Commissioners did not assign
dower or report a division of certain
lands in order mentioned.
6. The report is wholly defective
Thorne & Perkins for
complainant

Green

ⁱⁿ
the chair

Practise to assist
reform of the
Abolishment of Slavery

Billed Jan'y 21st 1863
Oliver J. Honey
Belmont

overruled

Christena Breen et al

S. J. N. Lin et al

Now at this day Come J. W. Weaver, May Weaver, Christena Breen, & Flovia J. Fright Come & move the Court to set aside the report of the Commissioners in this cause for the following reasons.

1. The report does not admeasure the land to those interested, to the greatest advantage of the heirs.

2. The dower of May Weaver formerly May Fright is admeasured to her in separate tracts of land which does great injustice to her & to those making this motion.

John L. Thomas
Atty for Weaver et al

Green et al

3

in et al

Proctor to 24
and report of the
Commissioners.

Filed June 11, 1863
Elias H. Hovey, Clerk

Subscribed June
18th 1863

Bill of expenses

Robt Benson	commfence	3 days	\$ 7.50
William E Rice	do	3 do	7.50
John D. Ashton	Chairman	3 do	3.00
William Shuckler	do	4 do	4.00
Robert Benson	do	4 do	4.00
William H Pearson	ducts	peace	free
William H Rice	Surveyor	free	
			<u>10.00</u>
			<u>\$ 36.50</u>

Expenses of Commissioners and chairman
including horse at John D. Ashton's
while engaged surveying &c

10.00
46.50

The State of Missouri
County of Jefferson

Elisha Vernon Mr J
Reid being appointed Commissioners to assign
and admeasure the dower interest of Mary
Weaver in and to the Real Estate of Andrew
Gight deceased and make partition and division
of Said Lands among the Said owners according
to their respective rights before entering upon our
respective duties do Make oath and say that we
will faithfully and impartially discharge the
Trust reposed in us according to law

Subscribed and sworn to
before me the 19th day of November
1863

Chas. B. Weaver Justice of the peace

E. Vernon
William S. Reid

We the undersigned commissioners appointed by an order of the Jefferson County Circuit Court at the June term 1863 for the purpose of admeasuring the dower interest of Mary Weaver into the lands and premises described in petition of the plaintiffs and make partition and division of said lands among the said owners according to their respective rights do respectfully report that we have laid off the dower of Mary Weaver on the Rush island giving her 116 acres from the north end of said island as is shown on the accompanying plat. also we allotted to Mary E. Lee 58 acres laying in the south part of the island and bounded as follows commencing at a post on the west bank of the Mississippi River from which a Sycamore 18 ~~bears~~ inches in diameter is marked for a corner and a cottonwood 10" bears N 81 W 20 links distant. thence S 60 W through the island to a post on the bank of the slough from which a cottonwood 48 inches bears N 12 W 15 links and an elm 12" S 83 W 8 links distant. thence following the meanders of the island to a post on the bank from which a cottonwood 10" N 48 E 27 links and a cottonwood 8" S 54 E 11 links. thence N 60 E through the island to the west bank of the Mississippi river from which a sycamore 8 bears N 22 W 38 links and a sycamore 6 bears S 59 W 31 links. thence north following the meanders of the island to the place of beginning. the following land described in the order we deem not susceptible of division and we think should be sold for the interest of the parties. Lot No 5 of NW qr Sec 4 T 39 R 7 NE 1/4 of NW 1/4 of NW 1/4 Sec 4 T 39 R 7. Fractional Sec 8 T 39 R 7. Lots 2 & 3 of the NE qr Sec 5 T 39 R 7. Lot 3 NW qr Sec 6 T 39 R 7. Lot No 2 NW qr Sec 5 T 39 R 7. Lots No 1 & 4 of the NW qr Sec 5 T 39 R 7 and Lot 3 NW qr Sec 4 T 39 R 7

Turn Over

all of which is respectfully submitted

Elisha Vernon

William G Reid

State of Missouri

County of Jefferson

} P Be it remembered
that on this 7th day of December A D,
1863 before me the undersigned Clerk of
the Circuit Court in and for said County
came Elisha Vernon, and William G Reid
who are personally known to me to be the
same persons whose names are subscribed
to the foregoing instrument of writing as
parties thereto and they severally ack-
nowledged the same to be their act and
deed for the purposes therein mentioned

In Testimony whereof I hereunto
set my hand and affix the
Seal of said Court the day
and year last aforesaid

Elias J. Hooley Clerk

*Plat of dower and divisions
made on Rush Island*



Description of Corners

- | | | | | | |
|---|-------------|----|------------|----|---------------|
| 1 | Cotton wood | 10 | N 48 E | 27 | links distant |
| | do | 8 | S 54 E | 11 | ~ |
| 2 | Sycamore | 8 | N 22 W | 50 | ~ |
| | do | 6 | S 59 W | 31 | ~ |
| 3 | do | 18 | for corner | | |
| | Cotton wood | 10 | N 81 W | 20 | |
| 4 | do | 48 | N 12 W | 15 | |
| | Elm | 12 | S 83 W | 8 | |

Henry S. Breen & Christina his wife

vs

Mary & Lee Josephus Dight

John W. Weaver & Mary his wife late
widow of Andrew Dight

now at this day the

motion of the defendant John W. Weaver to
reject the report of the commissioners herein
made coming up to be heard and being by
the Court fully understood, It is considered
by the Court that said report be set aside
and rejected. and therefore the Court, doth
appoint. William G. Reid Elisha Vernon.
and Francis A. Brickey commissioners
to assign and admeasure the dower interest
of the said Mary Weaver into the lands and
premises described in the petition of the
plaintiffs and make partition and division
of said lands among the said owners according
to their respective rights and interest therein
which said lands are described in said petiti-
on as follows to wit; the half of five tracts of
land viz, 1st 102 $\frac{50}{100}$ acres of land fractional
section 32 Township 40 Range 7 East 2nd 14 $5\frac{40}{100}$
acres of land being the north half of section
5 Township 39 range 7 east 3^d 12 $7\frac{13}{100}$ acres being
the south half of section 5 Township 39
Range 7 East. 4th 27 $\frac{27}{100}$ acres for section 4 —

Township 39 Range 7 East. 5" $76\frac{50}{100}$ acres being
for Sec 9 Township 39 Range 7 East. and the
whole of the following tracts of land, Lot
no 5 of N $\frac{1}{4}$ quarter of Section 4 Township 39
Range 7 East containing 31 acres. The North
East fractional quarter of the North west
fractional quarter of Section 4 Township 39
Range 7 containing $34\frac{38}{100}$ acres. Fractional
Section 8 Township 39 Range 7 containing 14
acres. Lots 2 & 3 of the North east q^r of Section 5
Township 39 Range 7 East containing $155\frac{4}{100}$ acres
Lot 3 of N $\frac{1}{4}$ Section 6 Township 39 Range 7 E
containing $60\frac{35}{100}$ acres. Lot no 2 N $\frac{1}{4}$ Section 5
Township 39 Range 7 containing $77\frac{70}{100}$ acres
Lots 1 & 4 of N $\frac{1}{4}$ of Section 5 Township 39 Range 7
containing $119\frac{7}{100}$ acres. Lot 3 of N $\frac{1}{4}$ Section 4
Township 39 Range 7 containing $22\frac{24}{100}$ acres.
And the Court doth declare the rights and
interests of said parties of in and to said
lands as follows, viz, the said Mary Weaver
as the widow of Andrew Slight is entitled to a
dower interest of one third of said lands for
and during her natural life, the said
Christina Breen. Mary E Lee and Josephus
Slight are each the owner of and interested
in the one third each of the whole of said
lands subject to the dower interest of the
said Mary Weaver. And it is further ordered

that said commissioners before entering upon the discharge of their duties shall take and subscribe on oath faithfully and impartially to discharge the trust reposed in them according to the Statute in such cases made and provided,

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 full true
and complete copy of the order of said
Court in the above entitled cause for the
partition and division of the lands and
premises therein mentioned as fully as
the same remains and appears in the
records of said Court in my office
In Testimony whereof I
hereunto set my hand and
affix the Seal of said Court
this Tenth day of August
A D Eighteen hundred
and Sixty three
Elias F. Hoovey Clerk

H. J. Pressing

27. Sept. 1864

Young & Co. etc.

Report of Cornish.

Filed and affirmed

July 11th 1864

Wm. O'Boyle
Clerk

RECEIVED
JULY 11 1864
COURT

Henry D. Breen & Wife } To Jefferson Circuit Court
w } Order of Sale } June Term 1864
Mary E. Lee et al }

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 County that having previously given not less than twenty days of the time, Terms, and place of Sale, and What Real Estate was to be Sold and Where Situated by putting up six advertisements in the most public places in the County aforesaid, A copy of which advertisements is herewith filed and make a part of this Report I did agreeably with said advertisements at the Court House Door in the Town of Hillsboro, on Wednesday the Eighth day June A. D. 1864, between the hours of nine O'clock in the fore noon and five O'clock in the afternoon of that day, and during the Session of the Circuit Court for said County at the June Term thereof for the year eighteen hundred and sixty four, expose to sale publicly at auction the following described Real Estate, Situated in said Jefferson County To wit, Part Section No Eight, Township 39 Range Seven East Lots 2, & 3 of the N. E. qr of Section five, Township 39 Range, Seven East Lot 3 of the N. W. qr of Section six Township 39 Range seven East Lots 1, & 2 of the S. W. qr of Section five Township 39 of Range seven East Lot 4 of the S. W. qr of Section five Township 39 Range seven East and Lot three N. W. qr of section 4 Township 39 Range seven East, and Charles Jones became the purchaser of the following pieces at and for the price and sums following, fractional section eight at and for the price and sums

of Twenty Six Dollars Lots 2 & 3 at One hundred and sixty
nine Dollars Lot (3) three at three hundred and five Dollars
Lot four at Sixty five Dollars, and Joseph Griffin
became the purchaser of the following pieces of land
for the prices and sums following Lot 3 of N.W. q. of
Section 4 Township 39 Range seven East at One hundred
and Sixty eight Dollars, Lots 1, & 2 of the N.W. q. of
Section five Township 39 Range 7 East at Ninety
Dollars, the two first pieces as described in the Order
of Sale were not sold it having been ascertained that
they had been previously sold the aggregate amount
of sales being Eight hundred and twenty three Dollars
which prices and sums, by consent of the Court
and Parties Interested, have to me in hand
paid and this Report is Respectfully submitted
this June 10th 1864

Jerome B. Dore Sheriff

SHERIFF SALE IN PARTITION.

Henry S. Breen & Wife
vs } order of sale
Mary, E. Lee et al

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 December Term, A. D. 1863, I will, on the Eighth day of June next, 1864, 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 ~~Lot 16, 5 of N. W. qr~~

~~Section 4 Township 39 Range 7 N. E. 1/4 of N. W. 1/4 of Section 4 Township 39 R 7 Fractional Section 8 T 39 R 7, Lots 2 & 3 of the N. E. qr Section 5 Town 39 Range 7. Lot 3 N. W. qr Sect 6 T 39 R 7 Lots 1 & 2 N. W. qr Sec. 5 T 39 R 7 Lots 1 & 4 of the N. W. qr Sect 5 Town 39 Range 7 and Lot 3 N. W. qr Section 4 Township 39 Range 7.~~

For the purpose of making partition between said parties, for which the purchaser will be required to pay ~~one half~~ ^{one half} 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 ~~17th~~ ^{17th} day of April 1864

JEROME B. DOVER, Sheriff.

State of Missouri }
County of Jefferson } In the Circuit Court
February 11th 1864

Henry L Breen and
Christened his wife

= vs =
Mary E Lee Josephus Dight
And W. Weaver & Mary his wife

And now the
report of William G Reel and Elisha Vernon
two of the commissioners hereon appointed
to make partition and division of said
lands, and make their report from which
the Court doth find that the lands hereon
after described are not susceptible of
partition and division in kind, and
the Court being satisfied that said report
is just and correct, doth order that the
Sheriff of Jefferson County sell the lands
in said report mentioned and described
as not susceptible of partition and division
to wit: Lot No 5. of N. W. qr Section 4. Township
39. range 7. N. E. fracl qr, of NW 1/4 qr
Section 4 T. 39. R 7. Fractional Section
8. T. 39. R 7. Lots 2 & 3. of the N. E. qr Sec
tion 5 Town 39. range 7. Lot 3 N. W
qr Sec 6 T. 39 R 7. Lots 1 & 2. N. W. qr
Sec. 5. T. 39 R 7. Lots 1 & 4 of the N. W.

qr Sec. 5 Twn 39 Range 7. and Lot
3 N.W. qr Sec 4, Twn 39 Range 7. That
said Sale take place on some day, during
the sitting of the Circuit Court of said
County, for one half of the purchase money
in cash at the time of sale, and the bal-
ance in twelve months, bearing six per
cent interest. Notice thereof being given by
the Sheriff in the same manner provided
by law for sales of real estate under. Exe-
cutions, and be governed in all things in
the manner prescribed by law for such
sales, and report his proceedings herein to
the Court.

A true copy from the record
In Testimony whereof I have
hereunto set my hand and affixed
the Seal of said Court. at office
March 28th 1864
Elias J. Honey Clerk

moderately &
To Jefferson Larch South
June Term 1864

Henry & Green wife
as & Order of the
Many Exchanges

Reback of the 1000
Museum

At the time 10 1864
To the Attorney & Co

Christiane Buis.

against

May E. Lee, Same & W. Lee

Josephus Ficht

John W. Weaver May Weaver.

In partition of real
estate

Now at this day come the parties aforesaid and in the one
properly by their respective attorneys, & the said Josephus Ficht by his
Guardian ad litem and by Christiane Buis appointed Guardian
for said Josephus by the County Court of Jefferson County, Mo., and
also parties in interest & the purchasers of said real estate
to wit Charles Jones & Joseph Guffitt, who has since
the commencement of this suit intervened with
May E. Lee & now a party to this proceeding consent that
the whole amount of the purchase money be paid over
to the Sheriff of Jefferson County, Mo. deducting ten per
cent discount on the deferred payment, which is according
to said deferred payment having been made to the Sheriff
by the said purchasers of the purchase money for the
land respecting purchase by said Jones & by the
said Josephus for the tract of land respecting
purchase by each of them, it is noted that the
Sheriff executed a deed to the said Charles Jones
for the land purchased by him, and paid for
by him in cash, and also a deed for the land
purchased by said Guffitt for the land
purchased by him & paid for by him &
~~that the money be distributed by the Sheriff~~
~~to the parties as follows~~

Mary A. Green

is

Mary & Joe at

W. H. Green 10 1894
E. H. Green & Co

M. S. Brewster Christiana

In partition.

5

It is ordered by the Court that Christine Beards
appointed Guardian of the person & Guardian & Curator
of the estate of Josephus Ficht a minor, & that she execute
a bond as such Guardian & Curator in the sum of Seven
Hundred dollars. ————— dollars to be approved
of by the Clerk of the Superior Court & that after
the filing & approval of said bond that the Sheriff pay
over to such Guardian & Curator the money accruing
to said Josephus from the sale of land in
partition in the above entitled cause, & that the
Sheriff hand, & that he retain the money in
his hands until the order is complied with.

W. S. Green's wife
as

Mary S. Decatur

Appointment of
W. S. Green Guardian
and Administrator of
Josephine Knight

Filed June 11 1864
E. H. Honeywell

H. S. Breen & Christena his wife
 vs.
 Mary E. Lee, S. J. W. Lee, Josephus
 Fighi, John W. Weaver & Mary his
 wife, late widow of A. Fighi, dec'd.

Partition in the
 Circuit Court of
 Jefferson County,
 Mo.

Fee Bill.

Elias F. Honey, Clerk.

1 copy pet. 75¢, cert. & seal 50¢, writ & copy \$1.00 - \$2.45

Off. 10¢, docket 50¢, withdrawal 25¢, default 50¢ - 1.35

order App. Guard, 50¢, Ans. of Guard, 25¢, cont. 50¢ - 1.25

2nd Cont. 50¢, trial 50¢, judge \$1.00, order App. Commis. 50¢ - 2.50

Copy same 75¢, cert. & seal 50¢, Cont. 50¢, report Commis. 25¢ - 2.00

motion 25¢, judge 50¢, Subwrit 25¢, Cont. 25¢, index 40¢ - 1.65

dock. judgt. 25¢ record report \$1.00, Atty. fee 25¢ - 1.50

order Sale 50¢, Copy same \$1.00, cert. & seal 50¢ - 2.00

Cont. 25¢, report Sheriff 25¢, order 10¢, order dist. 25¢ - .85 \$15.55

Order App. Commis. 50¢, Copy same 75¢, cert. & seal 50¢ - 1.75

C. Dover, Sheriff.

\$17.30

Serve. 5 defts. \$5.00, Serve. 3 Commis. \$1.50 - 6.50

Calls 20¢ 20 \$6.70

F. A. Brickey, Commis. & Surveyor, \$25.00

John Wiatt, Commis. 7.50

R. L. Waggoner, " 7.50

H. Edggs, Chairman 3.00

James Edggs " 3.00 \$46.00

James A. Beal, Attorney Fee 50.00 \$50.00

\$128.00

Amount forward.	\$120.00.
Elisha Vernon, Commisr, Chairman & J.P. --	13.50.
Wm G. Reid, " & Surveyor,	17.50
Jno. P. Ashton Chairman	3.00
Wm Strickland	4.00
Wm B. Weaver	.50.
Expenses of Commisr, Surveyor &c.	10.00 \$48.50
	<u>\$168.50</u>

Jerome B. Dover, Sheriff.	
Com. on \$823 ⁰⁰ , @ 2 pr. cent.	16.46.
Advertising	1.00 17.46
	<u>\$ 185.96</u>

Joe Bell.

H. B. Deen & wife

or

Mary E. Deen et al.

Yeaman &
Howard
Christen
Judy.

Henry Bailey Jr. Executor
of said J. W. Lee
vs
Jno J. Ashton et al

In the Circuit
Court Jeff Co.

The Clerk will describe the
above cause, on the payment of costs
by the defendant. Henry Bailey Jr
April 6th 1863

Henry Bailey Esq
of St. Michael's
no 1st Arthur

Committee of Cause

Alfred Sprad 6th 1863
Elias Mooney
Clerk