

June, 1859

Brown, B. Gratz

vs

Kasson, John A.

Shipp, Ervans C.

Cheney, William

Cheney, Harriet,

et al

Partition

307 acres in S 18 T 43 R 24 E; other
defendants James Adams, Jr., Eliza
Adams, unknown heirs of Adaline
Lindsey

B Grady Brown Plaintiff
against
John A. Kasson,
Francis Le Ship
William Chaney & Harriet Chaney
El James Adams Jr & Eliza Adams
and the unknown heirs of Adaline
Lindsey.

Defendants
In the Circuit Court
Jefferson County.

Plaintiff states, that he is owner and
interested in an estate of inheritance with the
defendants of the following described land
situated in the County of Jefferson, to wit,

The west ^{fractional} half of section number Eighteen in
Township no forty three of Range four East
and the west fractional half of North East
quarter of Section eighteen aforesaid in said
Township & Range containing in the aggregate
three hundred and seven acres and eighty two
hundredths of an acre.

That plaintiff and defendants are tenants
in common of said land, and are interested
therein in the following shares & proportions
the plaintiff is entitled to one eighth of said
land

The defendant Kasson is the owner of one
eighth.

The defendants Harriet Chaney, & Eliza Adams
are the owners of one sixth each

The unknown heirs of Adaline Lindsey are the
owners of one sixth.

Plaintiff prays the court for partition
and division of the said land among the
said parties plaintiff and defendant

according to their respected rights and
interests therein, and for a sale thereof
if it shall appear that partition cannot
be made without prejudice to the said
owners

D Grady Brown
By Fletcher his atty

The C Fletcher attorney for plaintiff on
oath states that the foregoing petition and
the matters therein as stated he believes
to be true, and further states that said
defendants ^{are} all unknown or non residents
of the State of Michigan. The C Fletcher
Signed & sworn to before me
June 14th 1859.
Elias J. Hovey Clerk

order of publication June 14th 1859

Proof Pub. Order signed Henry June 16 1859

2 Centuries ago

order of publication

copy of

order of

proof of

order of

order of

2437

P. Brady Brown

vs.

Harriet Chancy &
others.

for Partition

proof of Pub. & Default
vs. all Defendants

Dated June 14th 1859
Elihu F. Hooley, Clerk

STATE OF MISSOURI.

County of St. Louis,

SS.

Personally appeared before the undersigned, (a *Notary public* within and for the
the County of St. Louis,) *J. M. McKee*
who, being duly sworn, depose and saith, that the annexed advertisement was published in the "*Missouri Democrat*," (printed within the said County and State, the newspaper of which he is the printer,) for
four times, the first insertion
being on the *sixteenth* day of *August* and the last
insertion on the *sixth* day of *September* 185*9*
as follows:

STATE OF MISSOURI, COUNTY OF JEFFERSON—ss.—In the Circuit Court, June 15th, 1859.
B. Gratz Brown plaintiff vs. John A. Kasson, Francis C. Shipp, William Chaney, Harriet Chaney, James Adams, Jr., and Eliza Adams, and the unknown heirs of Adaline Lindsey, defendants. Order of publication.

Now, at this day, comes said plaintiff by his attorney, and files his petition, verified by affidavit, stating among other things, that said defendants are all non-residents of the State of Missouri, or unknown. It is therefore ordered by the Court, that the said John A. Kasson, Francis C. Shipp, William Chaney, Harriet Chaney, James Adams, Jr., Eliza Adams, and the unknown heirs of Adaline Lindsey, be notified by publication of the commencement of this action, the object and general nature of which is to obtain a judgment and decree for the partition and division of the following described real estate, situate and lying in the county of Jefferson and State of Missouri, to-wit: The west fraction of half of section number eighteen, in township number forty-three of range four, east, and the west fractional half of north-east quarter of section eighteen aforesaid in said township, and range, containing in the aggregate three hundred and seven and eighty-two hundredths of an acre, and for a sale thereof, if it shall appear that partition cannot be made of the same without great prejudice to the owners thereof, and that unless they be and appear before the Circuit Court of said Jefferson county, on the first day of the next term thereof, to be begun and held at Hillsboro, in said county, on the second Monday after the Fourth Monday in November next, the same will be taken as confessed against them. It is further ordered, that a copy hereof be published in the Missouri Democrat, a newspaper published in this State, for four weeks successively, the last insertion to be at least four weeks before said next term.

A true copy from the record. In testimony whereof I hereto set my hand and affix the seal of said Court,
L. S. August 6th, 1859.
ELLAS T. HONEY, Clerk.
THOS. C. FLETCHER, Plff's Att'y.

Aug 16th 1859
23d "
30th "
Sept 6th "

J. M. McKee

Sworn to and subscribed before me, this *7th*
day of *June* 185*9*

Liberty Smith
Notary Public

Printer's Fee, *8.00*
Affidavit, *20*
\$8.25

B. Gratz Brown

John A. Casson, Francis B.
Shipp, Wm. Caney, Harriet
Ordway, James Adams Jr and
the unknown heirs of Adeline Lindsey

} Report of Sale
In the Circuit Court
November Term 1865

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 Advertisement at the Court House door in the Town of Willeboro on Tuesday the fourteenth day of November A.D. 1865 between the hours of Nine O'clock in the forenoon and Five in the afternoon of said day expose to sale publicly at Auction the following described Real Estate situate in said County to wit: The West fraction of half of Section 18 in Township 43 of Range 4 East and the west fractional half of the North East quarter of Sec 18 Town 43 of Range 4 East Containing three hundred and seven and $\frac{8}{100}$ acres and H. Gizeleman being the highest and last bidder for the above land at the price and sum of Eight Hundred Dollars of which sum he has paid me ten per cent and given

his note for the balance as required by Terms of Sale
and this Report is also respectfully submitted

C. C. Fletcher
Sheriff

SHERIFF SALE IN PARTITION.

B. Gratz Brower

^{vs}
John A. Nasson Francis O. Shipp
Wm. Carney Harriet Carney
Jas Adams Jr & Eliza Adams
Of the unknown heirs of Caroline
Linsey Defendant

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 May Term, A. D. 1865, I will on the 14th day of November next, 1865, 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

West fractional of
half of Section 18 in Township 43 of
Range 4 East and the west fractional half
of the North East quarter of Sec 18 Town 43
of Range 4 East Containing three Acre and
and Seven ~~acres~~ and $\frac{83}{100}$ 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 3rd day of Oct 1865—

CHAS. C. FLETCHER, Sheriff.

1
J. G. Smith
J. G. Smith

J. G. Smith and \$8.00

B. Gratz Brown, plaintiff,
against
John A. Nasson,
Francis C. Shipps,
William Chaney and Harriet Chaney
James Adams jr. & Eliza Adams,
and the unknown heirs of Adaline
Lindsey, defendants.

In the Circuit Court
of Jefferson Co. Mo.
May Term 1867.
Suit of partition.
Motion
to amend and
complete record
nunc pro tunc.

Now on this day comes Henry Gieselmann and makes the following statement and motion.

Said Henry Gieselmann states, that on June 14th 1859, in the Clerk's Office of the Circuit Court aforesaid, the plaintiff, above named, filed a petition against the above named defendants for a partition of the following described land situate in Jefferson Co. Mo to wit: the West 1/2 of sec. 18, in Town. 43, Range 4 East, and the West 1/2 of the N.E. quarter of sec. 18, in Town. 43, Range 4 East, containing $307 \frac{82}{100}$ acres; that at the time of the filing of said petition Francis C. Shipps, one of defendants had an estate in fee simple in an undivided one fourth of said land; that plaintiff's attorney however in the setting forth of the various interests of the parties to

said action admitted by mistake to describe the interests of said Francis C. Shipp, as aforesaid, in said petition.

*Book 4
page 266.*
This motioner further states, that besides the other defendants said Francis C. Shipp ~~was~~ was properly summoned by publication and default entered against him, ^{and his co. defendants.} at the June Term 1860; that the Court at the May Term 1865, till which time said cause was regularly continued, made said Judgment by default final against said Shipp and the other defendants and found ~~said~~ plaintiff and said defendants to be the owners and tenants in common of said land ~~and~~; that the Court then found the interests of the parties; but that in making up the record thereof a mistake, similar to that in the petition was incurred, namely an omission of the description of the interest of said Francis C. Shipp, and that *Book 5.
page 147.* an Order of sale of the land above described was then made.

This motioner further states, that before the sale of said land at the November Term 1865. he had bought the interest of all the parties to said suit, except that of said Francis C. Shipp.

and that at the sale of said land on November 14th 1865 he became the purchaser of all of said land for the sum of Eight hundred dollars.

Now in consideration of the premises this motioner Henry Gieselmann respectfully ~~mores~~ ^{mores} the Court, to alter, amend and complete the record, - containing the finding of the interests of the parties to said action and an order of the sale thereof, - so, that according to said record the Court found besides the interests of the other parties the interest of Francis C. Shipp, to be ~~the~~ an estate in fee simple in the undivided one fourth of the land, therein described, and also to cause an insertion of the interest of said Shipp to be made in the petition in said case.

Henry Gieselmann
by Henry F. Ahlers
his Attorney,

B. Grady Brown
against
John A. Hanson
and others
Partition.

Motion
by Henry Reed
namely to re-
tify record in
said cause name
per himself.

Filed May 6th 1867
Edw J. Harvey Clerk

B. Gatz Brown et al } In the Jefferson
 2 } Circuit Court
 Harriet C. Honey et al } May Term 1868.

Henry Guslemon states that in November 1865, C. C. Fletcher who was then Sheriff of Jefferson Co. Mo. sold the following described land situate in Jefferson Co. viz: the N^W $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{4}$ of Sec. 18. T. 43, R. 4. E. Containing 318 acres for the purpose of making partition in the above entitled Cause, at which sale your petitioner became the purchaser of said land for the sum of \$800. all of which has been fully paid. He further states that the term of office of said Fletcher as Sheriff of said County expired & John Williams is the present Sheriff of said County. He further states that said Sheriff Fletcher nor Williams ~~has~~ ^{has} executed a deed to said land to your petitioner. He therefore asks the Court to order said Williams to make to your petitioner a deed for said land.

H. Guslemon
 By John L. Thomas atty.

2427

B. Galt Mason
25

Mount Liberty Ave

Station of Henry
Guilman for an
order on the bank
to be cut and sent

Chico May 22nd 1868
E. J. Mason C.

State of Missouri } p.
County of Jefferson }

In the Circuit Court

B. Gratz Brown Plaintiff
against

John A. Mason
Francis L. Shipp et als
Defendants.

See Bill

E. T. Hooney clerk, affd. 10¢ order pub
lication 50¢ copy 50¢ cert Seal 50¢
Prof pub. 23¢ default 50¢ docketts 60
continuances to Decr 1864 \$ 1.50
Fees 10¢ Indexes 40¢
Cont. June

\$4 95

8 25

Hooney

13 20

100
1 30
25

3 25

25

3 50

1 3 20

1670

Ed. M. L. Brown

Harriet Channing at

The Rice