

Sofferson County Circuit Court
Case File - Civil

Box

12 Folder 62

September 1860

Martin, Lewis

vs

Ferritt, Andrew
Ferritt, Zoumerie
Basso, Angella

Partition

80 acres in S27, 28 T40 R6E

Lewis Martin, Plaintiff Against Andrew Gerritt & Hanesmarie Gerritt, Children & heirs of John Gerritt, deceased, Angella Basso, widow of said deceased, and A. Basso, Defendants	In the Circuit Court Jefferson County Missouri
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Plaintiff states that he and
 John Gerritt purchased jointly the fol-
 lowing ~~deceased~~ tracts of Land situate in Jef-
 ferson County Missouri and received a
 deed for the same, to wit, The South West
 quarter of the South West quarter of Sec-
 tion Twenty Seven in Township Forty of
 Range Six East, containing forty acres,
 also, the South East quarter of the South
 East quarter of Section Twenty Eight in
 Township Forty of Range Six East, con-
 taining forty acres. That afterwards
 the said John Gerritt died leaving but
 two children ^{who are minors} as his only heirs, to wit An-
 drew Gerritt and Hanesmarie Gerritt ^{the defendants} who
 are each entitled to the undivided one
 fourth of said Land subject to the con-
 vey interest of Angella Basso, the widow
 of said deceased ~~the~~ the one undivided
 half of said Land, (she having since
 the death of her husband married the
 said A. Basso,) and the Plaintiff is
 entitled to the one undivided half of
 the Land aforesaid,

Plaintiff states that he and the

Said Defendants hold the lands herein described as Tenants in Common, He prays the Court to order & decree a division and partition of said lands, according to the respective rights of the parties interested therein as herein stated, and for a sale thereof if it shall appear that partition cannot be made without great prejudice to the owners.

} Abner Green
} Attorney for plaintiff.

Lewis Martin, plaintiff, makes oath and says the above petition and the matters therein as stated he believes to be true. And this Affiant further states that all of the Defendants ~~stated in~~ the above petition are non-residents of the State of Missouri,

Sworn to before me
Sept. 6th 1860

} Lewis ^{his} X Martin
mark,

Elias D. Harvey clerk

order publication Book No 4 page 376	
Proof. same, & default	452
Order,	478
"	514
" Sale	529

2029
In Circuit Court

Jefferson County

Levi Martin

vs,

Andrew Smith

and others

Partition

Not publication

do make as to all

the defendants,

Ad. Green

Att'y. in fact.

Filed Sept 6th 1860

Oliver B. Hooley Clerk

16.25 paid by Ad. Green for Pub.

In the Circuit Court, in Vacation, September 6th, 1860.

STATE OF MISSOURI, }
COUNTY OF JEFFERSON, } ss:

Lewis Martin, Plaintiff,
against

Andrew Ferrett, Zanemarie Ferrett, children and heirs of John Ferrett, deceased, Angella Basso, widow of said deceased, and A. Basso, Defendants. } **Order of Publication.**

THE Plaintiff herein having filed his petition, verified by affidavit, as required by law, stating, among other things, that the said defendants are all non-residents of the State of Missouri. It is thereupon ordered by the undersigned Clerk of said Circuit Court, that they 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 partition and division of the following described piece or parcel of land situate and being in the county of Jefferson and State of Missouri, viz: The south west quarter of the south-west quarter of section twenty-seven, in township forty, range six east, containing forty acres; also the south-east quarter of the north-east quarter of section twenty-eight, in township forty, range six east, containing forty acres, and for a sale thereof, if it shall appear that partition and division cannot be made without great prejudice to the owners of the same. And unless they be and appear before said Court, on the first day of the next term thereof, to be begun and held at the Court House in Hillsboro within and for the county of Jefferson aforesaid, on the second Monday after the fourth Monday in November next, and on or before the fourth day of said term 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, a newspaper printed and published in this State, for four weeks successively, the last insertion to be at least four weeks before said next term.

Attest: ELIAS F. HONEY, Clerk.

A true copy from the record.

In testimony whereof I hereunto set my hand, and affix the seal of said Court, at office, September eighth A. D. 1860.

seal

ELIAS F. HONEY, Clerk.

STATE OF MISSOURI,
COUNTY OF ST. LOUIS.

Personally appeared before the undersigned, a Notary Public, within and for the County of St. Louis,
John Snapp who, being duly sworn,

deposeeth and saith, that the annexed advertisement was published in the "Missouri Republican," printed in this State,
the newspaper of which he is printer, for *Six* times, the first insertion being on the *thirteenth* day of *September* 1860
and the last insertion on the *twelfth* day of *October* 1860
as follows:

Sept 13 19 *Daily*
" 14 " 36 *Weekly*
" 21 " 37 "
" 28 " 38 "
Oct 5 " 39 "
" 12 " 40 "

Sworn to and subscribed before me, this *13th*

day of *November* 1860

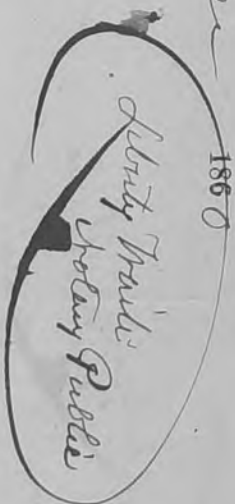
John Snapp

Printer's Fee,

7.00

Affidavit,

2.25
8.25



Low Houston

as {

And. Bennett at

Filed Dec 20 1860

Wm. J. Hooley

Clerk

Louis Martin } In the Circuit Court
vs } of Jefferson County
Andrew Ferrieth et al }

Now at this day comes Joseph
J. Williams Guardian ad Litem for
said Defendants - of said Defendants -
and for answer to the petition of Plaintiff
says that he believes the interests of the
said parties as stated in said petition
in said Real Estate - is correctly stated

Joseph J. Williams
Guardian ad Litem

Sworn to and
Subscribed before me }
This 20th of January 1863 }
Elias J. Honey Clerk

Dear Maria

my

A. Bonnet

Conservator of the
as of the

St. Paul 20th 1863
Edw. & Henry
Cl

State of Missouri }
County of Jefferson }

In the Circuit Court
January 21st 1863

Lewis Martin Plaintiff

vs
Andrew. Ferrett Jane-
marie Ferrett Children
and heirs of John Ferrett decd
Angella Basso widow of said
deceased and A. Basso defendants

In Partition

Order of Sale

Now, again at this day comes said Plaintiff by his attorney, and the said Angella Basso, and A. Basso, failing to appear and set aside their default herein entered, and the answer of the Guardian ad litem of the said Andrew Ferrett and Janemarie Ferrett, minor defendants herein being filed, and this cause coming on to be heard upon the petition, answer and evidence submitted, by said Plaintiff, the Court doth find that said Plaintiff and said defendants are the owners and tenants in common of the lands and premises in Plaintiff's petition described as follows, to wit: The South West quarter of the South West quarter of Section twenty seven in Township Forty of Range Six East containing forty acres. Also, the South East quarter of the North East quarter of Section twenty eight in Township Forty

of range Six East containing forty acres
situate in Jefferson County Mo. in the
following proportions and shares, the
said defendants Andrew Ferrett and
Zaner Marie Ferrett are each entitled to
the undivided one fourth of said lands
subject to the dower interest of Angella
Basso, the widow of Mo Ferrett deceased
the said Angella Basso and her husband
A. Basso, are entitled to a dower interest
of One third of one half of said land for
and during the natural life of said
Angella Basso, and the said Plai-
tiff is entitled to the remaining one half
thereof, And it appearing to the satisfac-
tion of the court, that said lands are
so situate, that partition and division
thereof in kind cannot be made with-
out great prejudice to said owners. It is
therefore ordered and decreed by the
court, that the Sheriff of Jefferson County
do proceed to sell the lands and premises
hereinbefore described at Public Auction to
the highest bidder at the Court House door
in said County for ten per cent of the
purchase money in cash at the time of
Sale, and the balance in twelve months,
that for the deferred payment, he take
from the purchaser or purchasers thereof
a bond or Note with good security bear-
ing interest from date at the rate of
Six per cent per annum, that said Sale
take place on some day during the

Sitting of the Circuit Court for said
County. Notice thereof being given by the
Sheriff in the manner required by
law, for the Sales of real estate under Ex-
ecutions, and be governed in all things
in the manner prescribed by law for
such Sales, and bring into Court the
proceeds of said Sale to abide the fur-
ther orders of the Court herein, and this
cause is continued

In Testimony whereof
State of Missouri }
County of Jefferson } I, the undersigned
Clerk of the Circuit Court, within and
for said County do hereby certify that the
 foregoing is a full true and correct copy
of the order of Sale made by said Court
in the case of Lewis Masters against
the heirs and widow of Mo Ferrett decd
for partition of the lands and premises
therein mentioned, as fully as the same
remains of record in my office

In Testimony whereof I have
hereto set my hand and
affixed the Seal of said
Court, at office this Twenty
Sixth day of March A.D.
Eighteen hundred and sixty
three.

Elas J. Honey Clerk

To Jefferson Lee Smith
June Term 1863

Deeds of Lincoln
as 3 Under Sale
Andrew Smith
Tennessee Smith
Angelle, Deeds.

Filed June 18d 1863
Clerk of the Court
John G. Smith

Lewis Martin
vs & Order of Sale
Andrew Fenitt
Garcemarie Fenitt
Angelica Basso

In the Circuit Court
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 Term 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 said Jefferson County Missouri 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 Sillsboro on Thursday the Eleventh Day of June 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 S. W. q. of the S. W. q. of Section 27 Township 40. of Range Six East containing 40 acres also the S. E. q. of the N. East q. of Section 28 Township

party of Range Six East containing forty acres -
and Angella Caffereta became the purchaser
and for the price and sum of two hundred
and forty five 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. Bower Sheriff

SHERIFF SALE IN PARTITION.

Lewis, Martin

vs

Andrew, Fenitt 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 January Term, A. D. 1865, I will, on the 11th day of June 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

The South West qr of the South West, qr of Section Twenty Seven in Township forty of Range Six East containing forty acres, also, the South East qr of the North East qr of Section twenty eight in Township forty of Range Six East containing forty acres in Jefferson County Mo,

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 1865

JEROME B. DOVER, Sheriff.

Lewis Barton

as

Andrew Ferrett

Janemarie Ferrett

Angella Basso

In the Jefferson Cir
Court

In Partition

See Bill

E. F. Honey Clerk

Order Publication 50¢ copy same 50¢

cert. Heal 50¢ affd. 10¢ default 50¢

contemⁿ 50¢ Order 50¢ ans heard 50¢

affd. 10¢ Order 50¢ trial 50¢ judgt 1¢

copy order 75¢ Cert. Heal 50¢

Proof. Pub. 25¢ cont. 50¢ docketts 50¢

Index 20¢ report sale 25¢ atty fee 25¢

make up costs 25¢ this fee Bill 75

Bal. paid printer 1¢

costs paid by Plff

A Green atty — allowed

Jerome B. Dover Sheriff

Advertising sale

commission on \$259⁷⁰ @ 2%

9 15

625

25 00

1 00

519 619

\$4659