

November 1860

Byrns, Thomas

VS

Ramey, Michael
Ramey, Ann
Ramey, Thomas
Ramey, Frances

Partition

Heirs of Moses Ramey; 418 acres in
S 32, 33 T 43 R 4 E, part of U.S. Survey
3059 of Jacques Clamorgan; survey
Map

Thomas Byrnes Plaintiff

vs

Michael Raney

Ana Raney

Thomas Raney

Francis Raney Defendants

In the Circuit
Court of Jefferson
County, Mo

The plaintiff states that some time since, one Moses Raney departed this life at Jefferson County Mo and owned and died seised of the following lands lying in said County viz

The north half of the South half of Section No 33 Township 43 R 4 E containing 120 acres, more or less

The north East qr of Section 32, Township No 43, R 4 East, and East of Big river containing twenty six acres

The north West qr of Section 33. T 43 Range No 4 E containing 135 acres

The north East qr of Section 33, Township No 43 R 4 E containing 135^{1/2} acres

and containing in all 418²⁰/₁₀₀ acres and being apart of United States Survey No 3059 Confirmed to Jacques Clamorgan

Plaintiff further states that these lands descended to the children of Moses Raney viz Michael, ana, Thomas, Francis & John Raney, and Margaret who married Philip Skeldebrand Rachael who married Thomas Metton; and William Raney, and that John Raney, William Raney and Margaret & Philip Skeldebrand conveyed their interest in said lands to plaintiff; that Thomas Metton's wife conveyed their interest in said lands to Samuel Johnson who conveyed the same to plaintiff. By these conveyances

plaintiff owns the undivided one half of said
lands and defendants, Michael Ramey, Ann
Ramey, Thomas Ramey and Francis Ramey own
each the undivided one eighth of said
lands as tenants in common with plaintiff

Plaintiff prays the Court for partition
and division of the lands aforesaid among
the parties according to their respective rights
and for sale thereof if partition can
not be made without prejudice to
the owners thereof and for all further
orders as may be proper.

J. A. Real Atty
for Thos. Ramey

J. A. Real Atty for Thomas Ramey makes
oath & says that the foregoing petition
and the matters therein stated he
believes to be true and further states
that Michael Ramey is a non resident
of this State

J. A. Real

Sworn to before me

August 11th 1860

Elias S. Morrey Clerk

Thomas Rogers

vs

Michael Conway Peters

Position for position

2nd Aug 11th 1860

Chas G. Hoarey
Clerk

Prof same. Defunct clepts in

order Publications, book no 4 page.

to conf. page 445

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

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

We command you, that you summon *Arar Ranney, Thomas
Ranney and Francis Ranney*

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 second
Monday after the fourth Monday of *November*
next, then and there to answer unto *Thomas Byrers*

upon *his* 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 *thirteenth*
day of *August* A. D. 1860

Elias F. Honey

Clerk Circuit Court.

I executed the within writ in the County of Jefferson State
of Missouri on Ann Ramey first served by delivering him a true
copy of this writ and annexed petition as furnished me by the
Clerk and on Thomas Ramey & Francis Ramey by reading this
writ and annexed petition in their presence and hearing
on the 17th day of October 1860

Oscar Doved Sheriff

No. 11 (13)

28 3 1 (13)
to Jefferson Circuit Court

December Term, 1860

Thomas Lyons
vs. & common

Ann Ramey

Thomas Ramey

Francis Ramey

Sheriff's fee \$3.00

In the Circuit Court, in Vacation—August 11th, 1860.

STATE OF MISSOURI, } ss
COUNTY OF JEFFERSON. }
Thomas Byrns, plaintiff,
vs.
Michael Ramey et als,
defendants.

Order of
Publication.

NOW, at this day, comes Thomas Byrns, the plaintiff in the above entitled cause, by his attorney, before the undersigned, clerk of the Circuit Court of Jefferson county, in vacation, and files his petition, verified by affidavit as required by law, stating, among other things, that the abovesaid defendant, Michael Ramey, is a non-resident of this State. It is therefore ordered by the undersigned, clerk aforesaid in vacation, that publication be made, notifying him that an action has been commenced against him and others by petition, the object and general nature of which is to obtain an order of judgment of partition and division of the following described tracts or parcels of land, situate and lying in Jefferson county, Missouri, to-wit: The north half of the south half of section No. 33, township 43, R. 4 E. containing 120 acres more or less; the northeast quarter of section 32, township 44, R. 4 east, and east of Big river, containing 26 acres; the northwest quarter of section 33, township 44, R. No. 4 E., containing 125 acres; the northeast quarter of section 33, township No. 43, R. 4 E., containing 135 20-100 acres, and containing in all 418 20-100 acres, and being a part of United States survey No. 3,059, confirmed to Jaques Clamorgan, and for a sale thereof, if partition and division cannot be made without great prejudice to the owners thereof; and that unless he be and appear before the Circuit Court of said county on the first day of the next term thereof, to be begun and held at the court house in Hillsboro 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; and it is further ordered that a copy hereof 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 my office.

{ L.S. } In testimony whereof I hereto sign my name
and affix the seal of said Court, August 13th, 1860.
scs w4t 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 Chuap

who, being duly sworn,

deposeth 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

Eighth

day of

September

1860

and the last insertion on the

twelfth

day of

October

1860

as follows:

Sept 8 to 215 Daily

" 14 " 36 Weekly

" 21 " 37 "

" 28 " 38 "

Oct 5 " 39 "

" 12 " 40 "

John Chuap

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

day of *November* 1860

Printer's Fee,

80c

Affidavit,

1.20

\$8.25 Paid to Notary & Printing

*Leahy & Co
Notary Public*

Byrns

or

Ramsey & Co.,

Print Publications

Dated Decr. 19th 1860

Chas J. Henney
clerk

Thomas Pyrus
vs
Michael Ramsey
Ann Ramsey et als

I Personally appeared
before Me a Justice of the peace within
and for Merrimac Township in Jefferson
County Mo. Arthur C. North Washington
Stephens and Wm G. Reid Commissioners
who upon their Oaths State that will hun-
estly and impartially discharge the trust
reposed in them

sworn to and subscribed
Before Me this 5th day of May 1863,
Sefred Stewart
Justice of the peace

Arthur C. North
Washington Stephens
William G. Reid

affidavit
The Supreme Court

To the Honorable Circuit Court
Jefferson Co. Mo.

We the undersigned appointed Commissioners under and by virtue of an order of the Circuit Court a copy whereof is herunto annexed do respectfully report that we proceeded to admeasure and lay off as speedily as possible after said order the one half of the Rami tract agreeable to quantity and quality, setting off the South half as the portion allotted to Thomas Byrnes, designating said half by posts and whitewash trees and beginning at 13.70 chains S 12° W of the NE Corner of said tract a post from which a White Oak 6 inches in diameter bears S 87° W 29 links distant and a White Oak 5 inches bears N 27° E 32 links distant. Thence S 63° W 61.50 chains to the east bank of Heads Creek. Thence with its meanders to where it empties into Big River. Thence due west to the west boundary of said tract. Thence south with said boundary to the SW Corner of said tract. Thence east 64.30 chains to the SE Corner. Thence N 12° E 46.90 chains to the place of beginning. Computed to contain $201 \frac{50}{100}$ acres more or less. Annexed is a plat of said tract with the portion we allot to the said Thomas Byrnes

Arthur L. North
Washington Stephens
William G. Reid

State of Missouri }
County of Jefferson } ss Be it remembered
that on this tenth day of June A.D. 1863. before
me the undersigned Clerk of the Circuit

Court in and for said County came Washington
Stephens, Arthur L North, and William L
Reed, 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 severally acknowledged
the same to be their act and deed for
the uses and purposes therein mentioned

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

Elias F. Hoovey Clerk

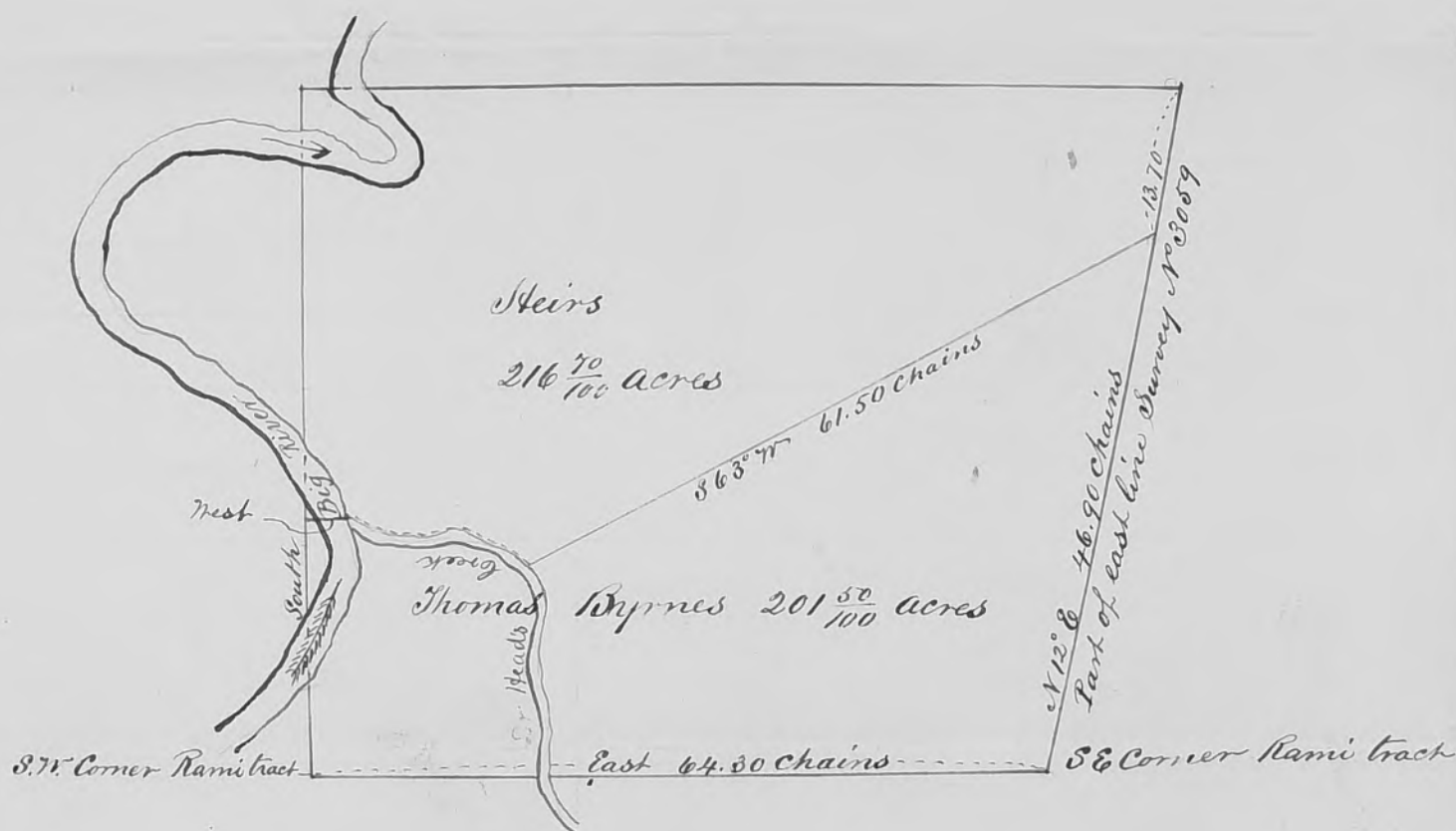
Report in the
Byrnie Case

Filed and approved
June 12th 1863
Wm. H. Brown
Clerk

16 24

Plat of the Rami tract of land
 in Township 43 N, Range 4 E 3rd P M, Survey N° 3059
 Showing the portion assigned to Thomas Byrnes

The red line being the division line



Scale 20.00 chains equal one inch

William W. Reid
 County Surveyor

State of Missouri }
County of Jefferson } In the Circuit Court
January 19th 1863

Be it remembered, that on this day
in said Court, the following remains of record,
viz

Thomas Byrns Plaintiff
against
Michael Barry, Ann Barry
Thomas Barry & Frances Barry
For Partition

Now again at this day comes said
Plaintiff by his attorney, and the said defendants
failing to appear and show cause to set aside
their default herein entered heretofore and this
cause coming on to be heard upon the petition
and evidence offered by the Plaintiff, the Court
doth find, that said Plaintiff and said defend-
ants are the owners in common of the lands
and premises in the petition of Plaintiff des-
cribed as follows, to wit: The North half of the
South half of Section No 33, Township 43, R 4, E
containing 120 acres, more or less; The North East
qr of Section 32, Township No 43 R 4 East,
and East of Big River containing twenty six
acres: The North West qr of Section 33, T 43

range N^o 4 E. containing 135 acres, The North East q^r of Section 33, Township N^o 43 range 4 E. containing 135 $\frac{70}{100}$ acres, and containing in all 418 $\frac{20}{100}$ acres and being a part of United States Survey N^o 3059 confirmed to Jacques Belamorgan. It is therefore considered by the Court, that partition and division of said lands and premises be ordered and adjudged between said owners according to their respective rights and interests therein, And the Court, proceeding to ascertain and settle the rights and interests of said parties in and to the lands aforesaid, doth declare the same to be as follows: The said Plaintiff Thomas Byrns is the owner of and interested in one undivided half of said lands, and the defendants Michael Barry Ann Barry Thomas Barry and Frances Barry are each the owner of and interested in the undivided one eighth of said land or collectively to one half thereof. And the Court, doth appoint William G Reed, Washington Stephens and Arthur C North, commissioners to make partition and division of said lands among the said owners, according to their respective rights and interests therein, setting apart

the same by metes and bounds, quantity and quality relatively considered, and make report of their proceedings herein to the Court at the next term, and this cause is continued.

I, the undersigned Clerk of the Circuit Court in and for said County do hereby certify that the foregoing is a true full and complete copy of the judgment of partition and order appointing commissioners to make partition and division among the parties therein named of the lands and premises therein described.

In Testimony whereof I hereto
Set my hand and affix the
Seal of said Court, at office the
twenty first day of February A.D.
Eighteen hundred and Sixty
three

Elias P. Honey Clerk

I executed this writ on W^m of Reed Washington
Stevens Anten & North by Reading the same in
their presence and hearing this 10th Day of March
1863
Genome B Dover Sheriff

To Jefferson Davis
June 20th 1863

Thomas Sykes
or Commissioner to
Michael Kearney
and Kearney et al

Commenced
William, & Reed
Wadsworth Stephens
Arthur & North 28

Accepted
June 12th 1863
Elias & Heoney CLK

Commissioners fees in the Case of Thomas Byrnes vs Michael
Ranny. Ann Ranny et als

Arthur C North	3 days at	~~1.50~~	\$4.50
Washington Stephens	3 do	—	4.50
William E Reid	3 do	—	~~4.50~~ \$13.50

Channmens fees

Washington Stephens	2 1/2 days @ 1.25	3.10
Isaac Bergen	1 do	1.25
Thos Savage	1 1/2 do	<u>1.85</u> \$6.20

William E Reid Surveyor		
to 430 Chains of lines at 1 ^c		4.30
4 Corners established \$1.00		4.00
Recording plat &		.35
Plat and Calculations		1.25
Mileage 32 miles going & coming @ 5 ^c		<u>1.60</u> \$11.50

Alfred Stewart Justice peace	.75
Sherriff Fees	1.50

Thomas Byrns Plff
 vs
 Michael Ranney Ann Ranney
 Tho. Ranney. Aras Ranney
 All Bill

In the Circuit
 Court of Jefferson
 County Mo
 Partition

E. F. Hooney Clerk, 1 copy petition 75¢
 Cert Seal 50¢ writ copy \$1.20. Order
 Pub. 50¢ copy same 50¢ Cert Seal. 50¢
 Proof. Pub. 25¢ default. defts 50¢ Court 50¢
 trial 50¢ Judgt. 50¢ Order coms 50¢
 copy same 50¢. Cert Seal 50¢ court 50¢
 report coms. 25¢. 3 papers 15¢
 dockets 10¢. Index. 20¢ make up costs 25¢
 This fee Bill. 75¢ dock. Judgt. 25¢

Order atty, 25¢ paid \$10.90
 Record Report

Missouri Republican Printer fee paid \$8.25
 W. D. over sheriff Sums 3 defts \$3.00
 Call cause 20¢ call parties 15¢ paid 3.35
 J. A. Beal atty fee. 25.00
 Wm G Reed Compt & Surveyor 16.00
 Mark Stephens Comrs & chairman 7.60
 A. C. North Comrs. 4.50
 J. B. Dover sheriff
 Serve 3 Comrs. \$1.50 1.50
 Isaac Burgar 1.25
 \$78.45

The Grand
 m. & the Bill
 Anne Peary et al.

Thomas Savage
 Alfred Stewart & Co.

E. J. Henry

67 45	
\$1.85	
" 95	
<u>\$40.05</u>	
90	
<u>\$80.85</u>	