

Jofferson County Circuit Court
Case File - Civil

December 1863

White, Julia Ann
Mehler, John Henry

vs

Mehler, Ann G.
Mehler, Catharine
Mehler, Mary M.
Mehler, Charles C., et al

Partition

Heirs of Joseph Mehler; 40 acres in
S 35 T 41 R 2 E; other defendants
John J. D. Mehler, Mary Margaret
Acton

Box

14 Folds - 86

Julia Ann White, widow of
Joseph Mehler, deceased, & John
Henry Mehler, ~~and Mary Margaret~~
~~the children~~ Plaintiffs

Against

Ann S. Mehler, Catharine
Mehler, Mary M. Mehler,
Charles C. L. Mehler, ~~and~~
John J. D. Mehler, — Defendants,
and Mary Margaret Acton

In the Circuit
Court of Jef=
ferson County
Missouri

The Plaintiffs state that
Joseph Mehler, late of Jefferson County, Missouri,
died intestate, seized in fee simple at the
time of his death of the following described
Tract of Land, situate in Jefferson County
Missouri, to wit, the North East quarter of
the North East quarter of Section No. thirty
five in Township No. Forty one of Range
No. Two East, containing Forty acres.

Plaintiffs state that the said Joseph
Mehler left surviving his death, his wid=
ow, the said Julia Ann White, (formerly
Mehler) and seven children to whom the
Land aforesaid descended as his heirs, to wit,
John Henry Mehler, Mary Margaret Acton (now
the widow of Philip P. Acton) Ann S. Mehler,
Catharine Mehler, Mary M. Mehler, Charles
C. L. Mehler, and John J. D. Mehler, — the last
six named being minors, and for whom the
Plaintiffs ask that a Guardian ad litem be
appointed. — The Plaintiffs state that each
of said Heirs is entitled in fee to the un=

divided one seventh part of the Land
aforesaid, subject to the widow's dower,
the said Julia Ann White, who is entitled
to dower in the same, of one third for and
during her life.

Plaintiffs therefore state that they
and the Defendants hold said Land as
Tenants in Common, - and they ask the Court
to order and decree a division and partition
of such premises, according to the respec-
tive rights of the parties interested therein
and for a sale thereof, if it shall appear that
partition cannot be made without great
prejudice to the owners.

Abner Green
} Attorney for Plaintiffs

Abner Green Attorney for the plaintiffs
makes oath and says the above petition
and the matters therein, as stated, he
believes to be true.

Abner Green
Signed and Subscribed
before me Nov 2nd 1863
Elias McNeely clerk

In Cincinnati Court
Jefferson County

Julia W. White
vs. David C. Thomas

John G. Meeker
vs. David C. Thomas

vs. Position
for 30 antislavery

vs. Summons
issued in 1863
for profits.

Blackman and 1863
Allen J. H. oney clerk

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

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

We command you, that you summon Ann G. Mehler
Catherine Mehler Mary M. Mehler Charles
C. L. Mehler John J. V. Mehler & Mary
Margaret A. Stor.

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
Julia Ann White widow of Joseph
Mehler & John Henry Mehler

upon their original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this Tenth
day of November A. D. 1863

Elias F. Honey
Clerk Circuit Court.



2172
TO JEFFERSON CIRCUIT COURT

December Term, 1863

Julia Anna White

vs *Jos. H. Mehler*

or *J. Summons*

Sam. G. Meckler

Carth. Meckler

Mary M. Meckler

Leas L. Meckler

Jos. J. D. Meckler

Mary Margaret Acton

J. B. Dover Sheriff \$6.00

I executed this writ at the County of Jefferson
of Missouri on the 12th day of November 1863 on return
Mehler on the 12th day of November 1863 by delivering to
her A true copy of this writ and annexed petition as
furnished me by the clerk. She being the first served
also an An G. Mary, M. Chas. L. & Jos. J. D. Mehler
and Mary Margaret Acton by leaving A true
copy of this writ for each of them at their
usual place of abode, with A white person of
their family over the age of 15 this 12th day of
November 1863

Jerome B. Dover Sheriff

Julia A. White, Et. Al,

^{by}
Ann G. Melcher

Catharine Melcher

Mary M. Melcher

Charles C. L. Melcher

John J. D. Melcher D

Mary M. Acton

Now comes the said
Defendants minors by their Guardian
ad Litem who answer to the plaintiffs
petition say that they are wholly
~~are~~ ignorant as to the facts
as set forth in said petition
and demand proof in the premises

Jos. J. Williams
Guardian ad Litem
for Defendants

Wheeler
State

Am. Settlement State

Wheeler

Wheeler

Wheeler

Filed June 11th 1864

Charles J. Henry
Clerk

State of Missouri }
County of Jefferson }

In the Circuit Court,
June 11th 1864

Among the proceedings had in said Court this
day the following remains of record, To wit;
Julia Ann White and,
John H Mehler,

In Partition

vs.

Ann H Mehler Catharine Mehler
Mary H Mehler Chas. H Mehler,

Order of Sale

John H Mehler Mary H Acton. Now again come the
parties by their attorneys and this cause being
submitted to the Court upon the petition
and evidence offered by the plaintiffs the
Court doth find that the said plaintiffs and
defendants are the owners of and tenants
in common of the following described Tract
of parcel of land situate in Jefferson County
Mo. To wit; The North East Quarter of the North
East Quarter of section No thirty five in
Township No forty one range 2 E containing
40 acres. It is therefore considered by the Court
that partition and division of said land be
ordered, and adjudged between said parties
according to their respective rights and
interests therein. And the Court proceeding
to settle and adjust the respective rights and
interests of said parties in and to said lands

doth declare the same as follows the said Julia Ann White as the widow of Joseph Mehler deceased is entitled to a dower interest of one third of said land for and during her natural life, And the said John B Mehler Ann B Mehler Catharine Mehler Mary M Mehler Charles B Mehler John B Mehler and Mary M Acton, are each entitled to the one undivided one seventh of said land subject to the dower interest of said Julia Ann White aforesaid, And it appearing to the satisfaction of the Court that said land is so situated that partition in kind cannot be had without great prejudice to the said owners, It is ordered by this Court that the Sheriff of Jefferson County proceed to sell said land at public auction at the Court House door on some day during the session of the Circuit Court for said County for Twenty per cent of the purchase money in cash at the time of sale and the residue in Twelve months bearing interest at the rate of six per cent and for the deferred payment he take from the purchaser or purchasers a Bond or note with good security, Notice of said sale being given by the Sheriff in the manner prescribed 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 report his proceeding herein to the Court,

State of Missouri } ss.
County of Jefferson } I the undersigned Clerk
of the Circuit Court within and for
said County hereby certify that the fore-
going is a full and true copy of the judg-
ment of Partition and order of sale of
said Court in the above entitled cause
as fully as the same appears and remains
of record, in said Court in my office

In Testimony whereof I have
hereto set my hand and affixed
the seal of said Court this

Eleventh day of January A.D. 1865,
Elias J. Korney Clerk

To Messrs. Lewis & Clark
June Term 1863,

Julia Ann White & Co
vs. } Particulars

Ann & Mehler & Co

Order of Sale



State of Missouri } ss. In the Circuit Court
County of Jefferson June 11th 1864.

Be it remembered that on
this day among other proceedings the
following remains of record.

Julia Ann White &
John H. Mehler

vs.

Ann G. Mehler
Catharine Mehler
Mary M. Mehler
Chas. C. L. Mehler
Jno J. D. Mehler &
Mary M. Acton.

In Partition

Order of Sale

Now again come the
parties by their Attornies, and this
cause being submitted to the Court upon
the petition and evidence offered by the
Plaintiffs, the Court doth find that the
said Plaintiffs and Defendants are the
owners of, and tenants in common of the
following described tract or parcel of
land situate in Jefferson County Mo.
to wit: the North East quarter of the
North East quarter of Section No Thirty
five in Township No Forty one Range 2
E. containing 40 acres. It is therefore

considered by the court. that partition and division of said land, be ordered and adjudged between said parties according to their respective rights and interests therein. And the court proceeding to settle and adjust the respective rights and interests of said parties in and to said land, doth declare the same as follows: The said Julia Ann White as the widow of Joseph Mehler deceased, is entitled to a dower interest of One third of said land, for and during her natural life. And the said John H. Mehler. Ann G. Mehler. Catharine Mehler. Mary M. Mehler. Chas. C. L. Mehler. Jno. J. D. Mehler and Mary M. Acton are each entitled to the one undivided Seventh of said land, subject to the dower interest of said Julia Ann White aforesaid. And it appearing to the satisfaction of the court that said land is so situated that partition in kind cannot be had without great prejudice to the said owners. It is therefore ordered by this court that the Sheriff of Jefferson County proceed to sell said land at public auction at the court house door on some day during

the session of the Circuit Court for said County for Twenty per cent of the purchase money in cash at the time of sale, and the residue in Twelve months, bearing interest at the rate of six per cent. And for the deferred payment he take from the purchaser or purchasers, a Bond or note with good security. Notice of said sale being given by the Sheriff in the manner prescribed by law for sales of Real Estate under Execution. And he be governed in all things in the manner prescribed by law for such sales, and report his proceeding herein to the Court.

State of Missouri } ss.
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 and order of sale in the
above entitled cause, as fully as the
same remains of Record in my office
In Testimony whereof I hereto sign
my name and affix the seal of
said Court this 17th day of
August A.D. 1864.

To Jefferson Davis
Novem. Jan 1864

Julie Ann White &
Geo H. Wheeler
as Executors of
Estate of Wheeler
to the Wheeler
John L. & Wheeler
and others

As per inventory \$1,000
Wheeler's share
100 1.00

Oliver S. Honeycutt

SHERIFF SALE IN PARTITION.

Julian White &

John H. Mehler

vs Order of Sale

Ann G. Mehler Cath. Mehler In the Circuit Court of Jefferson Co., Mo.
Chas. L. Mehler and others

By virtue and authority of an order made by the Circuit Court of the County of Jefferson, State of Missouri, at its June Term, A. D. 1864, I will, on the fifteenth day of November 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

North East qr of the North East qr of Section No. thirty five in Township No. forty One Range 2 East containing 40 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 tenth day of October 1864

JEROME B. DOVER, Sheriff.

SHERIFF SALE IN PARTITION.

Julian White et als

vs
Arm G. Mehler et als

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 June Term, A. D. 1864, I will on the 10th day of May 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

North East quarter
of the North East quarter of Section
No. thirty five in Township No Forty
one Range Two. 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 Third day of April 1865

CHAS. C. FLETCHER, Sheriff.

Julian White et als } In the Circuit Court
vs } of Jefferson County Mo.
Ann G. Mehler et als. } To the Hon. the Circuit
Court of said County

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 the Circuit Court of said County, 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 given sold and where situated by putting six advertisements in the most public places in the county aforesaid a copy of which advertisement is herewith filed and make a part of this Report & did agreeably with said advertisement at the Court House door in Hillsboro on Wednesday the Tenth day of May A.D. 1865 between the hours of Nine O'clock in the forenoon and Five O'clock in the afternoon of said day and during the session of the Circuit Court for said County at the May term thereof for the year eighteen hundred and sixty five expose to sale at Public Auction the following described Real Estate situate in said Jefferson County
To Wit: the North East quarter of the North East quarter of Section No Thirty five in Township Forty one Range Two East contain

ing Forty acres and John H. Mehler was then
and there the highest and last bidder, the
same stricken off and sold to him at and
for that sum of (25) Twenty five dollars
and he the said John H. Mehler having
paid me Ten dollars and gave his note
for the balance as required by terms of
sale, This Report is Respectfully submitted
Chas. C. Fletcher Sheriff

Julia Ann White +
John W. Mehler

as

John G. Mehler, both Mehler
Mary M. Mehler, Charles
L. Mehler, John J. D. Mehler
and Mary Margaret Acton

Free Bill

In Particular
in the Letter
our Circuit
Court;

E. F. Hooney Clerk, affidavit to pet. 10¢
1 copy petition 30¢ Cert. Seal 50¢
with 18 copies 60¢ Stamps 50¢
Order appoint Guard ad litem 25¢
continuance 25¢, Omer of Guard 35¢
Subpoena 25¢ trial 50¢ Judgt. 50¢
Order Sale 25¢ copy same 25¢ Cert. +
Seal. 50¢ Docketts 15¢ 2 prs. 10¢
make fee bill 25¢, report 25¢
Index, Judgt. 25¢ order of sale 25¢ Seal 75

/ \$ 25

Jerome B. Dover Sheriff

Serve B. defendants

\$ 6.00

Advertising Sale

Comrup on

2%

A. Green atty fee -