

May 1865

Porter, Eromois E.
Porter, Robert
Porter, Catharine C.
Porter, Mary C.
et al

Partition

Heirs of David Porter, Sr., 200
acres in S20 T39 N6 E; others
petitioners Felix P. Watson,
Rebecca, Edward W., James T.,
George N., Mary, Samuel R.
Porter, Margaret, David Tucker

To the Honorable the Judge of the Circuit Court of
Jefferson County Missouri.

The undersigned Petitioners would respectfully represent unto your Honor that some years since David Porter Sr. departed this life seized in fee simple of the following described real estate situate in said County to wit: The E¹/₂ of the SW¹/₄ & the N. W¹/₄ of the NE¹/₄ & the SW¹/₄ of the NE¹/₄ of Section 20, Township 39, Range 6 East containing one hundred and sixty acres; and also the NE¹/₄ of the NW¹/₄ of Sec. 29, Township 39 Range 6 East containing forty acres; That said Decedent left also the following children and grand children as his heirs at law to wit: Samuel P., Andrew, William, Thomas, Nancy J. intermarried with John B. Austin, Margaret intermarried with Mr Pinson, David C., Francis C., Robert I., Cynthia C., Jeremiah, Mary C., Helix C., Joseph J., Enoch H. and Maria (intermarried with one — Evans, Evans being now dead), who were all children of said Decedent and Samuel Porter Jr. Alfred, Margaret and Mary Porter who were grand children of said Decedent, being the children of John Porter who was a son of said David Porter and who died before his father: That Samuel Porter Sr. has since died leaving James M. Elizabeth Jane, intermarried with Julian Hager, George M. and Samuel R. Porter; That Andrew Porter since the death of his father has departed this life leaving

Watson Porter as his only heir: that said decedent
left also a widow, Rebecca Porter who is still
alive.

Your Petitioners would further represent that
Rebecca Porter has purchased ~~of the~~ ~~of said~~
~~part~~ ~~the following~~ the interests of James Porter,
Thomas Porter, William Porter Maria Evans,
Nancy J. and John B. Austin, Margaret and William
Prison, David Porter, Jeremiah Porter, and Eliz-
abeth and Julian Hrazin in and to the aforesaid
lands; that Frances E. Porter, Robert S. Porter
Cynthia C. Porter, Mary C. Porter, Felix G. Porter
Joseph J. Porter, Eunice W. Porter are each entitled
to one eighteenth part of said lands subject
to the life estate of said widow, which is one
third thereof for life: Samuel Porter Jr. Margaret
Porter Jr. who married David Tucker, Alfred
Porter & Mary Porter are each entitled to one
twenty second part of said land subject to the
life estate of said widow as aforesaid: that
James M. Porter, ~~Elizabeth Jane and Julian Hrazin~~,
George M. Porter and Samuel R. Porter are
each entitled to one seventy second part of
said lands subject to the estate of said widow as aforesaid,
that Watson Porter is entitled to one eighteenth
part of said lands subject to the life estate of
said widow, and that Rebecca Porter is entitled
to one third of said lands for and during her

notural life and by virtue of her purchases
as aforesaid, she is entitled to the interests of
James Porter, $\frac{1}{8}$, Thomas Porter $\frac{1}{8}$, William Porter
 $\frac{1}{8}$ Maria Evans $\frac{1}{8}$, Nancy J. & John B. Austin $\frac{1}{8}$
Margaret and William Pinson, $\frac{1}{8}$, David C. Porter
 $\frac{1}{8}$ Jeremiah Porter $\frac{1}{8}$ and Elizabeth & Julian Hoag
 $\frac{1}{2}$, making her interest by reason of such purchases
Thirty three seventy seconds of said lands subject
to her own life estate.

Your Petitioners would therefore respectfully ask
your Honor to make an ^{order} for the division of
said lands among those entitled to the same
in the proportions set out in this petition and
if partition thereof cannot be made in
kind then to order a sale of said lands so that
the proceeds thereof may be distributed to those
entitled to the same.

Americus C. Porter

Robert L. Porter

Levithia C. Porter

Mary C. Porter

Helix G. Porter

~~Joseph J. Porter~~

~~Enoch W. Porter~~

Watson Porter

Margaret Tucker

David Tucker & Rebecca Porter

By John L. Thomas their Atty
And Enoch W. Porter

Joseph J. Porter
George M. Porter,
Mary Porter
Samuel Porter
Samuel R. Porter

Witness by their Guardian
attest as to Loooose } Theophilus ^{his} Loooose -
John L. Thomas } mark

L. Loooose makes oath & says that he believes
the above petition and the matters as therein
stated are true.

Sworn to & subscribed }
before me May 13th 1865 } L. Loooose
Emmett W. Phipps

Rebecca Pauls et al
vs
The State,

Petition for Publication.

Filed May 18. 1865.
Docketed May 19.
Clerk

Copy of Record as follows:
In the circuit court May 18th AD 1865

Francis, E. Porter Robert J. Porter,	} Ex parte Petition for Partition Order of Sale
Catharine C. Porter, Mary C. Porter,	
Felix P. Porter, Watson Porter	
Margaret Tucker, David Tucker,	
Rebecca Porter & Edward W. Porter,	
gas J. Porter, George H. Porter, Mary	
Porter Samuel Porter, Saml. C.	
Porter, by their Guardian	
Theophilus Tooloose,	

Now at this day comes said parties by their attorney, and present their petition praying for the partition and division of the following lands, situate in Jefferson County Missouri, mentioned in the petition of the aforesaid parties, to wit: The East $\frac{1}{2}$ of the south west quarter and the north west quarter of the north East quarter, and the south west quarter of the north East quarter of section 20, Township 39 Range six East containing one hundred and sixty acres, and also the north East quarter of the north west quarter of section Twenty nine, Township 39, Range 6 East containing forty.

acres; and the Court being satisfied that partition of said land cannot be made without great prejudice to the owners thereof. It is therefore ordered, adjudged and decreed by the Court, that the Sheriff of Jefferson County, proceed to sell said land at public auction at the Court house door, to the highest bidder for ten percent of the purchase money in cash at the time of sale, and the residue in twelve months, bearing six per cent interest from date, that said sale take place on some day during the sitting of the Circuit Court, notice thereof being given by the Sheriff in the same manner required by law for sales of real estate under executions, and that said sale be governed in all respects, as provided by law for such sales, and that he take from the purchaser a bond or note with security for the deferred payment, and the Court proceeding and adjudge the respective rights and interests of said parties therein doth declare the same as follows, Rebecca Porter, has purchased the interest of James Porter, Thomas

Porter, William Porter, Mariak Evans,
Nancy J. and John B. Austin, Margaret
and William Pineson, David Porter,
Jeremiah Porter, and Elizabeth and
Julian Trasier, in and to the afore-
said lands; that Francis E. Porter,
Rebecca J. Porter, Catherine C. Porter,
Mary C. Porter, Felix J. Porter, Joseph J.
Porter, Edward W. Porter, are each
entitled to one eighteenth part of
said lands subject to the estate
of said widow, which is one third,
thereof for life; Samuel Porters,
Margaret Porter, Jr., who married
David Tucker, Alfred Porter, and
Mary Porter, are each entitled to
one sevenly second part of said
lands subject to the life estate of
said widow as aforesaid; that
James W. Porter, George M. Porter
and Samuel R. Porter, are each
entitled to one sevenly second
part of said land subject to the
estate of said widow as aforesaid
that Watson Porter is entitled
to one eighteenth part of said
land, subject to the life estate of
said widow, and that Rebecca
Porter, is entitled to one third,

of said land for and during her
natural life, and by virtue of her pur-
chases as aforesaid, She is entitled to
the interest of James Porter, $\frac{1}{18}$, Thomas
Porter, $\frac{1}{18}$, William Porter, $\frac{1}{18}$, Mariah
Porter, $\frac{1}{18}$, Nancy J. and John Blasting,
 $\frac{1}{18}$, Margaret and William Lindsay, $\frac{1}{18}$,
David C. Porter, $\frac{1}{18}$, Jesseiah Porter, $\frac{1}{18}$,
and Elizabeth and Julian Frazier
 $\frac{1}{12}$. making her interest, by reason
of said purchases thirty three seventy
seconds of said land subject to
her own life estate, Ordered that
The Sheriff make report thereof,
and This Cause is continued,

True copy of the order

In Testimony whereof
I have hereunto set my
hand and affixed the Seal
of said Court, this 20th
day of September 1865.
Samuel A. Reilly clk

20, 28
Copy of the account book
November 1865

James E. Porter, at
Exposures
Order of sale

Francis E. Porter, Robt. J. Porter
Catharine L. Porter Mary L. Porter
Philip G. Porter, Watson Porter
Margaret Tucker, David Tucker
Rebecca Porter & Edward W. Porter
Geo. J. Porter, George M. Porter, Mary
Porter, Samuel Porter, Saml. R.
Porter, by their Guardian
Theophilus Tooblose

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 notice of the
time, terms and place of sale and what Real Estate was
to be sold and where situate by putting up six advertise-
ments in the most public places in said Jefferson County
Missouri, a copy of which advertisement is herewith filed
and makes part of this report, I did agreeably with said
Advertisement at the Court House door in the Town of Willebon
on Thursday the sixteenth day of November A.D. 1865 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 November Term thereof for the year Eighteen
hundred and sixty five expose to sale publicly at Auction
the following described Real Estate situate in said
County of Jefferson To Wit: the East $\frac{1}{2}$ of the South West qr
and the North West qr of the North East quarter and the
South west quarter of the North East qr. of Sec 20 Township
39 Range Six East containing one Hundred & Sixty
acres and also the North East qr of the North West qr
of Sec 29 Township 39 Range 6 East containing

forty acres and Rebecca Porter became the purchaser she being then and there the highest and last bidder at and for the price and sum of Five hundred and twenty seven dollars, on which sum she has ~~to me~~ in hand paid ten percent and given her note for the balance, as required by Terms of Sale. and this Report is respectfully submitted

By direction of Attorney the whole of the money was received and the sum of 44⁴⁰/₁₀₀ Dollars for costs and the rest 482.00 Dollars divided among the heirs as follows.

"	✓	Rebecca Porter		268.44
x "	✓	Francis C. Porter		21.95
		Rebecca	" ✓	21.95
"		Catharine C.	" ✓	21.95
"		Mary C	" ✓	21.95
x "	✓	Felix G.	"	21.95
x "	✓	Watson	"	21.95
x "	✓	Jos. J.	"	21.95
"		E. W. Porter	✓	21.95
"	✓	Sam Porter		5.48
		Margaret	" ✓	5.48
"	✓	Mary	"	5.48
		J. W.	" ✓	5.48
		G. M.	✓ ✓	5.48
"	✓	Sam R.	"	5.48
		Alfred	" ✓	5.48
				<u>5.48</u>
				\$482.00.

C. C. Fletcher Sheriff

SHERIFF SALE IN PARTITION.

Francis E. Porter 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 May Term, A. D. 1865, I will on the 16th 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

East $\frac{1}{2}$ of the South

west quarter and the north west qr of the North East quarter and the South west quarter of the North East qr of Sec 20 Township 39 Range 17 East containing one hundred and sixty acres and also the North East qr of the north west qr of Sec 29 Township 39 Range 6 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 18th day of Oct 1865

CHAS. C. FLETCHER, Sheriff.

