

February 1866

Cook, Aaron G.
Cook, Emily

vs.

Williams, Thomas
Williams, John
Williams, Lewis
Vinyard, Elizabeth, et al

Partition

Heirs of John Williams; 54 acres in
S31T41R5E; other defendants John
Vinyard, James White, Aaron G. White,
Catherine Williams, Hiram Williams, Clara
Williams, Ruth Williams

Aaron G. Cook, and
Emily Cook, his wife, - Plaintiffs
Against
Thomas Williams, John Williams,
Lewis Williams, Elizabeth Vin-
yard, John Vinyard, James White,
Aaron G. White, Catharine Wil-
liams, Hiram Williams, Clara
Williams and Ruth Williams, - Defendants,
In the Circuit Court
of Jefferson County Missouri,

The Plaintiffs state that John Wil-
liams died some time in the year 1859, seized
in fee simple at the time of his death of
the following described Lands, situate in
Jefferson County, Missouri, to wit, The South
Half of the North West quarter of Section
Thirty one, in Township Forty one, of Range
Five East, Containing Fifty four acres and
twenty nine hundredths of an acre. The
Plaintiffs state that said John Williams de-
ceased, left the following children and their
descendants surviving him, to whom the above
described Lands descended as his heirs, to wit,
Emily Williams (now the wife of Aaron G. Cook,)
Nancy Williams (now the wife of Robert Rich-
ardson,) Samuel Williams, Silas Williams, Thomas
Williams, John Williams, Lewis Williams, Eliza-
beth Williams (now the wife of John Vin-
yard,) Ellen Williams (who married James White)
and has since died, leaving only one heir, Aaron
G. White, Catharine Williams ~~Williams~~ (wife

of Hiram Williams, Clara Williams, and Ruth Williams, - the last two being minors, and for whom plaintiffs ask the Court to appoint Guardians ad litem. Plaintiffs state that the said Aaron G. Cook, has since purchased and received Deeds for the Shares of Nancy Richardson and her husband, Robert Richardson, Samuel Williams, and Silas Williams for their respective undivided shares and interests in said Lands; and that said Aaron G. Cook is therefore entitled in fee simple to the undivided three-twelfths of said Lands; and that Emily Cook (wife of said Aaron G. Cook) is entitled in fee to the undivided one-twelfth of said Land. And Thomas Williams, John Williams, Lewis Williams, are each entitled in fee to the undivided one-twelfth of said Land, - that Elizabeth Vinyard (wife of John Vinyard) is entitled in fee to the undivided one-twelfth of said Land, - that Catherine Williams (wife of Hiram Williams) is entitled in fee to the one-twelfth of said Land, - that Aaron G. White, son of Ellen White, deceased, is entitled in fee to the undivided one-twelfth of said Land, subject to the Courtesy interest of James White, and that Clara Williams and Ruth Williams are each entitled in fee to the undivided one-twelfth of said Land.

The Plaintiffs state ^{that} they and the Defendants hold the Lands above described as Tenants in Common; and plaintiffs therefore pray the Court for a decree for a division

and Partition of the Lands aforesaid, according to the respective rights of the parties interested therein, as above set forth and for a Sale thereof, if it shall appear that partition cannot be made without great prejudice to the owners thereof.

W
W
W

A. Green, &
J. C. Power, Attorneys
for Plaintiffs,

Naron G. Cook

makes oath and says the above Petition and the matters therein as stated, he believes to be true; and he further states that the said Lewis Williams, one of the above defendants, is a non-resident of the State of Missouri.

Sworn to and Subscribed
before me, this 5th day of
March 1866.

Saml. A. Reppy Clk. Cook & T. G. Cook

86
2250

In Circuit Court
Jefferson County

Harmon S. Cook &
Emily Cook
vs.

Thomas Williams
and others

Petition for Partition
of numerous lands
to Jeff. Co. for all the
defendants, - except,

Eliakim W. Brumgard &
John Brumgard, & to Pa-
lack's Co. for them,

- and make subli-
cation for Lewis Mil-
lman, Green & Power
for Jeff.

Filed Feb 27 1864.
and Attesty Clerk

State of Missouri } In the Circuit Court
County of Jefferson } November 17th AD 1866

Among other proceedings had this day in said Court the following remains of record to Wit:-

Aaron E. Cook and Emily Cook his wife - Plaintiffs Against Thomas Williams John Williams Lewis Williams Elizabeth Vinyard and John Vinyard James White Andrew G. White Catharine Williams Hiram Williams Clara Williams and Ruth Williams Defendants	} Petition for Partition } Order of Sale } Now at this day comes
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said plaintiffs by their attorneys and the answer of the minor defendants by their Guardian ad litem, having been filed making no issue but admitting the rights of said parties as stated in the petition of Plaintiffs and the said defendants having failed to appear and set their default herein entered aside It is considered by the court that partition and division of the lands be ordered and adjudged between said parties according to their respective rights and interests therein and the court proceeding to settle the rights of said parties in and to said lands doth find that the plaintiffs and defendants ^{the owners} are tenants in Common, that Aaron E. Cook is entitled in per-

Simplee to the undivided three twelfths of said land that Emily Cook is entitled in fee to the undivided one twelfth of said land that Thomas Williams John Williams Lewis Williams Elizabeth Vinyard are each entitled in fee to the undivided one twelfth of said lands. Aaron & White is entitled in fee to the undivided one twelfth of said lands subject to the Courtesy interest of James White and Clara Williams and Ruth Williams are each entitled in fee to the undivided one twelfth of said land and it appearing to the satisfaction of the Court that partition and division of said lands cannot be made between said parties without great prejudice to the said owners It is ordered by the Court that the Sheriff of Jefferson County do proceed to sell at public auction to the highest bidder for twenty per cent of the purchase money in case at the time of sale and the balance in twelve months the following described lands to wit The South Half of the North West quarter of section Thirty one in Township Forty one of Range five East Containing fifty four acres and twenty nine hundredths of an acre situated in Jefferson County Missouri, that he conduct the sale thereof in all respects in the manner as sales of real estate under executions are by law directed to be made Notice thereof being given by the Sheriff in the manner provided by law for such sales and for the deferred payment that he take from the purchaser or purchasers Bond or note

with good security bearing interest at the rate of
six percent interest per annum and pay to the parties
their respective interests as herein set forth and
report his proceedings herein to the Court.

State of Missouri }
County of Jefferson } I the undersigned clerk of the
Circuit Court within and for the County aforesaid do
hereby certify that the foregoing is a full true and com-
plete copy of the judgment of partition and order of
Sale of the Real Estate therein mentioned as fully
as the same remains and appears of record among
the proceedings of said Court in my office in
Book No 5 page 360

In Testimony whereof I have here to
set my hand and affixed the Seal of said
Court at Office in Hillsboro this 28th
day of January A.D. Eighteen hundred
and Sixty Seven

Elias D. Hooney Clerk

Sheriff Sale in Partition.

N the Circuit Court of Jefferson county,
Missouri: Aaron G. Cook and Emily
Cook, plaintiffs, against Thomas Williams,
et al. By virtue and authority of an order
made by the Circuit Court of the county of
Jefferson, State of Missouri, at its Novem-
ber term, A. D. 1866, I will on the eighth
day of May next, 1867, 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 south half of the northwest quarter
of section thirty-one, in township forty-one,
of range five east, containing fifty-four
acres and twenty-nine one-hundredths of
an acre, situate in Jefferson county, Mis-
souri.

For the purpose of making partition be-
tween 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 purchas-
er giving his bond, with approved security,
bearing interest at the rate of six per cent.
per annum from date. Dated this first day
of April, A. D. 1867.

To Messrs Geo. Hunt
16 May 1867

Carroll & Co
Comdy Books
as Order of Sale
Thomas Williams
John Williams
Elizabeth Hayward
et al

Filed May 16 1867

Printers fee, \$7.00
 Received By,

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 6th day of May A. D. 1867, before me, the undersigned Clerk of the County, Court of Jefferson county, came Chas. A. Clark, who being by me duly sworn, says that the annexed advertisement was published in the JEFFERSON COUNTY LEADER, a newspaper printed and published in the town of Hillsboro, in said county, of which he is printer, for five times, the first insertion being on the 5th day of March, 1867, and the last on the 3^d day of May, 1867, as follows, to-wit:

In No. 14,	Five 5,	1867.
In No. 15,	" 12,	1867.
In No. 16,	" 19,	1867.
In No. 17,	" 26,	1867.
In No. 18,	May 3,	1867.
In No. ,		186..

Chas. A. Clark

The south half of the northwest quarter of section thirty-one, in township forty-one, of range five east, containing fifty-four acres and twenty-nine one-hundredths of an acre, situate in Jefferson county, Missouri.

6th day of May 1867.

Wm. M. Williams

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. Dated this first day of April, A. D. 1867.

14 JOHN WILLIAMS, Sheriff.

Saron G. Cook, Emily Cook.

against

Thomas Williams - John

Williams - Elizabeth Vinyard et al.

Report of Sale

In the Circuit Court

May term A.D. 1867,

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 Advertisement in the Jefferson County

Leader, a newspaper published in said County, a copy of which Advertisement is herewith filed and makes a part of this report. I did agreeable with said Advertisement at the Court house door in Hillsboro on the Eighth day of May A.D. 1867, 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 seven, expose to sale at public Auction the following described Real Estate situate in said County To wit:

The South half of the north west quarter of section thirty one in township forty one, of range five east, containing fifty four acres and twenty nine one hundredths

of an acre, and Eugene Amor ^{was then & there} being the highest and last bidder for the Real Estate above mentioned at the price and sum of Four hundred dollars of which sum he has to me paid 10 percent and given his bond for the balance as required by terms of sale and this report is re =

spectfully submitted

John Williams Sheriff.

John G. Cook
Emily Cook,

vs.
Thomas Williams et al

Report of Sale

Cook & Williams } Reprints -

3 cap per @ 90 ^c	2.70
2 writs 12 11 cap & 1.10	3.10
or pub 35 - cap 2 x 5. & 1.	1.35
file per 5 ^c dock 10 ^c stamp 5 ^c	.65
or sale 35 - dec 50 ^c sub 35 - default 35 -	1.50
or 20 ^c ind 5 ^c	.25
	<u>\$9.55</u>
Money 200 240 Report Sale 35 or 20 ^c	.25
Indices 10 ^c files 10 ^c	.20
Copy or sale of \$1.25 - making cost 35 -	1.50
Two Bio cos. 11.	1.00
	<u>\$3.65</u>

Agnew & Porter atty fee \$50. 50.00

Printers fees \$15 15.00

John Williams Serv 8 writs \$8.00	
Commission on \$400. @ 2%	8.00
Sale	1.00
	<u>\$17.00</u>
	<u>\$95.20</u>