

November 1866

Studdard, Noah

vs.

Maness, Elizabeth

Maness, Elisha

Jones, Elizabeth

Studdard, Tempy

Partition

Heirs of Jones Studdard; 40

acres in S1T40R4E

Noah Studdard, - Plaintiff

Against

Elizabeth Maness,

Elisha Maness,

Elizabeth Jones, and

Tempey Studdard, - Defendants

} In the Circuit Court of
} Jefferson County Missouri

The Plaintiff states that James Studdard late of Jefferson County aforesaid, died seized in fee simple of the following described Tract of Land, situate in Jefferson County Missouri, to wit, The South East quarter of the South West quarter of Section No. One, in Township No. Forty, of Range No. Two East, Containing Forty acres, That said James Studdard left surviving him, his widow, the said Tempey Studdard, and eight children and heirs, to whom said Land descended, to wit, John A. Studdard, Elizabeth Studdard (now the wife of Elisha Maness,) Polly, who married William Brown, and who has died leaving two children, to wit, Margaret, (now wife of William Piland) and William Brown, - Matilda Studdard, married to Robert Huskey, - Benjamin^{P.} Studdard, - Mercenia Studdard (now wife of Riley Presley,) Melisa Studdard, (afterwards married to Joseph Jones) and since both have died, leaving but one child, to wit, Elizabeth Jones, and Noah

Studdard, the plaintiff. The Plaintiff states that he has since purchased and received deeds for five of the heirs aforesaid, to wit, John A. Studdard, Matilda Huskey, Benjamin P. Studdard, Margaret Pilana, and William Brown (heirs of Polly Brown, formerly, Polly Studdard) and Mercenia Presley, (formerly, Mercenia Studdard, wife of ~~James~~ ^{Poley} Presley) and being entitled to one share in his own right is therefore, entitled in fee simple to ^{the undivided} six-eighths of the land aforesaid; and the Defendants, to wit, Elizabeth Hanes, (wife of Elisha Hanes) is entitled in fee to the ^{undivided} one eighth part of said Land, and Elizabeth Jones, (daughter and only heir of Melissa Jones, formerly Studdard) is entitled in fee simple to the one undivided eighth part of said Land; all of said interests being subject to the dower interest of Tempey Studdard, the widow, who is entitled to dower in said Land of one third for her natural life. Plaintiff states that he, and the defendants hold said Land, as Tenants in Common. He therefore asks the Court for a decree for the admeasurement and setting off of said widow's dower ^{in said Land} and for a partition of the remainder, if the same can be done without great prejudice to the parties in interest; and if not, then for a sale of said premises, and that a division of

the process thereof, ^{he made} among all the parties
according to their respective rights and
interests.

Alfred Green
Attorney for the Plaintiff

Noah Studdard, the Plaintiff, makes oath
and says the above petition and the matters
therein as stated he believes to be true.
Sworn and Subscribed before me
this 3^d day of Oct 1866.

Noah ^{his} Studdard
mark

Saml A Peppy Clk

In Circuit Court
Jefferson County

Rock Strickland

vs,

Elizabeth Chances
and Others

Petition
of Partition

Let numerous
issues to Joff. Co.,
against Defts,

Where
for P.M.

2 Paid by Plaintiff

Filed Feb 3^d 1866

Saml W. DePuy Clerk

The State of Missouri, } ss.

COUNTY OF JEFFERSON.

The State of Missouri

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

We command you, that you summon *Elisha Maness*
Elizabeth Maness, Elizabeth Jones, and
Tempey Studdard

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~~ ^{first} Monday after the fourth
Monday of November next, then and there to answer unto

Noah Studdard

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

S. R. P. P.

Witness, ELIAS F. HONEY, Clerk of our said Circuit

Court, with the seal thereof hereunto affixed, at office

in Hillsboro, this *Third*

day of *October* A. D. 18 *86*

Samuel A. R. P. P.

Clerk Circuit Court.

182613
TO JEFFERSON CIRCUIT COURT

November 2nd, 1866.

Shack Studdard

and

Elisha Maners

OCT 17

C. C. Fletcher Sheriff
By John Williams Deput

Sheriff's fee \$4.00.

O.S. 20 cts each

I Executed the Within Writ in the County of
Jefferson State of Missouri on Elizabeth Maners
Elisha Maners Elizabeth Jones and Tempsey
Studdard on the 17th Day of October 1866 By Deliver-
ing to Each of them a true copy of the Writ and
Petition as furnish to me by the Clerk

C. C. Fletcher Sheriff.
By John Williams Deput

Noah Stoddard

Report of Sale

vs.

Elizabeth & Elisha Maness

Elizabeth Jones & J. Stoddard

In the Circuit Court

November term 1867

To the Hon Circuit Court of Jefferson County Mo. 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 as the law directs 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 Thursday the Seventh day of November 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 November 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 South East quarter of South ~~West~~ quarter section 1 Town 40 Range 2 east containing 40 acres

and Noah Stoddard was then and there the
highest and last bidder for the above described land
at the price and sum of Twenty Dollars
which sum he has to me in hand paid
and this report is respectfully
submitted

John Williams Sheriff 

Noah Stoddard } In
vs } Partition
Elizabeth Maness et al } Report
of Sale

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this *fifth* day of *November* A. D. 186*7*, 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 *30th* day of *October* 186*7*, and the last on the *1st* day of *November* 186*7*, as follows, to-wit:

SHERIFF SALE IN PARTITION.

In the Circuit Court of Jefferson county, Mo. **NOAH** Stoddard, plaintiff, against Elizabeth Maness, et al., defendants. 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. 1867, I will on the seventh day of November 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 east quarter of the south west quarter of section one, in township No. forty, of range No. 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. Dated this first day of October, 1867

JOHN WILLIAMS, Sheriff.

In No. 40,	Oct, 3,	1867.
In No. 41,	" 10,	1867.
In No. 42,	" 17,	1867.
In No. 43,	" 24,	1867.
In No. 44,	November,	1867.
In No. 45,	" 1,	1867.

Chas. A. Clark

his *5th* day of *November* 186*7*.

Received Payment.....
Chas. A. Clark
Chas. A. Clark

State of Missoury } In the Circuit Court.
County of Jefferson } May 17th 1867.

Be it remembered that among the proceedings of said Court this day the following were had to wit:

Noah Studdard	} In Partition. Order of Sale.
Elizabeth Maness, Elisha Maness	
Elizabeth Jones & Tempay Studdard.	

Now at this day come the Plaintiff and Defendants by their attorney except Elizabeth Jones who appears by her Guardian ad-litem. and the answer of said Guardian being filed and seen and this cause coming on to be heard, the Court doth find that Plaintiff and Defendants are owners and tenants in common of the following described Real Estate situate in Jefferson County State of Missouri To wit: The S E q^r of the S W q^r of Sec 10 one (1) in Township No 40 of R to 2 E containing 40 acres and the Court proceeding to adjudge and settle the rights and interests of said parties in and to said land doth declare the same to be as follows to wit: Noah Studdard is entitled in fee simple to the undivided six eighths of said land and that Elizabeth Maness and Elizabeth Jones are each entitled to the one undivided eighth part, in fee simple of said land, all of said interests being subject to the dower interest of Tempay Studdard who is entitled to dower in said land of one third for ^{her} ^{during} her natural life. And it appearing to the satisfaction of the Court that said land is so situated that partition thereof in kind cannot be made without great prejudice

to the owners thereof. It is ordered by the court that the Sheriff of said County proceed to sell said Real Estate at public auction to the highest bidder for ten per cent of the purchase money in cash and the residue in Twelve months and for the deferred payment take a bond or note from the purchaser or purchasers thereof with security bearing six per cent interest from date, that said sale take place some day during the sitting of the Circuit Court of said County and be governed by the same regulations prescribed by law for sales of real estate under execution, Notice thereof being given in the same manner as prescribed by law for such sales and bring into court the proceeds of said sale to abide the further order of the court herein.

State of Missouri }
County of Jefferson } In the Circuit Court,
The undersigned Clerk
of the Circuit Court in and for said county
hereby certify that the above and foregoing is
a true and correct copy of the Judgment of
Partition and order of sale in the above entitled
cause as full and complete as the same
appears and remains of record in said court.

Witness my hand and the seal of said Court
at office this 30th day of May AD 1869

Elias Horney clerk
 By C. Tho. Horney depy

In the Circuit Court
November Term 1867,

John Huddland

vs.

Elizabeth Hanes

Eliza Hanes

Elizabeth Hanes

Samuel Huddland,

on
Petition

order

of
sale

Noah Studdard, - Plaintiff

Against

Elizabeth Maness,

Elisha Maness

Elizabeth Jones, and

Tempey Studdard, - Defendants

In the Circuit
Court of Jefferson
County Missouri

Elizabeth Jones, a minor, by her Guardian ad litem, ~~Daniel Jones~~ Joseph J. Williams for Answer to the petition of Plaintiff, states that she believes her interest in the Land described in said petition is correctly stated, & that the Land is not susceptible of division.

Joseph Williams
Guardian Ad Litem for
Elizabeth Jones

Nash Studdard

Elizabeth Maness

S. A. Reppy, cop. set $\frac{60}{-}$ ~~copy~~ $\frac{50}{-}$ mit 45 cop. $\frac{1.50}{-}$ 2.60
affo $\frac{15}{-}$ dock $\frac{10}{-}$ 25

\$ 2.85

Mary E. Clark, org. sale $\frac{35}{-}$ app. $\frac{10}{-}$ sub $\frac{35}{-}$ and app. $\frac{35}{-}$ ~~1.15~~ 1.15
decre $\frac{50}{-}$ org $\frac{20}{-}$ cop. and sale, $\frac{1.50}{-}$ rept. sale $\frac{35}{-}$ org $\frac{20}{-}$ 2.65
costo $\frac{50}{-}$ D. B. $\frac{10}{-}$ cop. $\frac{1.00}{-}$ 1.60

\$ 5.40

Innocentius Shiff \$ 4.00 sero depts \$ 4.00

calls,

.25-

4.25

less \$2.00 to Reppy