

Jefferson County Circuit Court
Case file - Civil

Box

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Folder

32

November 1866

Eggers, Christian

VS

Godman, William

Godman, Lucinda

Null, John P.

Null, William Frances

Partition

109 acres in 535742123E

Christian Eggers, Plaintiff
 against
 William Godman, Lucinda
 Godman, wife of said William
 Godman, Mary Ellen Skell,
 John P. Null and William
 Francis Skell, defendants,

In the Circuit Court
 of Jefferson
 County Mo.
 November Term
 1866.

Plaintiff states, that he and the
 above named defendants are the legal
 owners and tenants in common of
 the following described real estate
 situated in the County of Jefferson
 and State of Missouri, to wit: the
 north west quarter of the South East
 fractional quarter, and the North East
 fractional quarter ^{and North east quarter} of the North west
 quarter, all in section 35, in Township
 42. of Range 3 East containing in
 all One hundred and nine & $\frac{88}{100}$
 acres.

Plaintiff further states, that he has
 an estate in fee simple in the undivid-
 ed one fifth part of the land above
 described and that he also has an
 estate for life, for and during the life
 of Elizabeth Everett, wife of Richard M.
 Everett, who is ~~the~~ the widow

of Michael Null, deceased, in the undivided one third part of said land, which latter estate for life is the dower of said Elizabeth Everett, from whom plaintiff has acquired the same by deed.

Plaintiff further states, that the defendants Lucinda Godmann, Mary Ellen Null, John P. Null and William Francis Null, have each an estate in fee simple in the undivided one fifth part of said land, and that Lucinda Godman, and William Godmann her husband, are now residents of the State of Missouri.

Plaintiff asks judgment against the defendants for partition of the land above described according to the quantities of interest, which the parties to this action have therein as above specified.

Thomas G. Shlens
Atty for plff

Christian Eggers, being duly sworn upon oath, deposes and says, that the foregoing petition and



the matters as therein stated he
believes to be true, and that William
Godman and Lucinda Godman, his
wife, are residing out of the State
of Missouri,

known to and subig
scribed before me
this 14 day of Sept
1866.

Christoph Eggers

J. G. Glaze J. F.

In the vicinity
located at Jefferson
Co. N.Y.

Nov. 1866.

Christian Eggen

or,

William Goodman,
Quindoc Goodman
etc.

John J. J. J.
particular

1 copy per 4 units
2 copies under

West Sept 24 1866,
Sam. A. H. J. J.

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 *William Godman,*
Lucinda Godman, wife of said William Godman, Mary
Ellen Null, John P. Null and William Francis
Null-----

----- 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

Christian Eggers-----

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

Samuel A. Rippey,
Witness, *ELIAS F. HONEY,* Clerk of our said Circuit
Court, with the seal thereof herewith affixed, at office
in Hillsboro, this *Sixth*
day of *October* A. D. 18*66*

Samuel A. Rippey,-----
Clerk Circuit Court.

TO JEFFERSON CIRCUIT COURT

November Term, 1866

2581

Christian Eggers
vs. SummonsWm Godman
Lucinda Godman
Mary Ellen Mule
John P. Mule
William Francis MuleOriginal Petition
ShankOct 16
John Williams Deputy
Sheriff fee \$3.00

I Executed the Within Writ in the County of Jefferson
State of Missouri on Mary Ellen Mule John P. Mule and
Wm. F. Mule on the 16th Day of October 1866 By Deliver
ing to Each of them a true Copy of the Within Writ
and Petition as furnished me by the Clerk

C. C. Fletcher Sheriff
By John Williams, Deput

Christian Eggers, plaintiff	In the Circuit Court of Jefferson Co. Mo.
against	
William Godmann, and	
Lucinda Godmann, his wife,	
John P. Kull, and William Francis Kull, defendants	
	May Term 1867.

Plaintiff in this his ^{supplemental} ~~amended~~ petition ~~to~~ in the above entitled case, states, that since the institution of this partition suit he has bought all the interest of Mary Ellen Kull, one of defendants, and her husband, and that therefore he, the plaintiff and the above named defendants only, are now the legal owners and tenants in common of the following described Real Estate, situate in Jefferson County, State of Missouri, to wit: the North west quarter of the South East fractional quarter, and the North East fractional quarter, and the North east quarter of the North west quarter, of section 35, in Township 42. of Range 3 East, containing in all One hundred and nine & $\frac{88}{100}$ acres,

Plaintiff therefore states, that he has now an estate in fee simple in the undivided two fifths parts of the land above described and that he also has an Estate for life for and during

the life of Elizabeth Everett, wife of Richard M. Everett, who is the widow of Michael Stull, deceased, in the undivided one third part of said land, which latter estate for life is the dower of said Elizabeth Everett, from whom plaintiff has acquired the same by deed.

Plaintiff further states, that the defendants Lucinda Cadmann, ~~and~~ ~~John P. Stull~~ John P. Stull and William Francis Stull have each an estate in fee simple in the undivided one fifth part of said land, and that Lucinda Cadmann and William Cadmann, her husband, are now residents of the State of Missouri.

Plaintiff asks judgment against the defendants for partition of the land above described according to the quantities of interest, which the parties to this action have therein as above specified.

Thos. C. Shivers

Atty for plaintiff,

Christian Eggers
vs,
William Lockman
& others.

Supplemental
Petition for
partition,

Sp. day: May 10th 1887
C. Honey del

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 3d day of April, A. D. 1867, before me, the undersigned Clerk of the ~~Law~~ 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 ~~the~~ five times, the first insertion being on the 1st day of March, 1867, and the last on the 29th day of March, 1867, as follows, to-wit:

ORDER OF PUBLICATION.

STATE of Missouri, county of Jefferson.
In the Circuit Court, November 15th,
1866. Petition for partition.
Christian Eggers, plaintiff,

against
William Godman, Lucinda Godman, Mary
Ellen Null, John P. Null and William
Francis Null, defendants.

Now at this day comes said plaintiff by his attorney, and it appearing to the satisfaction of the Court that William Godman and Lucinda Godman, his wife, are non residents of the State of Missouri, it is therefore ordered by the Court that said non-residents, defendants, be notified by publication of the commencement of this action, the object and general nature of which is to obtain an order and decree for the partition and division of the following described lots or parcels of land, viz: The north west quarter of the south east fractional quarter, and the northeast fractional quarter and north east quarter of the north west quarter, all in section 25, in township 42, of range three (3) east, containing in all one hundred and nine and eighty-eight one-hundredth acres, situate in Jefferson county, Missouri, and for a sale thereof if partition cannot be made without great prejudice to the owners thereof; and that unless they be and appear before said Court on the first day of the next term thereof, to be holden at the court house in Hillsboro, in and for said county, on the sixth Monday after the fourth Monday of March next, and on or before the sixth day of said term, answer the petition of said plaintiff, the same will be taken as confessed against them. And it is further ordered that a copy of this order be published for four weeks successively, in the Jefferson County Leader, a newspaper printed and published in this State, the last insertion to be at least four weeks before said next term.

A true copy from the record. Witness my hand and the seal of said court, at office in Hillsboro, this 31st day of January, A. D. 1867.
ELIAS F. HONEY, Clerk.

In No. 9,	March 1,	1867.
In No. 10,	"	8,
In No. 11,	"	15,
In No. 12,	"	22,
In No. 13,	"	29,
In No. ,		1867.

Chas. A. Clark

this 3d day of April, 1867.

Elias F. Honey Clerk

Printer fee, \$10.00
Paid payment
C. A. Clark

C. Eggers

Wm Goodman et als

Proof Publication \$1000

Filed April 3^d 1867
Elias J. Hooney clerk

FINE AND WELL S

STAPLE AND FA

GROO

BOOTS AND SHOES

NOTION

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 19 day of May A. D. 1868, before me, the undersigned Clerk of the Co 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 3 times, the first insertion being on the 16 day of April 1868, and the last on the 30 day of April 1868, as follows, to-wit:

SHERIFF SALE IN PARTITION.
Christian Eggers, vs. Lucinda Godman et
alg.

[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 November Term, A. D. 1867, I will on the fourteenth day of May next, 1868, 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 northwest quarter, of the southeast fractional quarter, and the northeast fractional quarter, and the northeast quarter of the northwest quarter of section 35, Township 42, Range three east, containing in all, one hundred and nine and eighty-eight one-hundredths acres, situated in Jefferson County, in the State of Missouri, for the purpose of making partition between said parties, for which the purchaser will be required to pay twenty 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 13th day of April, 1868.

JOHN WILLIAMS, Sheriff.

In No. 16,	April 16	186.8
In No. 17,	"	23 186.8
In No. 18,	"	31 186.8
In No. ,		186. .
In No. ,		186. .
In No. ,		186. .

Chas A. Clark

this 19 day of May 1868

William M. Williams

Christian Eggers
against
Lucinda Goodman et al

} Report of Sale
In the Circuit Court
May Term 1868. -

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 make
a part of this report, - I did agreeable with said
Advertisement, at the Court House door in Hillsboro
on Wednesday the Fourteenth day of May A.D. 1868
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 eight expose to sale at public Auction
the following described Real Estate situate in
said County - To Wit: - NWqr S E 1/4 and NE 1/4
and NEqr NWqr of Sec 35 - Town 42 - R 3 - cont 109 ⁸⁸/₁₀₀
acres

and Christian Eggers was then and there the
highest and last bidder for the above described
Real Estate at the price and sum of Four hundred
Dollars, of which sum he has to me in hand paid
20 per cent, and has given his note with approved
security for the balance as required by the terms
of sale. And this report is respectfully submitted
John William Sheriff.

State of Missouri }
County of Jefferson } In the Jefferson Circuit Court
November 13th 1867. The following proceedings
were had to wit:

Christian Oggers

- vs -
William Goodman Lucinda Goodman
Mary Ellen Stull John P Stull
and William F Stull

} In Partition
Order of Sale,
Now at this

day comes the Plaintiff by his attorney, and the
defendants failing to appear and set aside
their default heretofore entered at the last
term of this Court, and this cause coming on to be
heard upon the petition and evidence pro-
duced by the Plaintiff, The Court doth find
that said Plaintiff and Defendants are owners
and tenants in common of the following des-
cribed Real Estate, situate in Jefferson County
and State of Missouri To wit: The North West
quarter of the South East fractional quarter, and
the North East fractional quarter, and the North
East quarter of the North West quarter of
Section 35 in Township 42, of Range 8 East,
containing in all one hundred and nine ⁸/₁₀ acres.
And the Court proceeding to adjust and settle
the rights and interests of the parties in and to said
Land, doth declare the same to be as follows, viz:
That Christian Oggers is entitled to two fifths
of said Land, and that he also has an estate for life

for and during the life of Elizabeth Everett wife of
Richard W Everett who is the widow of Michael
Mull deceased, in the undivided one third part of
said Land, which estate for life is the dower of
said Elizabeth, And that ^{Lucinda Goodman John}
O. Mull and William T. Mull ^{aged Mary Ellen Mull}, have each an
estate in fee in simple of the undivided one fifth
part of said Land, And it appearing to the sat-
isfaction of the Court that Partition thereof in kind
cannot be made without great prejudice to the owners
thereof, It is therefore ordered by the Court that the
Sheriff of Jefferson County proceed to sell said real
estate at public auction to the highest bidder for
Twenty per cent of the purchase money in cash, and
the residue in Twelve months, and for the deferred pay-
ment, 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 session of the Cir-
cuit 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 by the Sheriff in the same
manner as provided by law for such sales, and
bring into court the proceeds of said sale to
abide the further order of the Court herein,

Attest Copy from the Record



Witness my hand and the Seal of
said Circuit Court hereunto affixed
at office in Taunton this ~~the~~ the
2nd day of December A.D. 1867.

Chas. J. Hooley Clerk
By C. J. Hooley Deft

Christian Eggers vs.

Partition

William Gadmam and
Lucinda, his wife, John
P. Hull and William
Francis Hull, defts

Judgment by
default,

Now on this day comes
plaintiff by his attorneys and
the defendants, being duly called
come not, though duly notified
the said John P. Hull and William
Francis Hull by summons, and
the said William Gadmam and
Lucinda Gadmam by publica-
tion, wherefore Judgment by
default is rendered against
all these defendants and the
cause continued.

Christian Egger }
 Lucinda v. Apodunau }

Fee 1 Dill,
 J. H. Peppy, orig pub ³⁵ copy ³⁵ exs ⁵⁰ dock ⁵
 file pet. ⁵⁵ cap pet. ⁵⁰ exs ⁵⁰ mit \$1 cop ²⁰
 1.25
 2.25

Honey Sup pet, ²⁰ default ³⁵ app ¹⁰ orig ²⁰ cont, ²⁵ \$1.10
 orig sale ⁸⁵ Decree ⁵⁰ orig ²⁰ left, ²⁵ orig allow atty fee, ³⁵ orig ²⁰ \$1.60
 cop orig sale, ⁷⁵ exs ⁵⁰ Rept sale ³⁵ orig ²⁰ 1.80
 making cost, ³⁰ J. H. 10, exs ⁹⁰ 4 files ²⁰
 1.10 \$5.60
 Printers Fee, 10.00

John Williams & Co, send 3 adft. 3.00
 Advertising 8.50
 Sale 1.00
 Com. on \$400. 8.00 \$20.50.