

May 1867, #6

Stehli, David

Arnold, Elizabeth

Arnold, Florence

VS

Gregory, Mary

Gregory, William

Stehli, George

Rash, Nicholas,

et al

Partition

Heirs of Joseph Stehli, 80 acres

in SIT 42125E; other defendants

George Rash, Christine Rash, Silvester

Rash

David Stehli

Elizabeth Arnold formerly

Elizabeth Stehli and her

husband Florence Arnold

} Plaintiffs

vs.

Mary Gregory formerly Mary
Stehli & her husband William

Gugony. George Stehli.

Nicholas Rash, who married

Catharine Stehli, now deceased,

and their children George Rash,

Christine Rash & Silvester Rash.

} Defendants

In the Circuit Court
of Jefferson County Mo.

The plaintiffs state that the ancestor of the parties to this suit, Joseph Stehli, did seized & possessed of the following described land lying and being in Jefferson County Missouri to wit: The N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ & the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of section One Township forty two (42) Range five East Containing eighty acres; that said deceased left the following named children, David and Elizabeth, who has married with Florence Arnold, plaintiffs, Mary who married William Gregory. George, who is a minor, Catharine who married Nicholas Rash, and who has since died leaving

surviving her, her said husband and three children, George, Christene, & Silvester Rash all of whom are minors.

Plaintiffs therefore say that the parties to this suit are the fee simple owners of, and hold in common, the above described tract of land, and are interested in the same in the following proportions to wit: The said plaintiff said Stahli owns one fifth (1/5). The said Elizabeth & Florence Arnold own one fifth (1/5). The said Mary and William Gregory own one fifth (1/5). The said George Stahli owns one fifth (1/5) and the said George Christene and Silvester Rash each owns one third (1/3) of one fifth (1/5) or one fifteenth (1/15) of the whole of said tract of land subject to the life estate and Courtesy of their father the said Nicholas Rash. Plaintiffs pray the Court to appoint for the minor defendants herein a guardian ad litem to represent their interest in this suit.

Plaintiff therefore in consideration of the premises prays the Court for a decree ~~and~~ partition of said real estate between the parties herein according to the respective rights of the parties, and

if it should appear from the evidence
in the case that partition cannot
be made without great prejudice
to said owner, that a sale thereof
be ordered and judgment decreed
for such other and further relief
as may be right & proper

J. Pipkin atto. for
the plaintiffs

Philip Pipkin attorney for the plaintiffs makes oath
and says that the foregoing petition and the
matters therein as stated he believes to be
true.

Sworn to & subscribed
before me Feb 12th 1867

Edias J. Keoney

Philip Pipkin

afternoon in court
count. May term
1867.

David M. Little.
Eugene M. Smith &
Florence M. Smith &

vs

May Gregory
with and Gregory
George Little
Nicholas Cook
George Cook
Christine Cook &
Martha Cook

Petition for partition

John's son

Filed July 12th 1867
Geo J. H. May Ch

File put
copy put 65-240 50
with 14 copies 809
aff 25

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

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

We command you, that you summon Mary Gregory and William Gregory her husband, George Stehli Nicholas Rash George Rash Christine Rash Silvester Rash

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 ^{8th} Monday after the fourth Monday of March to answer unto

David Stehli, Elizabeth ~~W. Stehli~~ ^{Arnold} her husband

upon their original petition, a copy whereof is herunto annexed and accompanies this writ, and have you then there this writ.

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

Court, with the seal thereof herunto affixed, at office in Hillsboro, this Twelfth

day of February A. D. 1867

Elias F. Honey

Clerk Circuit Court.

No 6

TO JEFFERSON CIRCUIT COURT

2471

May 1867

David Stehli

Elyth Donald

Florence Arnold

as & others

Mary Gregory

William Gregory

George Stehli

Nicholas

George

Christine

Silvester

John Williams Sheriff

per \$7.00

I Executed the Within Writ in the County of Jefferson State of Missouri on George Rash on the 5th Day of March 1867 By Delivering to him a true copy of the Within Writ and Petition and I further Executed this Writ on Mary Gregory William Gregory George Stehli Nicholas Rash Christine Rash and Silvester Rash By Delivering to each of them a copy of the Writ as furnished By the Clerk on the 19th Day of April 1867

John Williams
Sheriff

David Stettin et al
vs
Wm. Gugony et al 3

George Stettin. George Rosh. Christine Rosh. & Sylvester Rosh by their guardian ad litem John L. Thomas for answer to plaintiffs petition say that they know nothing to the contrary why the prayer of plaintiffs petition should not be granted. They further say that they are advised that the rights and interests, as set forth in the petition, of the parties are as therein stated,

George Stettin

George Rosh

Christine Rosh

Sylvester Rosh

By their guardian ad litem John L. Thomas.

David Steele Esq

N^y

Gregory Esq

Andrew of Guardian
ad litem -

Filed May 7th 1867

J. J. Honey etc

David Stehlin
Elizabeth Arnold &
Florence Arnold

In the Supreme
Circuit Court
Nov Dec 1867

vs
Mary Gregory & William
Gregory et al

Now on this 15th day
of November and during the November
term of the Circuit Court of the County
aforesaid, came the parties herein plaintiffs and
defendants, and the matters and things being
submitted to the Court upon the pleadings,
and the Court proceeding to ~~try~~ hear the
proofs and allegations doth find that
Joseph Stehlin the ancestor of the plaintiff
died, seized of the following real estate
to wit The NW¹/₄ of the SW¹/₄ & the SE¹/₄ of
the SW¹/₄ of Section One Township 42
Range 5 East containing eighty acres
in Jefferson County Missouri, that said
Joseph Stehlin departed this life leaving
the above named plaintiffs David Stehlin
and Elizabeth Arnold, and the above named
defendants Mary Gregory, George Stehlin &
Catherine Stehlin, that said Catherine intermarried
with one Nicholas Rush, and afterwards died
leaving her said husband and the following
children George Rush Christine Rush &

Sylvester Rash he sale him at law, and
entitled to the share of said portion in said
real estate, And the Court proceeding to
ascertain the rights and interest of the said
persons in said real estate doth find that said
said Helen owns one fifth ($\frac{1}{5}$) - the said
Elizabeth and her husband Florence Arnold
own one fifth ($\frac{1}{5}$) - the said Mary and
her husband William Sugory own one fifth
($\frac{1}{5}$) - the said George Stettin owns one fifth
($\frac{1}{5}$), and the said George, Christine and
Sylvester Rash each owns one third of one
fifth ($\frac{1}{5}$) or one sixteenth ($\frac{1}{16}$) of the whole,
and that said ~~George~~^{Elizabeth} Rash owns a life
estate in the said one fifth owned by
his said wife,

~~It is therefore ordered~~

The Court doth further find that said
real estate cannot be divided between
the parties herein without great prejudice
to the same thereof.

It is therefore ordered adjudged and
decree that partition of ^{and} real estate
be made, and that the same be sold,
vL vL, vL (in the usual form and upon
the usual terms)

David Keith's hat
is

Henry's hat

Heaven

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 14th day of May A. D. 1868, before me, the undersigned Clerk of the Court of Jefferson county, came Chas. A. ~~Clerk~~ ^{Frederick} 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 16th day of April 1868, and the last on the 30th day of April 1868, as follows, to-wit:

SHERIFF SALE IN PARTITION.

David Stebbins et als, vs. Mary Gregory 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 November term, A. D. 1867, I will on the

14th 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 southwest quarter and the northeast quarter of the southwest quarter of section one, township forty-two, range five east, containing eighty acres, situated in Jefferson county, Missouri, 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 thirteenth day of April, 1868.

16

JOHN WILLIAMS, Sheriff.

In No. 16,	April 16	1868
In No. 17,	" 23	1868
In No. 18,	" 30	1868
In No. 19,	"	1868
In No. 20,	"	1868
In No. 21,	"	1868

Chas. A. Frederick

this 16th day of May 1868

John Williams, Clerk

Received Payment.

David Stehli et als	}	Report of Sale
against		In the Circuit Court
May Gregory et als		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 makes 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: - N W 1/4 Sec 1 and NE 1/4 Sec 1 - Town 42 - R 5 - cont 80 acres -

and Mr. Gregory was then and there the highest and last bidder for the above described Real Estate at the price and sum of One thousand Dollars of which sum he has to me in hand paid 10 per cent and has given his bond with approved security for the balance as required by the terms of sale. - and this report is respectfully submitted

John Williams Sheriff. -

State of Missouri }
County of Jefferson } In the Jefferson Circuit
Court November 15th 1867 the following
proceedings were had to wit;

David Stehli, Elizabeth Arnold formerly Elizabeth Stehli, and her husband Florence Arnold, Mary Gregory ^{= vs =} formerly, Mary Stehli and her husband William Gregory George Stehli, Nicholas Rash who married Catharine Stehli now deceased and their children George, Rash, Christina Rash & Sylvester Rash,	In Partition Decree, and Order of Sale,
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Now again at this
day come the parties aforesaid by their respective
attorneys, and all and singular the matters and
things at issue between the parties being sub-
mitted to the court, upon the pleadings, and the
court after hearing the proofs and allegations
doth find that Joseph Stehli the ancestor of the
Plaintiffs died seized of the following Real
Estate to wit; The S W ¹/₄ of the S W ¹/₄ of the S E ¹/₄
of the S W ¹/₄ of Section one Township 4 S Range 5
East containing Eighty acres, in Jefferson
County Missouri that said Joseph Stehli
departed this life leaving the above named
Plaintiffs David Stehli and Elizabeth Arnold
and the above named Defendants

Mary Gregory, George Stehli & Catharine Stehli
that said Catharine intermarried with one
Nicholas Rash and afterwards died leaving
her said husband and the following Children
George Rash, Christena Rash and Sylvester Rash
the sole heirs at law and entitled to the Share
of said Catharine in said Real Estate, And
the Court proceeding to ascertain the rights
and interests of said parties in said Real
estate doth declare the same to be as fol-
lows: That David Stehli is entitled to one
fifth of said Land, the said Elizabeth
and her husband Florence Arnold are
entitled to one fifth, The said Mary and
her husband William Gregory are entitled
to one fifth, The said George Stehli is
entitled to one fifth, and the said George,
Christena and Sylvester Rash each own
one third of one fifth, or one fifteenth
of the whole of said Land, and the said
Nicholas Rash owns a life estate in
the said one fifth owned by his said
wife, And it further appearing to the
Court that said Land is so situate that
Partition and division thereof in kind
cannot be made without great prejudice
to said owners, It is therefore ordered
adjudged and decreed that partition

of said real estate be made and 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
from date, that said sale take place
on some day during the session of the
Circuit Court of said County, and be
governed by the same regulations prescribed
by law for sales of Real estate under exe-
cution. 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,

A true copy from the Record,

Witness my hand and the seal of said
Court at office in Hillsboro
this December the 30th 1864

Elias H. Honey Clerk

David Wells at
Mary Gregory at
order of D. L.

David Stelli

Mr. Mary Gregory

E. J. Honey Co, side bet, 5 ^c cop/bet, 75 ^c crs 50 ^c	// 1.30
with #1. scop 50 ^c aff. 15 ^c stamp 50 ^c files 25 ^c	2.40
org 20 ^c and 20 ^c Default, 25 ^c cont, 25 ^c org sale, 25 ^c	1.35
decreed 50 ^c 2 orders 40 ^c sub 35 ^c up per. 10 ^c	1.35
rule 20 ^c org 20 rule 20 ^c - org 20, - Report sale 25 ^c	1.15
copy org sale crs \$1.50 making cost, 50 ^c	2.00
This Fee Bill crs,	1.00
	// 10.55

John Williams Sheriff

Serv 7 deft. \$2.00 scales 45

~~Advertising~~ advertising

Commission -

Sale,

P. Pipkin atty fees

Mr. Thomas " "

N. H. Thomas

	7.45
	8.50
	20.00
	1.00
	// 36.95
	30.00
	10.00
	// 87.50
	20.00
	207.50
	100.
	107.50
	26.25
	// 133.75

David Steblee et al vs
William Engory et al

In the Circuit
Court of Jefferson
County Mo.

The Court allows Philip Popkin
attorney in the above entitled
Cause a fee of thirty — dollars
to be taxed and paid as cost in
the case —

The land sold for \$1000 —

Laurie Little's Tree

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William Gregory

Ally Lee

Ally

Ally

Ally