

Jefferson College Circuit Court  
Case File - CIVIL

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November 1867, No. 48

Dover, Oscar

v

Stroupe, Mildard F

Partition

Lot 1 Block 7 in town of Victoria

Oscar Tower Plaintiff  
Against  
Millard F Straupe Defendant } In the Circuit  
Court of Jefferson  
County Missouri

The Plaintiff state that John Straupe died some time in the year 1862 seized in fee simple at the time of his death of the following described Town Lot situated in Jefferson County Missouri to wit Lot (No) one in Block (No) seven in the Town of Victoria The Plaintiff state that said John Straupe Deceased left the following children Susan Straupe William Straupe Peter Straupe Astor Straupe and Millard F Straupe to whom the above described Lot descended as his heirs Plaintiff ~~farther~~<sup>state</sup> that on day of 1866 he purchased and received a Deed for the shares of Susan Straupe William Straupe Astor Straupe and Peter Straupe for their respective undivided shares and interests in said Lot and that said Oscar Tower is therefore entitled in fee simple to the undivided four fifths and that Millard F Straupe is entitled in fee simple to the undivided one fifth share of Plaintiff state that the said Millard F Straupe is a minor for whom plaintiff ask the Court to appoint guardian ad litem

and partition of the <sup>8th</sup> Lands aforesaid ac-  
cording 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  
James C. Pomeroy attorney  
for plaintiff

dear Daves  
makes oath and says the above  
petition and the matters therein  
as stated he believes to be true  
Sworn to and subscribed  
before me this day of  
1867. Wend Dovers

Dr. Brewster Count  
Jefferson County

Dear David

bro

Chilard, de, de la

De Liden for Park Ave

Le T. humm. obs.

Attested April 15<sup>th</sup> 1867  
Elias J. Honez, Clerk

copy held of 1

Starrick,

50510A-

Order 1000

12

1000

16000

Davidson

17 May 2000

56 100

CCO2 3-0 71 18-

THE STATE OF MISSOURI, }  
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Millard P. Droupe*

if he be found in your County, that  
he 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 *sixth* Monday after the  
fourth Monday of March 1867, ~~next~~, then and there to answer unto  
*Oscar Dover,*

upon *his* original petition, a copy whereof is hereunto 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 hereunto affixed, at office in Hillsboro, this  
*Fifteenth* day of *April* A.D. 1867

*Elias F. Honey*

Clerk Circuit Court.

2048  
2569  
TO

JEFFERSON CIRCUIT COURT.

May Term, 1867

Doan & Over

vs 4 Shumme

Millard J. Stroup

(original)

John William Sheriff

fee \$1.00

I Executed the Within Writ in the County of  
Jefferson State of Missouri Millard J. Stroup  
on the 18<sup>th</sup> Day of April 1867 By Delivering  
to him a true Copy of the Within Writ and  
Petition as furnished by the Clerk  
John William Sheriff

Oscar Dover, - plaintiff  
Against  
Millard F. Stoupe, - defendant } In the Circuit  
Court of Jefferson  
County  
May Term 1867

The Defendant Millard F. Stoupe, a minor  
by his Guardian ad litem, Abner Green, appointed  
by the Court, for Answer to plain-  
tiff's petition, states, that he has examined  
the said petition, and believes that <sup>the</sup> interest  
of said minor in the land described in  
said petition is correctly set out and stated,  
and Defendant by his said Guardian believes  
the property described is of such a nature  
that it cannot be divided with <sup>out</sup> great  
prejudice to the owner,

Millard F. Stoupe  
By Abner Green,  
Guardian ad litem,

In Circuit Court  
Jefferson County

Dea. Bowes

vs,

William D. S. Stranphe

By his Special Attorney

Answer

Filed May 14th 1867  
C. J. Womsey clk

Oscar Power

<sup>vs</sup>

Mildred A Straupe in partition  
Sale made November  
Term 1867

the Hon Circuit Court will please  
allow attorney fee to J. C. Power \$25.00

Allowed

J. A. Vail Judge

Dear  
Friends

Dear Arthur

With regards  
E. J. Conway Oct 18

State of Missouri } In the Circuit Court  
County of Jefferson } May 17<sup>th</sup> 1867

It is remembered that among  
the proceedings of said Court, had this day the  
following remains of Record to wit:

Oscar Dover, } In Partition  
vs } Order of sale  
Millard F. Stroup <sup>minor</sup> }  
Now at this day come the said  
Plaintiff by his attorney and the answer of said minor  
Defendant by his Guardian ad litem being filed and seen  
and this cause coming on to be heard the court doth find  
that said Plaintiff and Defendant are the owners and  
tenants in common of the following described Real Estate  
situate in Jefferson County Missouri to wit: Lot No  
one (1) in Block No Seven (7) in the Town of Victoria and  
the court proceeding to adjust and settle the rights  
and interests of said parties in and to said land  
doth declare the same to be as follows, The said  
Oscar Dover is entitled to four fifths of said land  
and Millard F. Stroup minor as aforesaid is enti-  
tled to one fifth of said land, and it appearing  
to the satisfaction of the court that said land is so  
situate that partition in kind cannot be made  
without great prejudice to the owners thereof, It is  
ordered of 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 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 provided  
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 } I 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 26<sup>th</sup> day of May  
A.D. 1884

Elias Honey clerk,  
By C. Thos. Morine Deft

In the Council's House,  
November 20<sup>th</sup> 1867

C. Brown,  
with the Partition  
of the House

Order of Sale

20 per

# State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this *5<sup>th</sup>* 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 *third* day of *October*, 186*7*, and the last on the *1<sup>st</sup>* day of *November*, 186*7*, as follows, to-wit:

## Sheriff Sale in Partition.

In the Circuit Court of Jefferson county, Mo.  
Oscar Dover, plaintiff, against Millard F. Stroup, defendant. 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 6th 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:

Lot one, in block seven, in the town of Victoria, Jefferson county, 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. Dated this first day of October, 1867.

JOHN WILLIAMS, Sheriff.

|            |         |                |
|------------|---------|----------------|
| In No. 40, | Oct. 3, | 186 <i>7</i> . |
| In No. 41, | " 10    | 186 <i>7</i> . |
| In No. 42, | " 17,   | 186 <i>7</i> . |
| In No. 43, | " 24,   | 186 <i>7</i> . |
| In No. 44, | Nov 1,  | 186 <i>7</i> . |
| In No. ,   |         | 186 <i>7</i> . |

*Chas. A. Clark,*

his *5<sup>th</sup>* day of *November*, 186*7*.

*Wm. Mullin* *ck*

*C. A. Clark*

Received Payment.

Oscar Dover  
vs  
Millard F. Stroup

} Report of Sale  
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 Wednesday the Sixth 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. Lot Number  
One in Block number 7 in the Town  
of Victoria

and Oscar Dover was then and there the highest and last bidder for the above described land at the price and sum of One hundred and Forty Dollars of which sum he has to me in hand paid 20 per cent and has given bond with approved security as required by terms of sale. And this report is respectfully submitted.

John Williams Sheriff Seal

Oscar Dover  
vs { in Partition  
Willard F. Stroup  
Report of Sale