

Jefferson County Circuit Court

Box

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Case File - Civil

November 1867, #105

McBroom, William

vs

McKeen, Jane

McKeen, Hannah

McKeen, Starnet

McKeen, Lucinda,

et al

Partition

80 acres in S10T40R3E, other
defendants Missouri Dgle, Henry
Dgle

William M^cBroom, Plaintiff
Against

Jane M^cKeen, Hannah
M^cKeen, Janet M^cKeen
Lucinda M^cKeen, Missouri
M^cKeen, ^{Genny Oggle} & William M^cKeen
Oggle } Defendants

In the Superior Circuit
Court. Nov. Term 1867.

Plaintiff states that he and defendants
are the owners and tenants in common
of the South half of the South West qr.
of Section No Ten, Township No Forty
of Range No three East containing
eighty acres: that Plaintiff ~~Plaintiff~~ ^{Jane}
~~M^cKeen, Hannah M^cKeen~~ and is entitled
to one third of said land: that Jane
M^cKeen, Hannah M^cKeen and William
M^cKeen are each entitled to one ^{24th} of
said land: that Missouri ^{Oggle} ~~M^cKeen~~
the widow of James M^cKeen deceased
is entitled to one third of one ~~sixth~~ ^{24th} of
said land for and during her natural
life: that Janet M^cKeen and Lucinda
M^cKeen, minor heirs of James M^cKeen
deceased, are each entitled to one

Twelfth of said land subject to the life estate
of the said Missouri McKean. (q. 6)

Plaintiff further states that Jane McKean,
Hanna McKean, Janet McKean and
Lucinda McKean are minors under
the age of twenty one years and that
William McKean is a non resident
of the State of Missouri.

Plaintiff therefore prays the Court to
make an order for the partition and
division of said land among those
interested therein as set forth in
this petition or if division thereof can-
not be made in kind, then to order
a sale thereof. & for other proper
relief.

John L. Hedman
Atty for Plaintiff

William McBroom makes oath
says that William McKean is a
non resident of the State of Missouri
Sworn to & subscribed } William McBroom
before me Oct 2 }
1867.

Elias & Honey circuit cl.
By C. J. Stone Depk

William McPherson

27

Jane McPherson

Petition for Partition

Dated Oct. 24th 1867,
at Denver Col.
By J. J. Devine Clerk,

Wm. McPherson

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: *Jane McKeen*
Hannah McKeen Sarah McKeen Lucinda
McKeen Miriam McKee Ogle & Henry Ogle,

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 *first* Monday ~~after the~~
~~fourth~~ Monday of *November* next, then and there to answer unto
William McDroom,

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
Second day of *October* A. D. 1867

Elias F. Honey
Clerk Circuit Court.
By *C. J. Horine* Sept
[Signature]

2044
MAY 1867

TO

JEFFERSON CIRCUIT COURT.

Filed Term, 1867

Wm McKeen

vs
Jas. McKeen

Jane, McKeen

Hannah, McKeen

Lucinda, McKeen

Missouri Ogle,

Attorney at Law,

Jefferson County,

Mo

Original

John Williams Sheriff

Fee \$6.50

Served Oct 11th 1867

I Executed the Within Writ in Jefferson County Mo on the 11th Day of Oct 1867 By Delivering to Henry Ogle a true Copy of the's Writ and Petition as furnished By the Clerk and further Executed this Writ in Jefferson County Mo on the 14th Day Oct 1867 By Delivering to Jane McKeen Hannah McKeen Lucinda McKeen Sarah McKeen and Missouri Ogle a true Copy of this Writ as furnished By the Clerk Wm McKeen not found in my County
John Williams Sheriff

William McBroom, Plff.	} In the Circuit Court of Jefferson County Missouri
vs	
Marret McKean & Lucinda McKean	
and others Defts.	

Defendants Marret & Lucinda McKean by
 Jos. J. Williams their Guardian Ad Litem
 Come and for answer to Plaintiffs Petition
 Say that they have no knowledge or informa-
 =ation sufficient to form a belief as to whether
 the title rights & interests of the parties
 Plaintiff and Defendants in this cause are
 correctly stated & set out in Plaintiffs
 Petition or not but say that said Plaintiff
 ought to be held to proof of said title and
 rights of the parties as stated by him in
 said petition

Marret & Lucinda McKean
 By Jos. J. Williams their
 Guardian Ad Litem

Thos McPherson

(m)

Wm McKeen
Exec

Ass. of Quers in
Ad. T. C. C.

Filed Mar 2nd 1868,
B. & H. M. C. C.

William McBroom } In the Circuit
vs } Court of
Jane McKean Exals. } Jefferson
Co. Mo.

Now at this day comes William
McKean and for answer to the
petition of Plaintiff says that
the interests and rights of the
parties as stated set out in the
petition of Plaintiff is
correctly stated

Joel Williams
Att. for said
Defendant

McPherson

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McLean shot

men of
McPherson

filed Nov 27 1864,
E. J. Honey & Co

Certificate of Publication.

State of Missouri, }
County of Franklin, } ss

Personally appeared before me, the undersigned, *Notary Public* within and for the county of Franklin, David Murphy, who being duly sworn according to law, upon his oath says that he is the publisher and proprietor of, the "Franklin County Observer," a weekly newspaper printed and published in the County of Franklin and State of Missouri. That the notice of *In Partition Order of Publication* a copy of which is hereto annexed, was printed and published in said weekly newspaper for *weeks* consecutively;

1 st	Publication was made Friday,	August 21 st	1868	Vol. 8	No. 8
2 nd	"	August 28 th	1868	Vol. 8	No. 9
3 rd	"	September 4 th	1868	Vol. 8	No. 10
4 th	"	September 11 th	1868	Vol. 8	No. 11

Order of Publication.

State of Missouri, }
County of Jefferson, }
In the Jefferson Circuit Court, May 22d 1868.

Among other proceedings the following were had, to wit:

William McBroom
vs.
Jane McKeon, Hannah Keen, Starret McKeon, Ogle, Henry Ogle and William McKeen.

In Partition Order of

Now at this day comes the plaintiff by his attorney, and it appearing to the satisfaction of the Court that the defendant William McKeen cannot be summoned in this action. It is ordered by the Court, that publication be made, notifying him that an action has been commenced against him, by petition in the Circuit Court of Jefferson County Mo., commenced against him, by petition in the object & general nature of which is to obtain an order or decree for the partition and division of the following described Real Estate situated in said County and State, to wit: The S. 4 of the S. W. 1 of section 10 township 40 R. 3 E. containing 80 acres, and for an order of sale thereof if partition and division thereof in kind cannot be made, and that unless he be and appear at the next term of this Court, to be holden at the Court-house in Hillsboro in the County of Jefferson, on the 7th Monday after the fourth Monday of September next and on or before the Sixth day thereof answer or demur to said petition the same will be taken as confessed and Judgment rendered accordingly. It is further ordered that a copy hereof be published in the Franklin County Observer, a newspaper printed and published in the State of Missouri, for four weeks successively, the last insertion to be at least four weeks before the first day of the said next term, ordered that the same be certified.

A true copy from the record of said court.
Witness my hand and seal of said Circuit Court hereunto affixed at office in Hillsboro this June 25th A. D. 1868.

ELIAS F. HONEY, Clerk.
By C. T. Horine, Deputy.

And that the copy hereto attached is a true copy of of said notice.

David Murphy 49.67

Sworn and subscribed to before me this 20th day of November 1868 at Washington Mo

Stephen M. Jones Notary Public

THE FRANKLIN COUNTY OBSERVER.

PUBLISHED WEEKLY, AT \$2 PER ANNUM, PAYABLE IN ADVANCE.

Washington, Mo. Nov 20th 1868

Mr Elias F. Honey Cir Clerk
of Jefferson County Mo.
To DAVID MURPHY, Jr.

1868

Aug 21 To Publishing Attachment order of Publication
in case of J^r M^r Brown vs Jane M^r Keen
Kamach M^r Keen et al, 6 squares 4 times

15 00

\$10.67

Recd payment
David Murphy

SHERIFF SALE IN PARTITION.

[In the Circuit Court of Jefferson county, Mo.]
Wm. McBroom, Plaintiff, vs. Jane McKean,
Hannah McKean, Starot McKean, Lucindia McKean, Missouri Ogle, Henry Ogle and William McKean, Defendants.

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. 1869, I will on the 14th (14) day of May next, 1869, 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, and during the session of the said Circuit Court, offer for sale at public auction to the highest bidder, the following described land or real estate, to-wit: The south half of the south west quarter of section 10, township 40, range 3 east, containing 80 acres, situate in the county of Jefferson and State of Missouri, for the purpose of making partition between said parties, for which the purchaser will be required to pay 50 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 ten per cent, per annum from date, this 12th day of April, 1869.

FRED. LUCHTEMEYER, Sheriff.

The State of Missouri, COUNTY OF JEFFERSON.

BE IT REMEMBERED, That on this 7th day of May

A. D. 1869, before me,

the undersigned Clerk of the *City & County* Court of Jefferson county, came Frank N. Stone, who being by me duly sworn, says that the annexed advertisement was published in the **JEFFERSON DEMOCRAT**, a newspaper printed and published in the town of Hillsboro, in said county, of which he is printer, for *4* times, the first insertion being on the 15th day of April, 1869, and the last on the 6th day of May, 1869, as follows, to-wit:

In No. 13, April 15, 1869.
In No. 14, " 22, 1869.
In No. 15, " 29 1869.
In No. 16, May 6, 1869.
In No. 1869.

Frank N. Stone

Sworn to and subscribed before me this 7th day of May, 1869.

Wm. J. McCreary

Clerk. *Car. Ch.*

Printer's Fee *\$7.50*
Affidavit *25*

Received Payment *By J. McCreary*
Frank N. Stone

\$7.75

Wm McBroom, Plff.
against
Jane McKean
Hannah McKean
Margaret McKean
Lucinda McKean et al

In the Jefferson County Circuit Court.

May Term 1869

REPORT OF SALE.

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, as the law directs, by advertisement in the *Jefferson Democrat*, a newspaper, published in said County, a copy of which advertisement is herewith filed and makes part of this report, I did, agreeable with said advertisement, at the Court House door, in Hillsboro, on Friday, the fourteenth day of May, A. D. 1869, 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 of said County, at the May term thereof, for the year Eighteen Hundred and Eighty Nine, expose to sale at public auction, the following described Real Estate, situate in said County, to-wit: The south half of South West quarter section Ten Township forty of range three east containing Eighty acres and at said sale John Williams became the purchaser of the above described Real estate at the price and sum of One hundred and Seventy Seven Dollars of which sum he has to me in hand paid Fifty per cent and has given bond with approved security for the balance as required by terms of sale.

And this Report is respectfully submitted
Jered Luckenmeyer.
Sheriff

State of Missouri } In the Jefferson Circuit Court
County of Jefferson, November 27th 1868.

Be it Remembered that in said
circuit court on the day aforesaid, among
other proceedings of that day the following
appears of record to wit:

William McGroom Plaintiff	} In Partition Order of Sale,
Jane McKean ~~Hannah~~ McKean	
Marck McKean, Lucinda McKean,	
Missouri Ogle, Henry Ogle and	
William McKean, Defendants,	

Now at this day comes

the parties aforesaid by their respective attorneys and
this cause coming on to be heard upon the petition
answer and evidence adduced by plaintiff and
Defendants, the court doth find that said parties
are owners and tenants in common of the following de-
scribed real estate situate in Jefferson County Missouri
to wit: the South half of the South west quarter of
Section Ten Township Forty Range Three East con-
taining eighty acres, and the court proceeding to
adjust and settle the rights and interests of said
parties in and to said real estate doth declare the
same as follows to wit: That the plaintiff Wm
McGroom is entitled to one third of said Land,
that Missouri Ogle the widow of James McKean
deceased is entitled to one third of one sixth of
said land for and during her natural life &
that Marck McKean and Lucinda McKean minor
heirs of James McKean deceased are each entitled

To one twelfth of said land subject to the life estate of the said Mifflin Ogilvie, That Jane McKean Hannah McKean and William McKean are each entitled to one sixth of said land, It is therefore ordered adjudged and decreed by the court that partition and division of said lands be made between said parties in accordance with their interests herein set out, and it appearing to the court that partition and division thereof in kind cannot be made between said parties without great prejudice to their interests, It is therefore ordered by the court that the Sheriff of Jefferson County advertise and proceed to sell said land at public auction to the highest bidder for one half ($\frac{1}{2}$) cash and the balance in twelve months and for the deferred payment take from the purchaser thereof a bond or note with good and sufficient security bearing interest at ten per cent per annum and that said sale take place on some day during the session of the circuit court for said Jefferson County, and be governed by the same regulations as 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 thereof to abide its further order herein,

A true copy from the record.

Witness my hand and the seal of said
court hereto affixed at office this
28th day of January 1869.

Elias T. Horney Clerk,

By Charles T. Horine Deft.

367
25114
Do the Jefferson Circuit Court

May Term 1869

William McQuinn

vs
Petitioner

James McQuinn et al

Order of sale,

copy 000 11. 25

February 15 1869
Ed McQuinn et al
By J. H. Agnew

LIBRARY
COUNTY

James McQuinn & 566