

November 1867, No. 107

Davis, William C.

vs

Alexander, John W.
Alexander, Augustus
Alexander, Jane
Alexander, Sarah A

Partition

Heirs of Sarah Alexander; 40
acres in S31 T42 R4E

William C. Davis
vs
John W. Alexander
Augustus Alexander
Jane Alexander &
Sarah A. Alexander

In the Circuit-Court-
of Jefferson County-
Missouri

Nov. Term 1867

Plaintiff States that Sarah Alexander
being the legal owner of the North East-
quarter of the North East-quarter of Section
Thirty one ~~in~~ Township Fort Two Range
four East ^{containing forty acres} in Jefferson County Missouri,
departed this life ^{intestate} about the year 1861
and left surviving her Mary E. Kease
her daughter William Alexander a son
and the Defendants also her children and
heirs at Law that said Mary died without
issue in being in the year 1865 or 1866
that said William Alexander has convey-
ed his interest being one undivided fifth
of said Land to plaintiff. Plaintiff says
therefore that he and Defendants are the
legal owners & Tenants in common of
the aforesaid Real Estate and that
said plaintiff and each of the Defendants
are entitled to the undivided one fifth
part of said Land. Plaintiff therefore
prays the Court to order and decree that
partition and division of the same be
made between plaintiff and the

Defendants according to the respective rights
& interests of the parties and that an order
for the Sale of the same may be made if
the same can not be divided without
great prejudice to the owners.

And that the Court will
make such other & further orders
and judgments as may be just & proper

Josef Williams
Att'y for Plaintiff

Josef Williams Attorney for plaintiff on
Oath Says that the foregoing petition and
the matters therein stated are true to
the best of his knowledge & belief

Groorn & Co and
Subscribed before
me September 19th 1867
Elias & Honey clerks of,
By C. J. Horine Deft

Josef Williams

Issue process to
Augustus Alexander
Sarah Alexander
and Jefferson County
John W. Alexander &
Jane Alexander
St. Charles County
Williams for P.H.

Wm. D. Davis
vs
John W. Alexander
et al,

Civil action for partition

Filed Sept 25th 1867,
at St. Louis Mo
By Ed. D. Stone Clerk

Williams
for P.H.

William C Davis

vs

John W Alexander

Augustus Alexander

John Alexander &

Sarah A Alexander,

In the Circuit Court of
Jefferson County,

Missouri

Nov Term 1866,

Plaintiff states that Sarah Alexander being the legal owner of the North East quarter of the North East quarter of Section, Thirty one Township Taty, two Range four East in Jefferson County Missouri containing forty acres, departed this life intestate about the year 1861, and left surviving her Mary E Reese her daughter William Alexander a son and the Defendants also her children and heirs at Law that said Mary E died without issue in being in the year 1865, or 1866, that said William Alexander has conveyed his interest being one undivided fifth of said Land to plaintiff. Plaintiff says therefore that he and Defendants are the Legal owners and Tenants in common of the aforesaid Real estate and that said plaintiff and each of the Defendants are entitled to the undivided one fifth part of said Land. Plaintiff further states that Defendants are minors under the age of twenty one years & prays to court to appoint a Guardian ad Litem for them to defend their interests therein, Plaintiff therefore prays

the court to order and decree that partition
and division of the same be made between
plaintiff and the defendants according to
the respective rights & interests of the parties
and that an order for the sale of the same
may be made if the same cannot be divided
without great prejudice to the owners. And
that the court will make such other and fur-
ther orders and judgments as may be just
& proper.

Josef Williams

Atty for Plaintiff

Josef Williams Attorney for Plaintiff on oath
says that the foregoing petition and the matters therein
stated are true to the best of his knowledge
& belief

Sworn to and Subscribed by Josef Williams
before me September 20th 1867,

Elias & Conner Clerks

By J. T. Horne Depy

A true copy of the original petition now on
file in my office

Witness my hand and official seal at office
this September 20th 1867.

Elias & Conner Clerks

By J. T. Horne Depy

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

THE STATE OF MISSOURI,

St Charles
To the Sheriff of the County of ~~Jefferson~~ — Greeting:

We command you, that you summon *John W Alexander,*
& Jane Alexander

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 C Davis

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
thirteenth day of *September* A.D. 1867

Elias F Honey
Clerk Circuit Court.
By C. A. Horine depy

Executed the within writ in St Charles County Mo October 5th 1867 by giving to John M Alexander a copy of the within petition and writ, he being the first served, And I also further executed said writ at the same place and on the same day by giving to Jane Alexander a copy of said Writ. Done in the County of St Charles in the State of Missouri this the day and year aforesaid.

Henry E Macheus Sheriff
By

Sherriffs fee \$2.00
paid by Plff.

John H. Lucas Depy

710 100

TO

JEFFERSON CIRCUIT COURT.

December Term, 1867

Wm E Davis

vs }
Dummons

J. M. Alexander

& Alexander

Jane Alexander

~~Charles Alexander~~

Pl by Plff

(original)

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 *Augustus Alexander*
of *Sarah Alexander*.

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
Wm C Davis

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
thirtieth day of *September* A.D. 1867

Elias F. Honey
Clerk Circuit Court.
By C. D. Irvine Dep't

No 107

TO

JEFFERSON CIRCUIT COURT.

2647

November Term, 1867

Wm. L. Davis
vs
do & drum one

J. W. Alexander

Augustus Alexander
vs
~~James Alexander~~

Sarah Alexander

Judge Beckett

John Williams Sheriff

fee \$3.00
original

I Executed this Writ in Jefferson County Mo on
the 2nd Day of October 1867 By Delivering to
Augustus Alexander a true copy of this Writ
and Petition and on Sarah Alexander By
Delivering to her a true copy of this J. W. Alexander
and James Alexander not found in my County
John Williams
Sheriff

W. C. Davis, Plff
against
John W. Alexander,
Jane Alexander,
Augustine Alexander
Sarah Alexander

Now at this day comes John L.
Thomas Guardian ad Litem of John W. Alex-
ander, Jane Alexander, Augustine Alexander
and Sarah Alexander, minor defendants & for
answer to the petition of the Plaintiff states
that he ^{has} not sufficient knowledge or
information of the matters therein stated
to form a belief as to whether the allegations
of the Plaintiff are true or not and
therefore he requires strict proof.

John L. Thomas.
Guardian ad Litem of
John W., Jane, Augustine &
Sarah Alexander

Mr. E. Davis

(N)

John Stetson Cal.

Answer of answer

Stetson's.

Billed Nov-16th 1887

E. J. Stetson Cal.

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

The following proceedings were
had to wit:

William D Davis, John W Alexander Augustus Alexander, Jane Alexander and Sarah A Alexander,	} In Partition Order of Sale,
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Now at this day
comes the Plaintiff by his attorney and
John W Alexander, Augustus Alexander
Jane Alexander and Sarah Alexander by their
Guardian ad-litem, and this cause coming
on to be heard. The Court doth find that
said Plaintiff and Defendants are ten-
ants and owners in common of the fol-
lowing described real estate situate and
being in Jefferson County and State of
Missouri to wit: The North East Quarter
of the North East Quarter of Section Thirty
one ~~the~~ Township North two Range
Four East containing Forty acres, and
the court proceeding to adjust and settle
the rights and interests of the parties
in and to the aforesaid Real Estate, doth
declare the same to be as follows, That
William D Davis, John W Alexander
Augustus Alexander Jane Alexander

and Sarah A. Alexander are each entitled to one fifth of said Real Estate, and it appearing to the satisfaction of the Court that said Land is so situated that partition and division thereof in kind cannot be made without great prejudice to the owner thereof. It is thereupon ordered by the Court that the Sheriff of Jefferson 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 payments take a bond or note from the purchaser or purchasers thereof with good and sufficient security bearing interest at six per cent per annum from date that said sale take place on some day during the sitting of the Circuit Court for said County and be governed by the same regulations prescribed by law for sales of Real Estate under execution, Notice thereof being 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)

Witnes my hand and the
seal of said court hereunto
affixed at office in Hillsboro
this June 22nd 1868,

Elias D. Hony Clerk
By *Thos. Hony* d.c.



Wm C Davis
vs
J. W. Alexander et al
Order of Sale

William C. Davis
against
John W. Alexander et al

Report of Sale.
In the Circuit Court of
Jefferson County Mo
November Term A.D. 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 Keokuk on Wednesday the Eighteenth day of November 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 November 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: the N E q r N E q r Section 31 - Township 42 Range 4 east containing 40 acres and William C. Davis was then and there the highest and

last bidder for the above described land at the
price and sum of Seventy five Dollars of which
sum he has to me in hand paid ten per cent and
has given bond with approved security for the
balance as required by the terms of sale, And this
report is respectfully submitted

John Williams Sheriff.

W. M. C. Dabbs vs. John W. Alexander
et al.

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. 1868, I will on the eighteenth day of November, 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 northeast qr of the northeast qr of section 31, township 42, range 4 east, containing 40 acres, situate in Jefferson county, State of Missouri.

For the purpose of making partion 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 October, 1868.

JOHN WILLIAMS,

Sheriff.

State of Missouri, COUNTY OF JEFFERSON.

Be it Remembered, That on this 21 day of November A. D. 1868, 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 4 times, the first insertion being on the 23 day of October 1868, and the last on the 13 day of November 1868, as follows, to-wit:

SHERIFF SALE IN PARTITION.
In the County Court of Jefferson Co., Mo.

In No. 43,	October 23	1868.
In No. 44,	" 30	1868.
In No. 45,	November 6	1868.
In No. 46,	" 13	1868.
In No. ,		186..
In No. ,		186..

Sworn to and subscribed before me, this 21 day of November 1868.

Chas. A. Clark
Notary Public
Wm. McMullen

Printer's fee \$14.00 Received Payment.....
1030