

Ray County Circuit Court
Circuit - Civil Case
September Term, 1850

Box 9 File 38

Mason, John ^{an}
Mason, Mary H.

vs.

Davis, Mary A.
Young, Thomas L. and Ann E.
Davis, Benjamin F., Presley C.,
Marcellus A., Martha E.,
Samuel B., and
the infant heir of James Davis, deceased

Action: Partition of SLAVES

SALE OF NEGRO SLAVES

TONEY^(man) purchased by JOHN MASON Price \$850
Caroline^(woman) purchased by ROBERT G HUDGINS \$375
CHANCY woman purchased by THOMAS A BROWN \$510
JACOB A BOY purchased by JOHN STONE \$705
ISAAC A BOY purchased by JOHN STONE - Price \$500
TONEY A BOY AGE 2 YR - THOMAS BABER - \$412
(Guardian of Martha C Davis)

Hercules mentioned in another document

Vol. C pg 245

Box 17 File

State of Missouri
Fifth Judicial Circuit

In the Circuit Court
of the County of Ray in the
State of Missouri March Term AD
1850

To the Hon George M. Lewis Judge of the Fifth
Judicial Circuit in the State of Missouri, and of
the Circuit Court within and for the County of
Ray aforesaid :-

Your Petitioners John Mason and
Mary A. Mason, (late Mary A. Davis) his wife
of the County and State aforesaid would respect-
fully represent and shew unto your honor, that one
William Persons of the County of Franklin in
the State of North Carolina, was seized as
of his own property - of certain personal
property to wit, Slaves, named, Silver, Caroline
Grace, Tony, Duke, and Minerva - which
said Slaves, and personal property - together
with their increase, the said William Persons
by his deed in writing of date the 7th day of
April AD 1832 - conveyed to William Davis
and others, Children then living of Mary A.
Davis, and to all her future issue, if any.
She might have - Your Petitioners would
represent that of the Slaves, ^{as} mentioned in
said Deed in writing of the said William
Persons, there are now only, two, To wit, Tony, and
Caroline in the County of Ray aforesaid -
with the increase from the said Caroline, To
wit, Chaimy - Jacob - Berkies, Isaac and Tony
a boy about one or two years of age - Your
Petitioners would further represent - That one
of your Petitioners to wit, Mary A. Mason, (late
Mary A. Davis) and William P. Davis, John Davis

Ann. E. Young, late Ann. E. Davis, Benjamin
F. Davis, Presley. C. Davis, Marcus A. Davis —
Marcellus A. Davis, Martha E. Davis, Samuel B.
Davis and James Davis now deceased, are all
of the Children of the said Mary A. Davis —

Your Petitioners would further represent
that the said John Mason and Mary A. Mason
late Mary A. Davis, his wife - in right of his
said wife and also the said John Mason
in right of the said Marcus A. Davis, whose
interest in the said Slaves he has purchased
are entitled to two equal eleventh parts, and
the said Mary A. Davis having purchased
the interests of the said William P. Davis
and John Davis is entitled to two equal eleven-
th parts, and the said Thomas S. Young
and Ann. E. Young his wife - late Ann. E. Davis
in right of his wife - to one equal eleventh
part, and the said Benjamin. A. Davis in
his own right to one equal eleventh part, and
the said Presley C. Davis in his own right to one
equal eleventh part, and the said Marcellus
A. Davis in his own right to one ^{equal} eleventh part,
and the said Martha E. Davis to one equal
eleventh part, and the said Samuel B. Davis
in his own right to one equal eleventh part, and
the heirs of the said James Davis deceased
who are not residents of this ~~State~~ ^{State}, and whose
names are unknown to your Petitioner in right
of the said James Davis deceased to one equal
eleventh part - And your Petitioners pray, that the said
Mary A. Davis, Thomas S. Young, and Ann. E. Young his wife, late Ann.
E. Davis, Benjamin F. Davis, Presley C. Davis, Marcellus A. Davis, Martha
E. Davis and Samuel B. Davis and ~~their~~ heirs of the said James Davis ~~and~~
when the same may be ascertained, may be made defendants to
this Petition, and your Petitioners pray for a partition —

of said Slaves, to wit, Foney, Caroline
Chunney, Jacob, Herkibus, Isaac and Fony
an infant about two years of age - according
to the respective rights of the parties
aforesaid, and for a sale thereof
if it shall appear that Partition
cannot be made without great
prejudice to the owners aforesaid
and as in duty bound will ever
pray &c

C. J. Garner
Atty for Petitioners.

State of Missouri
County of Ray 3^d Sect.

This day personally
appeared before the undersigned
a Justice of the Peace within and for
the County and State aforesaid, John
Mason one of the petitioners in the foregoing
petition for Partition. Who being first duly
sworn on his oath states, that the above
Petition and the matters and
things therein stated are
true to the best of his knowledge
and belief.

Sworn to and subscribed
before me this the 13th day
of February A.D. 1856

A. Riffe

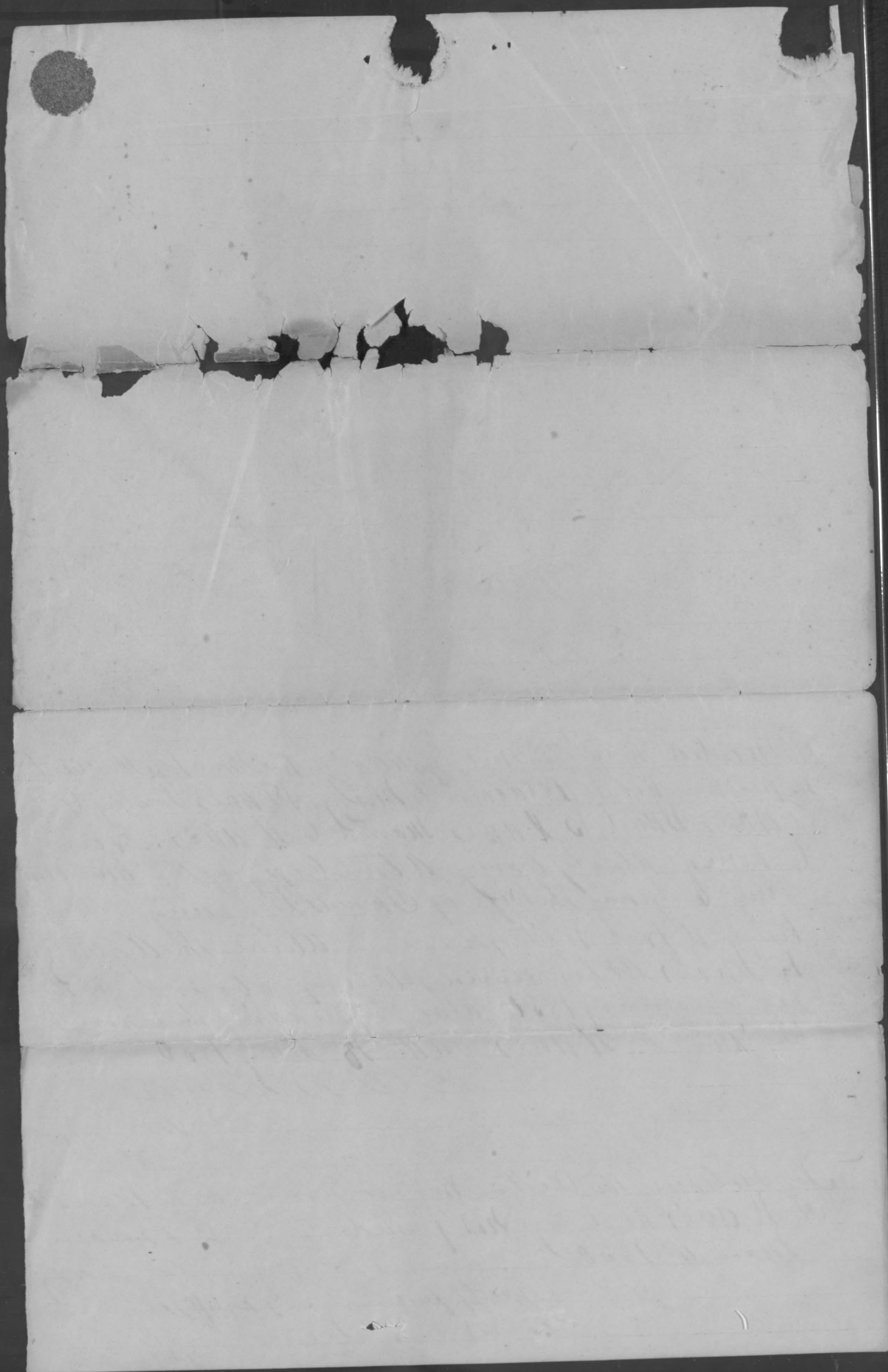
Justice of the Peace

State of Missouri
County of *Ray* & The State of Missouri,
To the Sheriff of the County of *Ray*,

You are hereby
required to summon the defendants, Mary H. Davis,
Thomas S. Young and Ann C. Young, his wife, Benjamin
D. Davis, Preston C. Davis, Marcus H. Davis, Martha
C. Davis and Samuel D. Davis to appear in the
Circuit Court of the County of *Ray* aforesaid, at the Court
house in the town of *Fitchmond*, on the first day of the next
term of the next term of said Court; it being the 1st day
of March, next ensuing the date hereof, and answer
the within and foregoing petition of the Plaintiffs
John Mason and Mary H. Mason.
Should fail not and make due return hereon
exceed to this date.

Wm. H. Cross, Judge of the Circuit Court, Clerk of the said
Court, with the Seal thereof affixed
at Office in *Fitchmond*, this 15th
day of February A.D. 1850.

J. L. Lewis Clerk



Mar 3^d

John Mason & wife

2 Partitions of
H. 3 Slaves -

Mary A Davis &
Others -

Clerk will let
summons issue
to Warner
Atty for Petitioners

Filed 13th February
A.H. 1850

J. Smith

1850

Clerk

I executed the within writ by serving the same together with
the petition hereto attached to Mary A Davis & family &
Davis & family B Davis Martha C Davis Ann
C Davis also by leaving a true copy of the same with
Ann C Davis the wife of Thomas C Davis young she
being a free white person above the age of
16 years at her usual place of abode on the
16th February 1850 also by reading the same to
Benjamin J Davis on the 18th July 1850
G. D. Watson
Clerk

I return the within writ not served as to Marshall
A Davis he being not found G. D. Watson
March 4th 1850

Sherriff for serving on 18th July 1850
Now at on 1st Sept
50
750

State of Missouri

Fifth Judicial Circuit

demanded petition -

In the Circuit Court of the County
of Ray in the State of Missouri -
September Term AD 1850 -

To the Hon George A. Dunn Judge
of the fifth Judicial Circuit ~~and~~ of the State of Missou
ri and of the Circuit Court within and from
the County of Ray aforesaid -

Your Petitioners John
Mason and Mary H. Mason late Mary A Davis -
his wife of the County and State aforesaid would
respectfully represent and shew unto your
honor in this their amended petition in this cause
that one William Persons of the County of Franklin
in the State of North Carolina was seized as of
his own property of certain personal property to-
wit. Slaves named Selvey, Caroline, Grace -
Lory - Duke, and Minerva - which said Slaves
and personal property, together with their increase
the said William Persons by his deed in writing
of date the 7th day of April AD 1833 - conveyed to
William Davis and others, Children then living
of Mary A Davis, and to all her future issue, if
any she might have - which said deed in writing
now appears of record in the office of the Recorder
of Ray County - in Book E - and Page
49 & 50 - Your Petitioners would further represent
that of the slaves as mentioned in said deed in
writing of the said William Persons, there are
now only, two, to wit, Lory and Caroline in the
County of Ray aforesaid with the increase from
the said Caroline to wit, Charney - Jacob, Herkules
Issue - and Lory a boy about one or two years
of age - Your petitioners - would further state
that the said Mary H. Mason - late Mary A Davis -

now wife of the said John Mason - William P. Davis -
John Davis, Ann B. Young, late Ann E. Davis, now
wife of Thomas S. Young, Benjamin F. Davis
Presley L. Davis, Marcus A. Davis, Marcellus
A. Davis, Martha E. Davis, Samuel B. Davis
and the infant heir of James Davis now deceased
are all of the children and heirs of the said
Mary A. Davis - who upon any contingency
may be or become entitled to any beneficial
interest in the said slaves and personal property
and that the said Mary A. Davis is now a widow
of the age of fifty five years or thereabouts - and
that all probability of future issue from or by
the said Mary A. Davis is now extinct -

Your Petitioner would further represent
that the said John Mason and Mary A. Mason
(late Mary A. Davis) his wife in right of the said
Mary A. Mason his said wife - and also the
said John Mason in right of the said Marcus
A. Davis whose right and interest in the said
slaves he has purchased are entitled to two
equal eleventh parts or shares - and the said Mary
A. Davis having purchased the interests of the
said William P. Davis and John Davis is entitled
to two equal eleventh parts or shares - and the
said Thomas S. Young and Ann E. Young his
wife (late Ann E. Davis), in right of the said
Ann E. Young his wife to one equal eleventh
part or share - and the said Benjamin F. Davis
in his own right to one equal eleventh part
or share - and the said Presley L. Davis in his
own right to one equal eleventh part or share
and the said Marcellus A. Davis in his own
right to one equal eleventh part or share
and the said Martha E. Davis in her own

State of Missouri } amended petition -
Fifth Judicial Circuit } In the Circuit Court of the County
of Ray in the State of Missouri -
September Term AD 1850 -

To the Hon George A. Dunn Judge
of the fifth Judicial Circuit ~~and~~ of the State of Missou-
ri and of the Circuit Court within and from
the County of Ray aforesaid -

Your Petitioners - John
Mason and Mary M. Mason late Mary A Davis -
his wife of the County and State aforesaid would
respectfully represent and shew unto your
honor in this their amended petition in this cause
that one William Persons of the County of Franklin
in the State of North Carolina. was seized as of
his own property of certain personal property to-
wit. Slaves named Selvey, Caroline, Grace -
Lizzy - Duke, and Minerva - which said Slaves
and personal property, together with their increase
the said William Persons by his deed in writing
of date the 7th day of April AD 1853 - conveyed to
William Davis and others, Children then living
of Mary A Davis, and to all her future issue. if
any she might have - which said deed in writing
now appears of record in the office of the Recorder
of Ray County - in Book E - and Page
49 & 50 - Your Petitioners would further represent
that of the slaves as mentioned in said deed in
writing of the said William Persons. there are
now only two. To wit, Lizzy and Caroline in the
County of Ray aforesaid with the increase from
the said Caroline to wit - Chaimy - Jacob, Herkules
Issue. and Lizzy a boy about one or two years
of age - Your petitioners - would further state
that the said Mary M. Mason - late Mary A Davis -

right to one equal eleventh part or share - and
the said Samuel B. Davis in his own right to
one equal eleventh part or share. and the
infant heir of the said James Davis deceased
whose name is unknown to your petitioners
in right of their father the said James -
Davis deceased is entitled to one equal
eleventh part or share. and your Petitioners
pray that the said Mary A. Davis Thomas &
Young and Ann E. Young his wife, late
Ann E. Davis, Benjamin F. Davis Presley
L. Davis, Marcellus A. Davis, Martha E. Davis
and Samuel B. Davis and the infant heir
of the said James Davis deceased, when
the same may be ascertained. may be
made defendants to this petition. and for
a partition of said slaves to wit. Fanny Card-
-ine, Charney, Jacob - McKilus, Isaac -
and Fanny an infant boy about two years
of age according to the respective rights
of the parties aforesaid. and for a sale
thereof, if it shall appear that partition cannot
be made in kind without great prejudice
to the owners aforesaid and as in duty bound
will ever pray &c -

Levin & Garner -
Atty for P & F

State of Missouri }
County of Ray } John Mason one of the above named petitioners
for Partition in the aforesaid petition. for himself
and the other petitioners makes oath and says that ^{he} ~~the~~
^{believes the} matters and things as stated therein are true
Subscribed
before me this 4th September 1850
A. S. Smith Clerk

John Mason

John Mason Hurlife
Pl. { Petition for Partition
of Leases —

Mary A Davis et al.

Amended petition —

Filed 5th Sept^r 1857
A. Spring
Clerk

In the Circuit Court, of
the County of Ray, in the
State of Missouri, of
March term 1851.

John Musson & Mary A. Mason

vs  Petition for partition of slaves—
Mary A. Davis and others

Mary A. Davis,
Amos E. Young, Presley C. Davis, Marcellus A.
Davis, Martha C. Davis and Samuel B. Davis some
of the defendants in the above entitled
cause, for answer to the matters and things
mentioned, and set forth in said peti-
tion, say— that it is true, that one William
Persons of the County of Franklin in the
State of North Carolina, did by his deed
in writing of date the 7th day of April
A.D. 1832— Conveyed to William Davis &
others, children then living of the said
Mary A. Davis, and to all her future issue,
if any she might have—and which
said does now appear of record in
the office of the Recorder of Ray County,
in Book C pages 49 & 50— the above de-
fendants say, it is true that there are
only two slaves to wit Tony & Caroline in
Ray County with their increase from
said Caroline to wit; Chancy, Jacob, Her-
cules, Isaac, and Tony a boy about three
years old. Said named defendants, say,
it is true, that Mary H. Mason, ^{William} ~~and~~ P. Davis,
John Davis, Amos E. Young, Benjamin F. Davis,
Presley C. Davis, Marcus A. Davis, Marcellus
A. Davis, Martha C. Davis, Samuel
B. Davis and the infant heirs of

of James Davis now deceased are all
of the children and heirs of the said
Mary A. Davis now in being — who
upon any contingency so far as the
said defendants know, may be,
or become entitled to any beneficial in-
terest in the said slaves and per-
sonal property, and that the said
Mary A. Davis is now a widow
of the age of about fifty-five years —
and that the probability of future
issue, from or by the said Mary
A. Davis is now not at all plau-
sible, and indeed extinct — But said
defendants, further answering say that,
future issue from or by the said Mary
A. Davis is possible, and that the
petitioners not alleging that it
was impossible for future issue
to proceed from the Mary A. Davis
the petition is essentially defective
and they ask a judgment for
their costs in this cause — The said
defendants deny that the said John
Mason and Mary H. Mason, in right of
the said Mary H. Mason, and the
said John Mason in right of the said
Marcus A. Davis are entitled to two
equal eleventh parts or shares of
of said slaves, nor is the said Mary
A. Davis entitled to two equal eleventh
parts or shares of said slaves — Nor is
the said Thomas L. Young and Ann
E. Young his wife, in right of the said
Ann E. Young to one equal eleventh

part of said slaves, nor is the said
Benj: H. Davis in his own right to
to one equal eleventh part or share
of the said slaves. Nor is the said
Presley B. Davis, Marcellus A. Davis,
Martha E. Davis, Samuel B. Davis nor
the infant heirs of the James Davis
deceased in their respective rights nor
in the rights of any other person or
persons entitled each to one eleventh
part of said slaves. The said
defendants state that the said slaves
that is Tony & Caroline have been in
the possession of William H. Davis and
Mary A. Davis his late wife twelve years
and in the possession of the said Mary
A. Davis seven years since the death
of the said William H. Davis her late
husband, that the object of the gift
was to enable the said Mary A. Davis
and her late husband to raise all the
children they had at the time of
the making of the deed and all that
might be afterwards born. That
three of the defendants are minors and
that since coming to Ray County the father
of the said Mary A. Davis sent her from
time to time about \$1000 - which was
expended for the support of the
whole family white & black. That par-
tition of said slaves should not now
be made as prayed for by plaintiff -
That the said Mary A. Davis is now old and
and having to raise and educate two of
said defendants who are infants, the

Said Mary A. Davis ought to hold
said slaves during her natural
life, or any how until future
issue issue from her shall have
become impossible -

M. Oliver aty for dfts -

Presley C. Davis one of the defendants
for himself and for Mary A. Davis,
Martha C. Davis, Samuel B. Davis,
Ann C. Young, Marcellus^{A.} Davis, upon
his oath says the above answers,
and the matters therein as stated
he believe to be true.

P. C. Davis.

Sworn to and Subscribed before me
this 7th day of August 1851.
J. Lewis Clerk

Attest
J. Lewis Clerk
August 7th 1851.

John Mason
in presence
Mary A. Davis et al.

State of Missouri

Fifth Judicial Circuit

In the Circuit Court of the
County of Ray in the State
of Missouri of March
Term AD 1850

To the Hon George W. Lewis judge
of the Fifth Judicial Circuit of the State of
Missouri and of the Circuit Court within
and for the County of Ray aforesaid -

Your petitioners John
Masow and Mary H. Masow late Mary, A.
Davis his wife of the County and State
aforesaid would respectfully represent and
show unto your honor in this their aforesaid
petition in this Cause, that one William
Persons of the County of Franklin in the
State of North Carolina was seized as of
his own property of certain personal property
to wit slaves named named Selva -
Caroline, Grace, Fanny, Duke and Minerva
which said slaves and personal property
together with their increase the said William
Persons by his deed in writing of date the
7th day of April AD 1832. Conveyed to
William Davis and others, Children then
living of Mary A Davis, and to all her
future issue if any she might have,
which said deed in writing now appears
of record in the Office of the Recorder of
Ray County in Book E. and Page 49 & 50. Your
Petitioners would further represent that
of the slaves as mentioned in said deed in

writing of the said William Persons there are now
only two, to wit, Tony and Caroline in the family
of Ray aforesaid, with the increase from
the said Caroline to wit, Charing, Jacob, Hezekiah
Isaac, and Tony a boy about one or two
years of age, Your Petitioners would further
state that the said Mary H. Mason late
Mary H. Davis now wife of the said John Mason
William P. Davis, John Davis, Ann E. Young late
Ann E. Davis now wife of Thomas S. Young
Benjamin J. Davis and Ann E. Davis infant
heirs and children of Benjamin J. Davis deceased
Presley C. Davis Marcus A. Davis Marcellus A. Davis
Martha E. Davis Samuel B. Davis and the
infant heir of James Davis deceased are all
of the children and heirs of the said Mary A.
Davis who upon any contingency may be or become
entitled to any beneficial interest in the
said Slaves and personal property, and that
the said Mary A. Davis is now a widow of the age
of fifty five years or thereabouts and that
all probability of future issue from or by the
said Mary A. Davis is now extinct,

Your petitioners would further represent that the
said John Mason and Mary H. Mason late Mary
A. Davis his wife in right of the said Mary H. Mason
his said wife, and also the said John Mason in
right of the said Marcus A. Davis whose right and
interest in the said Slaves he has purchased are
entitled to two elevenths parts or shares of said
Slaves - and the said Mary A. Davis having
purchased the interests of the said William
P. Davis and John Davis in their right are entitled

to two equal eleventh parts or shares - and the said Ann Young, wife of Thomas S Young, and late Ann Ekblais, in her own right is entitled to one equal eleventh part or share, and the said Benjamin H Ekblais and Ann E Davis infant heirs and children of Benjamin H. Ekblais deceased - in right of their father the said Benj. H. Ekblais de are entitled to one equal eleventh part or share - and the said Presley E. Ekblais in his own right to one equal eleventh part or share, and the said Marcellus A Ekblais in his own right to one equal eleventh part or share and the said Martha E. Davis in her own right to one equal eleventh part or share, and the said Samuel B Ekblais in his own right to one equal eleventh part or share, and the infant heir of the said James Davis, ~~deceased~~, whose name is unknown to your petitioners in right of his father the said James Ekblais deceased - is entitled to one equal eleventh part or share, and your Petitioners pray that the said Mary A Ekblais, Thomas S Young, and Ann Young his wife late Ann E Davis - Benjamin H Ekblais and Ann E Davis infant heirs and children of Benjamin H Ekblais deceased - Presley E. Ekblais Marcellus A Ekblais Martha E Davis, and Samuel B Ekblais and the infant heir of the said James Ekblais deceased - when the same may be ascertained may be made respondents to this petition, and that a Guardian ad litem may be appointed for the infant heirs herein aforesaid - and for a partition of said slaves to wit: Fanny, Caroline Channing, Jacob - Herkulus, Isaac - and Fong an infant boy, about two years of age, according to the respective rights of the parties aforesaid.

and for a sale thereof, if it shall appear
that partition cannot be made in kind
without great prejudice to the owners afores
aid - and as in duty bound will ever
pray &c -

C. J. Garner
Atty for Plffs

State of Missouri
County of Ray

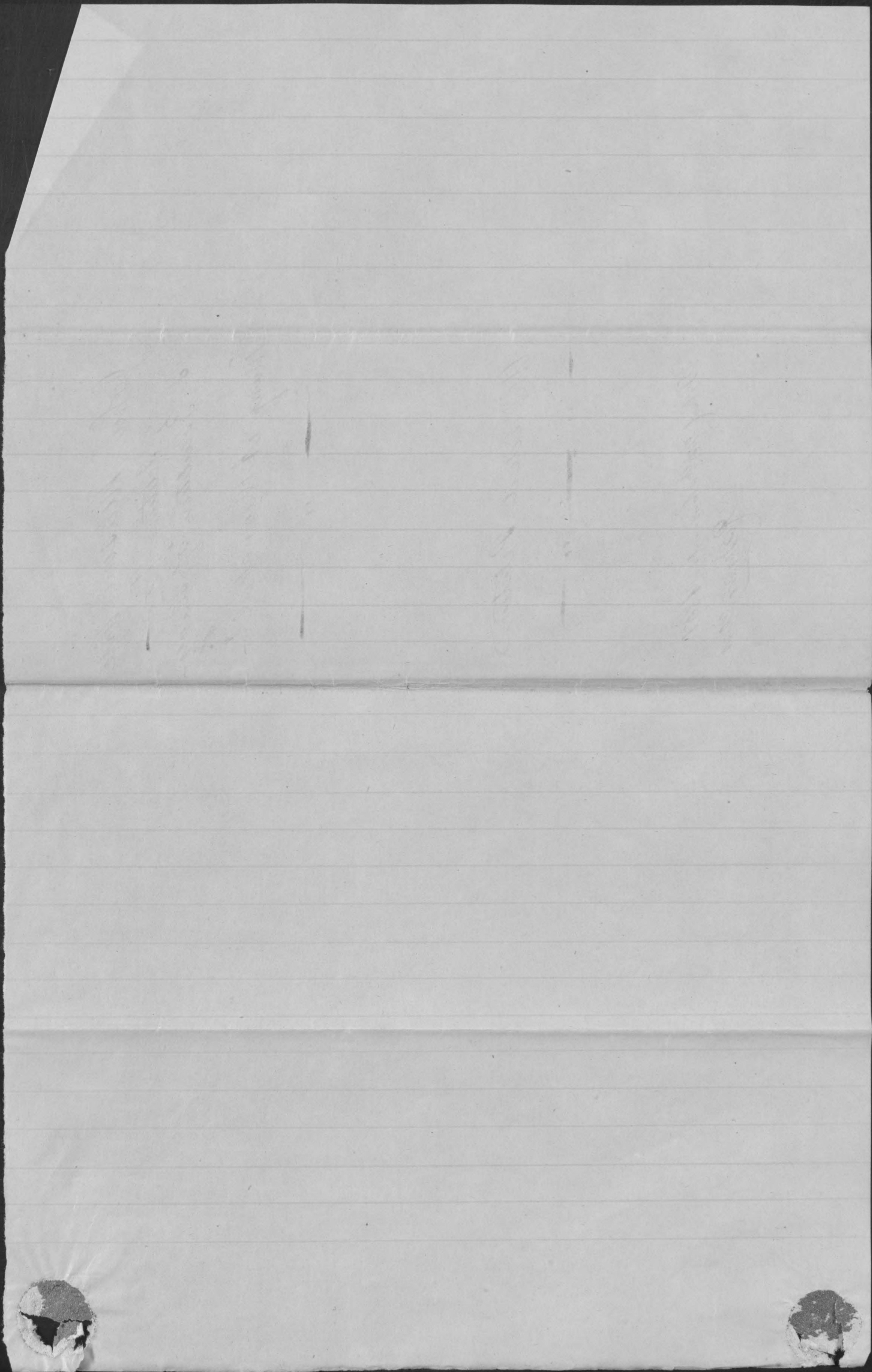
John Mason one of the above named
petitioners for Partition in the aforesaid petition
for himself, and as agents for the other
petitioners make oath, and says that he
believes ^{the above petition and} the matters and things therein as
stated are true -

John Mason

Sworn to and Subscribed before
me this 23rd day of December.

A.D. 1851.

J. Swin. Clerk



John Mason & wife
5 Petition for
Vt 3 Partitions of Slaves -
Mary A. Harris et al -

Amended Petition
- " - - -

Filed 23rd November 1851
J. Smith, Clerk

In the Ray Circuit Court
of Maryland 185-2

John Mason &
Mary H. Mason
Against
Mary A. Davis and others

Mary A. Davis
one of the defendants in the above
entitled cause in this her supple-
mental answer to the amended
petition filed by plaintiffs in
said cause states that five
of the slaves mentioned in
plaintiffs petition Bessie, Isaac
Isaac Chancy Boney and Hercules
are children unable to earn
a support that said infant
slaves have been in her posses-
sion and supported by her
ever since their birth and
that in order to raise and
support said young slaves
she has been compelled to
employ and expend the sum
of one thousand dollars
which has never been repaid
to this defendant that said
young slaves have been in
her possession and supported
and raised by her from the time
of their birth up to the present
time and that the whole
expense of maintaining said

John Wilson &
Mary H. Mason
do } Answer
Mary A. Davis
and others

Filed 5th March 1859
J. Sherry Clerk

State of Missouri
County of Ray

The State of Missouri
To the Sheriff of the County of Ray,

Whereas in a certain proceeding, now pending in the Circuit Court of the County of Ray, aforesaid, for the Partition of certain Slaves, heretofore conveyed by William Persons, then of the County of Franklin, in the State of North Carolina, to the Children of Mary A. Davis, and of the increase of said Slaves, among John Masen and Mary A. Masen, his wife, Mary A. Davis, Ann E. Young, Benjamin P. Davis, Presley C. Davis, Manellous A. Davis, Martha E. Davis Samuel P. Davis and the infant heir of James Davis, deceased, it was suggested to said Court, on the 5th day of September A.D. 1851. that the aforesaid Benjamin P. Davis, has deceased since the commencement of the proceeding aforesaid, leaving as heirs at law his two Children Benjamin P. Davis and Ann E. Davis, with the motion that they be substituted as parties defendant to said proceeding in the stead of said deceased.

You are therefore hereby commanded to notify the said Benjamin P. Davis and Ann E. Davis, Children of the said Benjamin P. Davis, deceased, that they appear in the Circuit Court, of the County of Ray aforesaid, at the Court House in the Town of Richmond, on the first day of the next regular Term of said Court, being the first day of March A.D. 1852. and shew Cause, if any they have, why they cannot be substituted as party defendants, to said petition, in the stead of the said Benjamin P. Davis, deceased, if they shall think fit, and further to do and receive what the said Court shall then and there consider concerning them in this behalf, and make

due return hereon except to this writ.

Witness, John Swinn, Clerk of said Court, with the Seal thereof affixed, at Office in Richmond, this 30th day of January A.D. 1852.

J. Swinn, Clerk

John Mason et al
vs. Partition of Slaves
Mary A. Davis et al

Sire Davis —

To March Term 1852

I Exempts the within by leaving the same
to the within named children Benjamin & Davis
and share to Davis share of Benjamin & Davis
deceased all same at Ray County on the
twelfth day of February 1832

By Benjamin & Davis
of Ray County

Shew'd per \$2.00

Benjamin

Printed for \$12.00
\$12.00

William Musgrove

I, ~~CHARLES PATTERSON~~, make oath and state, that the notice hereto annexed, was inserted and published in the ^{Lexington} ~~Western~~ ~~MISSOURI~~ WEEKLY EXPRESS, a weekly newspaper printed and published in the city of Lexington, county of Lafayette and State of Missouri, for ~~Nine~~ weeks successively, the first insertion whereof was made on the 25th day of November 1851, and the last insertion on the 27 day of January 1852.

W. Musgrove

Subscribed and sworn to before me, this ^{first} 27 day of March, 1852.

Dea Hudson Justice of the Peace,
in and for the Township of Lexington, Lafayette Co., Mo.

STATE OF MISSOURI, } ss:
County of Ray, }
In the Ray Circuit Court, Friday, 5th September Term, 1851.
John Mason and Mary H. Mason, }
vs: }
Mary A. Davis, Thomas L. Young, and Ann E. Young, Benjamin F. Davis, Presley C. Davis, Marcellus A. Davis, Martha E. Davis, Samuel B. Davis and the infant heir of James Davis, deceased, } Partition of }
To the Infant Heir of James Davis, deceased, one of the a } }
forenamed Defendants: } }
YOU are hereby notified that the said Plaintiffs, John Mason and Mary H. Mason, have filed their Petition in the Court aforesaid, the object of which is to effect, among the parties aforesaid, the partition of certain Slaves named therein as Toney, Caroline, Chancy, Jacob, Hercules, Isaac and Toney; the rights of the parties, as stated in said Petition, are that the said John Mason and Mary H. Mason, his wife, late Mary H. Davis, are entitled, in right of the said Mary H. Mason, and also by purchase of the interest of Marcus A. Davis, to two equal eleventh parts of said Slaves; that the said Mary A. Davis is entitled to two equal eleventh parts of said Slaves, acquired by purchase of the interest of William P. Davis and John Davis therein; that the said Thomas L. Young and Ann E. Young, his wife, late Ann E. Davis, are entitled, in right of the said Ann E. Young, to the one equal eleventh part of said Slaves, and that remaining defendants, including yourself, are each entitled to one equal eleventh part of said Slaves. You are, therefore required to appear in the Court aforesaid, at the Court-house in the town of Richmond, in said county of Ray, on the first day of the next regular term of said Court, being the first Monday in March, A. D. 1852, and answer the Petition aforesaid, or the same will be taken as confessed. And it is ordered that this notice be published eight weeks successively in the Lexington Weekly Express, a newspaper printed in the city of Lexington, in the county of Lafayette, in the State aforesaid, the last insertion to be at least four weeks before the said first day of the next term of said Court, and this cause is continued accordingly. A true copy—attest
R. SEVIER, Clerk.
November 25, 1851. 17-9w

John Mason & Co

Vol. 3 Publications

Mary A. Davis & Co

Filed 6th March 1852

P. Swinnell

John Mason and
Mary H. Mason
vs 3
Mary A. Davis, et al.

} In the Circuit Court -
Ray County.

Plaintiff comes here into
Court and moves the Court to strike from
the the supplemental answer filed by
the said Defendant Mary A. Davis. because
the same sets up and contains matter
wholly irrelevant and redundant and is no
answer to Plaintiff's petition, -

Sharp & Gorman
Attys for Dfnd

John Mason D

Mary H. Mason

W 3

Mary A Davis Ad

12

Motion to strike out

Filed Cth March 1852.

C. Loring

John Mason &
Mary H. Mason } In the Circuit Court
vs. }
Mary A. Davis and Ray County -
others -

John Bales Guardian ad litem
for the Martha E. Davis, Samuel B. Davis,
Benjamin F. Davis and Ann E. Davis, minors
under the age of Twenty One year, defend-
= ants in the above entitled cause, comes
and says that he has no knowledge as to the
facts or matters and things stated in plaintiffs
petition, that they said Martha E. Samuel
B. Benjamin F. and Ann E. Davis are
infants under the age of Twenty one year,
and asks the Court to protect their
rights herein. The further answering
states that he is informed and believes
the said petition and the matters therein
as stated are true. John Bales

This affiant John Bales makes oath
and states that the foregoing answer
and the matters therein as stated he
believes to be true. John Bales

Sworn to and Subscribed
before me this 1st day of
March 1833 at Springfield

John A. Mudd. & al
vs 3. Answer of infants heirs
Mary A. Davis & al

Filed 6th March 1882
J. L. Smith Clerk

State of Missouri }
County of Ray }

The State of Missouri,

vs

Marcus A. Davis and Presley C. Davis

You are hereby commanded to appear in the Circuit Court of the County of Ray aforesaid, at the Court house in the Town of Richmond, on the Third day of the next adjourned term of said court, being the 1st day of July AD 1852, to testify in a certain matter of controversy pending in said court. Wherein John Mason and Mary W. Mason are Plaintiffs, and Mary A. Davis and others are Defendants, on the part of the Plaintiffs.

Hereof fail not under the legal penalty.

Witness, Robert Serier, clerk of the said court, with the seal thereof affixed, at office in Richmond, this 1st day of July AD 1852.

R. Serier, Clerk

John Mason Esq
vs Subpn
Mary A. Harris Esq

So Sp. day? Session in July 1852

Plaintiff Witnesses.

I certify the within Subpa by Reading the same to
Marcus A Harris at Ray County on the 6th day of July
1852 Presley C Harris not to be found in Ray
County By Brown & Hoff
By A W White depy Shff

Shffs fee 50

State of Missouri }
County of Ray }

The State of Missouri

No

John Joseph Chew.

You are hereby commanded to appear in the Circuit Court of the County
of Ray, aforesaid at the Court house in the Town of Richmond, on this
Second day of the present term of said Court, being this
2^d day of September A.D. 1837, and testify in a certain
matter of controversy pending in said Court, wherein

John Mason and others are Plaintiffs, and

Mary A. Davis & others Defendants, on

the part of the

Plaintiffs

Hereof fail not under the legal penalty.

Witness, Robert Service clerk of said Court, with
the seal thereof affixed, at office in Richmond,
this 2^d day of September, A.D.

1837.

R. Service. Clerk

John Mason, et al
vs. Susan
Mary A. Harris et al

3d Sept. 8. 1857

Left Witness

I Executed the within by Reading the same to Joseph
Chen at Ray county on the Third day of Sept. 8th
1857

By Brown & H
By C. H. White & H

Sheriff Fee .50 cts
Guling, Notary 50 cts
.35 cts

State of Missouri
County of Ray

The State of Missouri

vs

Marcus A. Davis

You are hereby commanded to appear in the Circuit Court of
the County of Ray aforesaid, at the Court House in the Town
of Richmond, on the Second day of the next regular term of
said court being the 2^d day of March
A.D. 1852, to testify in a certain matter of controversy pending
in said court wherein John Mason and
Mary D. Mason are Plaintiffs, and Mary A. Davis
and others are Defendants,
on the part of the Plaintiffs.
Hereof fail not under the legal penalty.

Witness, Robert Serier, clerk of the said court,
with the seal thereof affixed at office in
Richmond, this 27th day of February
A.D. 1852

R. Serier clerk

I Executed the within Subpoena By leaving the
same to Manns & Davis at New, Leamington and the
28th day of February A.D. 1839
Wm. Brown Sheriff
of New, Leamington

John Mann &
vs 3 Subpoena
Mary A. Mann &

To March Term 1839

Plaintiffs' Witnesses

In the Circuit Court Ray County -
John Mason et. al.
vs
3
Mary A Davis et al.

The undersigned commissioners
appointed to make division and partition of the
slaves in the above entitled cause, after
being first duly sworn according to Law -
respectfully report, that in obedience to
the order of this honorable Court, they
have proceeded to view and examine the
slaves and property in question, and
find the same not susceptible of a division
and partition in kind among those interested
without great prejudice to the owners -
and those interested - all of which is
respectfully submitted -
Commissioners for

E January
John D Elliott

Sworn to & Subscribed
this 6th day of September 1852
David H Gurnbury

Commissioner

John Musser et al

N 3

Mary A Davis et al

Report of Commissioners

Dated 4th September 1852

J. Sprinck

John Mason et al

vs

} In the Circuit Court -
Ray County -

Mary A Davis et al - }

The undersigned Sheriff of the County of the County of Ray in the State of Missouri asks have respectfully to report that in the Matter of the partition in the above entitled Cause. he did in obedience to an order of said Court Made at the September Term thereof for the Year AD 1853, expose to sale, and sell on the 8th day of March 1853 between the hours of nine o'clock in the forenoon and five o'clock in the afternoon at the Court house door in the town of Richmond and County of Ray, at the March Term of said Court for the Year AD 1853. and while the same was in session, publicly and by auction to the highest bidder. for one third of the purchase money in hand paid, One third in six Months, and one third in twelve Months, according to the terms of the order above recited. the following personal property. to wit - Torrey. a Negro man - purchased by John Mason at the price and sum of \$850 - Two hundred and Eighty three Dollars, thirty three and one third Cents in hand paid, and the sum of two hundred and ~~thirty three~~ ^{thirty three} ~~and one~~ ^{Dollars thirty three} third Cents, secured to be paid by the promissory Note of the said John Mason six Months after date. and the sum of two hundred and Eighty three Dollars thirty three and one third Cents, secured to be paid by the promissory note of the said John Mason

Twelve Months after date - both of which notes
are made payable to the undersigned as Sheriff
as aforesaid for the use of the heirs in said
partition ^{suit} mentioned with Willis Warriner
as his security - also Caroline a woman purchased
by Robert G. Hudfins at the price and sum of
three hundred and seventy five dollars - one
hundred and twenty five dollars of which sum
was in hand paid, and the sum of one
hundred and twenty five dollars secured to be
paid by the promissory note of the said Robert
G. Hudfins. Six Months after date, and the sum
of one hundred and twenty five dollars
secured to be paid by the promissory note of
the said Robert G. Hudfins Twelve Months after
date, both of which notes are made payable
to the undersigned as Sheriff as aforesaid
for the use aforesaid with. Baccard Hudgings
as his security, also Chaney a woman purchased
by Thomas A. Brown at the price and sum of
five hundred and ten dollars, one hundred
and seventy dollars of which sum is in
hand paid, and the sum of one hundred
and seventy dollars secured to be paid
by the promissory note of the said Thomas A. Brown
Six Months after date, and the sum of
one hundred and seventy dollars secured to be
paid by the promissory note of the said Thomas
A. Brown Twelve months after date - both
of which notes are made payable to the under-
signed as Sheriff as aforesaid for the use
aforesaid with George Carson as his
security - also Jacob a boy purchased by
John Stone at the price and sum of \$705-
and Isaac a boy purchased by the said

John Stone at the price and sum \$500 - both
amounts inclusive being the sum of \$1305.00
the sum of four hundred and ~~one~~ ^{one} dollars
⁶⁶/₁₀₀ in hand paid, and the sum of \$401.⁶⁶/₁₀₀ secured
to be paid by the promissory note of the said
John Stone six months after date, and the sum
of \$401.⁶⁶/₁₀₀ secured to be paid by the promissory
note of the said John Stone twelve months after
date, both of which notes are made payable
to the undersigned as Sheriff as aforesaid
for the use aforesaid - with Thomas Linville
as his security - and also a boy Joney - purchased
by Thomas Baber - ^{guardian for Martha E Davis,}
at the price and sum of \$412.⁰⁰/₁₀₀, and the sum
of one hundred and thirty seven dollars ³³/₁₀₀ in hand
paid by the said Thomas Baber - guardian for Martha E Davis
and the sum of \$137.³³/₁₀₀ secured to be paid by
the promissory ^{note} of the said Thomas Baber guardian
six months after date - and the sum of
\$137.³³/₁₀₀ secured to be paid by the promissory
note of the said Thomas Baber guardian ^{after date} twelve months
both of which notes - are made payable to the
undersigned as Sheriff as aforesaid for the
use aforesaid with Andrew Wilson - his
security - And the undersigned Sheriff
as aforesaid further reports that previously
to said day of sale - he advertised and gave
notice of the same by hand bills signed
by him and set up in public places giving
a particular description of the property to
be sold, the time, terms, and place of sale
in full respects as the law requires
a copy of which said advertisement
and notice is herewith returned and
asked to be taken as a part hereof -

And the under signed Sheriff as aforesaid
further reports that said sale, and all the
things thereunto done by him were in
accordance with the order of the Court
as aforesaid - and as the law requires -
all of which is respectfully submitted

B. J. Brown
Sheriff as aforesaid

John Mason et al
vs
Mary Williams et al

Report of Clerk by Shff

Attest 10th Dec 1853
J. H. Smith
Clerk

John Mason et al
 vs $\frac{1}{3}$
 Mary Adair et al } In the Circuit Court
 Ray County

The undersigned Sheriff reports
 the amount of cash sales made
 in the above cause as follows to wit -
 Amount of cash sales, being $\frac{1}{3}$ of the
 amt as per his report - of sales - #1117.53

Cr by R. Sevier - Clerk fees -	\$20.10
J. J. Mason Shff	7.50
" B. J. Brown "	5.45
" A. Rippe JP	.25
" D. H. Deerebury "	.25
" Eph. Lammery comm	1.50
" Edvard Sanderson "	1.50
" John B. Elliott "	1.50
" B. J. Brown Shff adv	3.00
" " " " " " 2 pct	20.10
" " " " " " 2852 - 1"	28.52
Attorneys fees -	25.00
but due for distribution -	\$109.57
	<u>\$1117.26</u>

all of which is Submitted

B. J. Brown
 Sheriff as aforesaid

John Mason due

no 3. Report of monies
by peruses.

Mary A. Harris et al

Filed 12th March 1853

J. Serivice

John Mason et al

vs {
Mary Adams et al

In the Circuit Court

Ray County

Benjamin J Brown Sheriff of the
County of Ray ask leave respectfully
to report the proceeds of the Sales
made in the above cause, being
the second payment -

To amt of Money received - \$1117.32

or

By Chas Pattersons Printers fee 12.00
Bal due \$1105.32

all of which is Respectfully
Submitted

B J Brown Sheriff
as ordered

John Massey & Co
vs
Mary A. Davis & Co

Report of Collection
of D. & Payment

Filed 10th Sept. 1853.
J. L. Loring, cler.

John Maxwell et al

(vs) 3
Mary A. Harris et al

In the Circuit Court Ray County

Benjamin J. Brown Sheriff of the County
of Ray ask leave respectfully to report the proceeds of the sales
made in the above cause, being the third and last
payment.

To Amount of Money Received \$-1117.32

By (Cr.) J. Davis's additional Clerk's fee--

Balance Due \$ 1113.77

March 11th AD 1854

All of which is respectfully submitted

B. J. Brown Sheriff
of Ray County, Mo.

John Mason & Co

vs

Mary Ann, & Co

Report of money

Filed 11th March 1854
R. L. Jones
Att. R.