

MADISON COUNTY, IA - BOOK W

279

In the District Court of Madison County Iowa
 Adam Elliott as Guardian of
 Robert McMichael, W^m C. McMichael
 John McMichael, Mary Jane McMichael
 and Elizabeth McMichael Minor
 heirs of Alexander McMichael deceased
 Plff -

Against
 James McMichael Defendant

October Term 1867

N^o 112 Chancery

Decree of Partition by
 Agreement.

And now on this the fourth day of the October Session of the District Court of Madison County Iowa, it being the tenth day of October A.D. 1867 come the parties to this cause both Plff and defendant by their Attorneys and submit their cause to the Court to be disposed of according to the agreement heretofore filed, upon an examination of which together with the papers and proofs in the cause the Court finds that the Plff herein Adam Elliott as Guardian of Robert McMichael, W^m C. McMichael, John McMichael, Mary Jane McMichael and Elizabeth McMichael (Minors) and the defendant herein James McMichael as heirs at law of Robert McMichael deceased, are the owners in fee simple and seized in common of the following described Real Estate to-wit:

The North East quarter of the North East quarter of Section Two (2) and the West fractional half of the North West quarter of Section One (1) in Township Seventy seven (77) Range Twenty six (26), and also the South West quarter of the South East quarter of Section Twenty six (26) Township Seventy eight (78) Range Twenty six (26) West of the 5th P. M. Iowa. — That the interest of the Plaintiffs wards therein is the undivided one third part of the said described lands, and that the interest of the Defendant is the Undivided two thirds part of the same.

It further appearing to the satisfaction of the Court that the said parties have agreed upon a division of said lands it is ordered by the Court in pursuance of said Agreement that there be set off in severally to the wards of Adam Elliott Guardian as aforesaid as their share of said Real Estate, the South West quarter of the South East quarter of Section Twenty six (26) Township Seventy eight (78) Range Twenty six (26) West of 5th P. M., and also the South West quarter of the North West quarter of Section One (1) in Township Seventy seven (77) Range Twenty six (26) and that the title to the same be vested in his said wards as tenants in common therein,

MADISON COUNTY, IA - BOOK W

and that this decree stand & operate as their deed & evidence of title to the same. — It is also ordered and decreed by the Court that there be set off to James McMichael as his share of the same in severally, the North West quarter of the North West quarter of Section One (1) and the North East quarter of the North East quarter of Section Two (2) in Township Seventy seven (77) Range Twenty six (26) and that the title to the same be absolutely vested in him in fee simple and that this decree stand & operate as his deed & evidence of title to the same. —

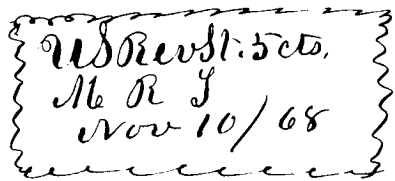
It is also ordered and decreed by the Court that the Plaintiff herein pay one third of the costs of this action taxed to Thirteen and ²⁵/₁₀₀ dollars, and that the defendants pay two thirds of the same taxed to Twenty six dollars and fifty seven cents and that Execution issue therefor.

The State of Iowa }
Madison County } ss

J. M. R. Tidrick Clerk of the District Court in and for said County, do hereby certify that the above and foregoing is a full true and perfect transcript and copy of the Record entry made in the above entitled cause as the same now appears in my Office. —

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my Office in Winterset said County & State on this 10th day of November 1868

"J. S."



M. R. Tidrick Clerk D. C.

Filed for Record Nov. 10th 1868, at 10 o'clock P. M.
C. A. Moser Recorder