

Description: Partition of land of Richard Osburn (d. before 1785)  
Montgomery Co., PA Orphans Court Dockets Book 1; Pages 8, 14-16, 23-25

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At an Orphans Court held for the County of Montg-  
omery at the House of John Shannon in Norriton Township  
in the said County the Twenty ninth day of December in  
the year of Our Lord one thousand seven hundred and eighty four  
Before Frederick Augustus Muhlenberg, James Morris & John Richards Esq<sup>r</sup>.

Petition of Ran- } The Petition of Randal Osburn Only son of Richard  
del Osburn for } Osburn late of Whitpain Township Montgomery County deceased  
Inquest to make } was presented and read praying the Court would award an  
Partition &c } Inquest to make Partition or Valuation of the Lands whereof  
File } his Father the said Richard Osburn died seized amongst his  
A B } widow and three children namely Randal Osburns Mary  
N<sup>o</sup> 4 } (married to Isaac De Haven) and Ann Osburn according to an  
Act of Assembly in such case provided &c  
Inquest } Whereupon it is ordered by the Court that a Writ of Partition  
awarded } and Valuation be awarded returnable on the thirty first day  
of March next —

Petition of John } The Petition of John Brook of New Hanover Township  
Guard<sup>n</sup> to Mary } Montgomery County (Guardian to Mary Evans only child of  
Evans and Ruth } Rees Evans deceased) and Ruth Evans Widow of the said Rees  
Evans for Division } Evans — was presented and read  
or Valuation of Rees }  
Evans and Real }  
Estate }  
File }  
A B }  
N<sup>o</sup> 5 }  
humbly sheweth  
That the said Rees Evans died seized of a considerable real Estate  
in the Township of New Hanover aforesaid to which the said Mary  
Evans and his widow are by Law entitled your Petitioners therefore  
pray the Court will be pleased to allow them to nominate  
four men as directed by Act of Assembly to ascertain the said  
widows Dower and they will pray John Brook, Ruth Evans

Men appointed } Whereupon it is ordered by the Court that Israel Jacobs  
to make Parti- } Alexander Anderson, Francis Hobson and David Evans do make  
tion or Valuation } Partition or Valuation of the Lands whereof the said Rees Evans  
died seized according to an Act of Assembly of the late Province of  
Pennsylvania in such case made and provided &c and that they  
make return thereof to our next Orphans Court to be held on  
the thirty first day of March next —

Petition of Eliz<sup>th</sup> } The Petition of Elizabeth Royer widow of Charles Royer of  
Royer for Auditors } Providence Township late deceased — was presented and read  
&c } praying the Court to appoint men to settle between her and  
File } Michael Royer or grant her such other relief as to them should  
A B } seem meet and she as in duty &c  
N<sup>o</sup> 6 }

was read and } Whereupon it is ordered by the Court that the Petition of  
dismissed } Elizabeth Royer be dismissed —

Petition of Francis } The Petition of Francis Hobson administrator of the estate  
Hobson Adm<sup>r</sup> for } of Francis Hooven of Limerick Township late deceased —  
order to sell Lands } was presented and read praying an Order of Court to make sale

At a special Orphans Court held for the County of Montgomery at Houseman Tavern the 24th day of January 1785 Before Frederick Augustus Muhlenberg, James Morris, John Richards Michael Kroll and Henry Schutz Esquires Justices of the said Court

Eliz<sup>th</sup> Goller }  
Pet<sup>n</sup> for Guard<sup>n</sup> }

The Petition of Elizabeth Goller a minor under the age of twenty one years, a Daughter of John Goller late of New Hanover Township deceased was presented and read —

File  
A B  
N<sup>o</sup> 11

Praying the Court to be pleased to nominate and appoint Bernhart Dottern of New Hanover Township to be her Guardian, and she as in duty bound would pray — Elizabeth<sup>her</sup> Goller<sup>mark</sup>

Guardian }  
appointed }

Whereupon the court do order and direct that the said Bernhart Dottern be, and he is hereby appointed Guardian of the said Elizabeth Goller to take care of her person and Estate during her minority —

Margaret Goller's }  
Pet<sup>n</sup> for Guard<sup>n</sup> }

The Petition of Margaret Goller a minor under the age of twenty one years, a Daughter of John Goller of New Hanover Township in the County of Montgomery deceased, was presented and read —

File  
A B  
N<sup>o</sup> 12

Praying the Court would permit her to choose Christian Goller to be her Guardian to take charge of her Estate according to the laws of this State in such case made and provided and she as in duty bound would pray — Margaret<sup>her</sup> Goller<sup>mark</sup>

Guardian }  
appointed }

Whereupon the Court do appoint the said Christian Goller Guardian to the said Margaret to take care of her person and Estate during her minority —

John Lawrence }  
Esq Motion for  
leave to bring in  
a second Pet<sup>n</sup> }

On motion John Lawrence Esquire setting forth that the Petition handed to the Justices by Randall Osburn at their Orphans Court holden for the County of Montgomery on the 29th day of December last did not contain the facts necessary, and praying that the court would suffer him to bring in another Petition stating the facts omitted. Whereupon it is ordered — by the Court that the said Randal Osburn shall have liberty so to do. And now to wit the same day a petition was presented and read as follows —

To the Worshipful the Justices E<sup>t</sup>

Randal Osborne }  
Pet<sup>n</sup> for Inquest  
to make Partition  
or Valuation of  
Lands — }

The Petition of Randall Osborne only son of Richard Osborne late of Whitpain Township and County aforesaid deceased — humbly sheweth

File  
A B  
No 13.

That your petitioners Father the said Richard Osborne died seized of two several Tracts of Land the one of them situate in the aforesaid Township of Whitpain and containing 200 Acres or thereabouts, the other situate in Worcester Township Montgomery County aforesaid and containing 70 acres of Land or thereabouts with the appurtenances thereunto belonging in fee simple, and leaving a Widow and five children Viz Jane Osborne

the widow, and your Petitioner Randal Osborne above twenty one years of age, Mary Osborne married to Isaac DeHaven, Ann Osborne who are under the Age of 21 years, John Osborne and Jonathan Osborne that John Osborne one of the children aforesaid named died intestate and without issue having first attained the Age of 21 years and Jonathan Osborne one other of the children aforesaid named died during his minority Intestate and without issue

Your Petitioner therefore prays the Court would be pleased to award an Inquest to make Partition and division of the Lands aforesaid amongst the said Children of the deceased and now living and Widow aforesaid if the same may or can be done without prejudice to or spoiling the whole, If that cannot be done then to make Valuation thereof agreeable to the Acts of Assembly in such case made and provided and your petitioner as in duty bound will ever pray &c

Randal Osborne

Whereupon it is specially ordered by the Court that a Writ of Partition and Valuation be awarded and it is hereby awarded and directed to the Sheriff of the County of Montgomery whereby he is commanded that taking with him Jurors twelve good and Lawful men of his Bailiwick should cause Partition to be made of the aforesaid two hundred acres of Land and seventy acres of Land whereof the said Richard Osborne died seized if the same could be done without prejudice to or spoiling the whole that is to say allotting unto Jane Osborn the Widow her thirds or Dower therein to hold to her the said Jane during her natural life and that the said Sheriff should cause the residue of the said Lands to be parted and divided into six equal parts according to the true value thereof and that he should cause one of said six equal parts (which of right descended to the above said Jonathan Osborn who died in his minority intestate and without issue) to be divided into three equal parts according to the true value thereof and then he should cause to be assigned and allotted unto the said Randal Osborn two parts of the said Lands in six equal parts divided, and one sixth part of the said six equal parts of the said land (which descended to the said John Osborn who died intestate and without issue having first attained the age of twenty one years, and also one part of the aforesaid Jonathan Osborn's sixth part of the said Lands into three equal parts to be divided making in the whole three parts of the aforesaid six equal parts of the said Lands and one third part of one of the said six equal parts of the said Lands into three equal parts to be divided to hold to him the said Randal Osborn his Heirs and Assigns in severally forever, And that he the said Sheriff cause to be assigned and allotted one of the aforesaid six equal parts of the said Lands and one of the aforesaid three equal parts of the said six equal parts of the said Lands to Mary one of the Daughters of the said Richard Osborn and the wife of Isaac DeHaven to hold the said one sixth part and one third part of the said Lands to her the said Mary DeHaven her Heirs and Assigns in severally forever, And that he the said Sheriff should cause to be assigned and allotted to Ann Osborn another

of the daughters of the said Richard Osborn to hold to her the said remaining one sixth part of the said Land and the one equal third part of the aforesaid one sixth part to hold the said one sixth part and one third part of one sixth part of the said Lands to her the said Ann Osborn her Heirs and Assigns in severally forever. And further if he the said Sheriff should find from the oath and affirmation of the Jurors aforesaid that the Land whereof the said Richard Osborn died seized cannot be divided as aforesaid then he shall cause a just and true valuation to be made of the said Lands and also of the widows Dower or thirds therein agreeable to the Act of Assembly in such case made and provided and make return thereof to the next Orphans Court.

Catherine Kurtz's }  
Guard<sup>n</sup> appd }  
On Motion of Thomas Rose the court permitted Catherine Kurtz daughter of Christian Kurtz <sup>and a minor above the age of fourteen years to</sup> deceased choose Philip Horn for her Guardian and the said Philip Horn is approved of by the Court and appointed Guardian to the said Catherine Kurtz to take care of her Person and Estate during her minority

Geo. Adam Kurtz's }  
Guard<sup>n</sup> appointed }  
On Motion of Thomas Rose the Court permitted George Adam Kurtz son of Christian Kurtz <sup>deceased</sup> and a minor above the age of fourteen years to choose Bernhart Dutterer for his Guardian and the said Bernhart Dutterer is approved of by the Court and appointed Guardian to the said George Adam Kurtz to take care of his person and Estate during his minority.

Christena, Mary }  
and Margaret Kurtz }  
Guard<sup>n</sup> Appointed }  
On Motion of Thomas Rose on behalf of Catherine the widow of Christian Kurtz <sup>deceased</sup> praying the Court would appoint Guardians to Christena, Mary, and Margaret Kurtz three minor children of the said Christian Kurtz under the age of fourteen years. The Court appoint Tobias Yeger to be Guardian to the said Christena, Mary, and Margaret Kurtz to take care of their persons and Estates severally during each of their Minorities.

Henry Sechler's }  
Pet<sup>n</sup> for Lands to }  
be adjudged to him }  
The Petition of Henry Sechler eldest son of Abraham Sechler late of Upper Hanover Township deceased was presented and read  
Praying that the Real Estate whereof his Father the said Abraham Sechler died seized might be adjudged to him at the valuation set on it by the Sheriff and Jurors as by their Inquisition returned to the Court and confirmed in December last

File  
A B  
N<sup>o</sup>. 14

Henry Sechler

out

Whereupon it is ordered by the Court that the Three several Tracts of Land Hereditaments and Premises whereof the said Abraham Sechler died seized situate lying and being in the Township of Douglass in the County of Montgomery be and they are hereby adjudged and Confirmed to Henry Sechler eldest son of the said Abraham Sechler deceased at the Valuation of six hundred & seventy nine pounds

out

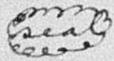
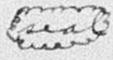
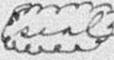
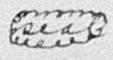
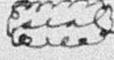
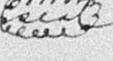
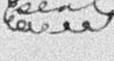
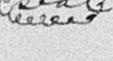
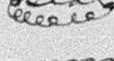
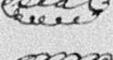
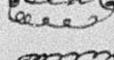
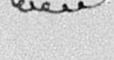
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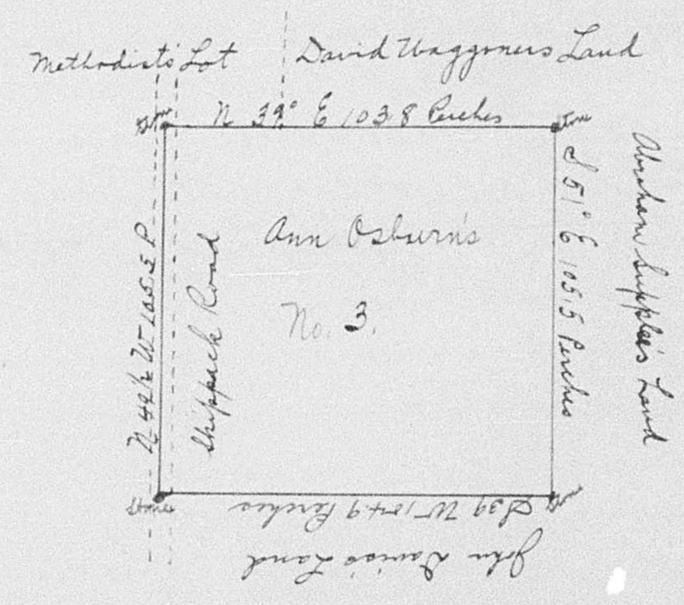
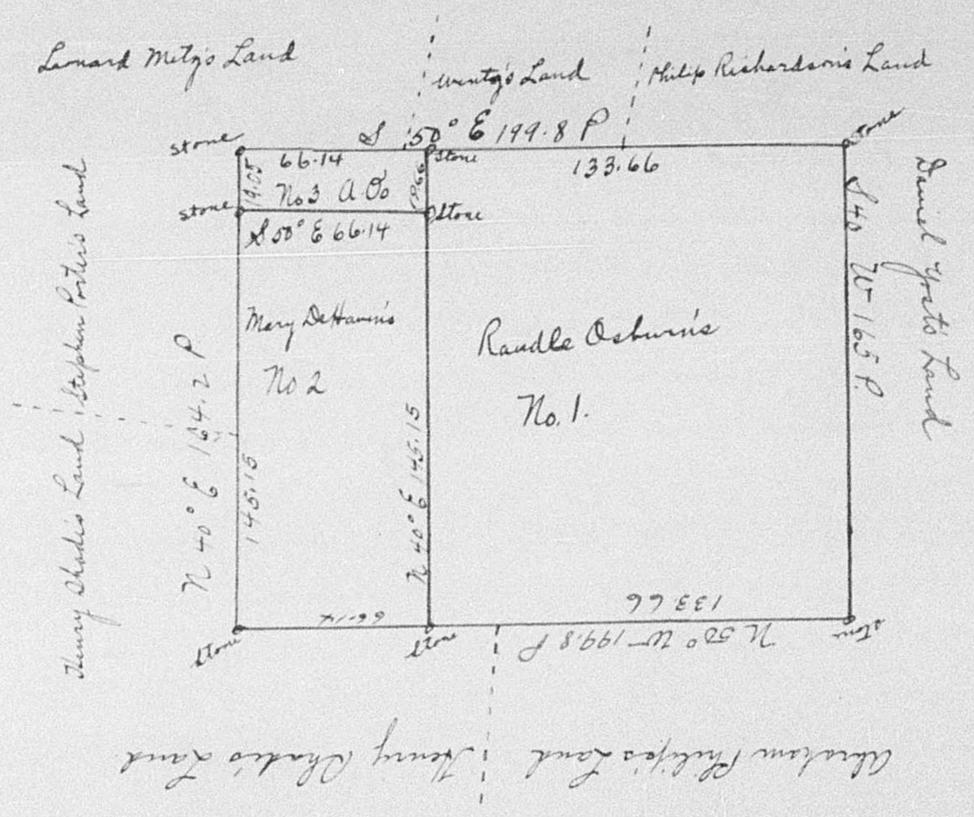
Sheriff's Re-  
turn of the Par-  
tition of the Lands  
whereof Rich.<sup>d</sup>  
Osburn died  
seized & -

AB  
N<sup>o</sup>. 30

I, Zebulon Potts Esquire High Sheriff in and for the County  
of Montgomery in the Commonwealth of Pennsylvania, To the Justices of the  
Orphans Court in the County aforesaid, in the Writ to this Schedule annexed  
mentioned at the Day and place in said Writ specified. Do Certify  
That I the said Sheriff, by virtue of the said Writ to me directed on the  
thirty first Day of January in the year of Our Lord one thousand seven  
hundred and eighty five, Taking we me namely Jurors James Morris,  
George Maris, Amos Roberts, John Roberts, Jesse Foulke, Samuel Wheeler,  
Jacob Weber, James Stroud, Hugh Evans, Joseph Tyson, Henry Cunnard,  
Nathan Potts twelve honest and lawful men of my Bailiwick, by whom  
the truth of the matter might be better known. The parties in the  
said Writ named first being severally warned and as many as chose  
to be there being present, I went in my proper Person to the two several  
Tracts of Land Hereditaments and Premises, with the appurtenances  
whereof the said Richard Osburn died seized as in said Writ I am com-  
manded, by the Oaths and Affirmations of the Jurors aforesaid I found that  
the said Lands and Premises could not be parted and divided without  
allotting and Assigning the said Jane Osburn the Relict or Widow of  
the said deceased her Thirds or Dower therein, as though we had returned  
a Valuation without prejudice to or spoiling the whole. Therefore at the  
particular request of said Widow and others the parties therein concerned, we have  
caused, allotted and assigned the said Jane Osburn the sum of thirty  
seven spanish milled Dollars and one third of a Dollar to be paid to  
her annually by the Possors thereof as her full thirds or Dower  
therein. And the Lands Hereditaments and premises in said Writ men-  
tioned by the Oaths and Affirmations of the Jurors aforesaid. We have  
caused to be parted and divided as follows to wit The whole into  
six equal parts first being parted and divided according to the True  
Value thereof. And we have also caused to be parted and divided, accord-  
ing to the true value thereof one of the aforesaid six equal parts into  
three equal parts, which of right descended to Jonathan Osburn, one  
of the Sons of the said deceased, who died in his minority Intestate and with-  
out Issue. And by the Oaths and Affirmations of the Jurors aforesaid I have caused  
to be assigned, allotted and delivered unto the said Randal Osburn, the  
eldest Son of the said deceased two sixth parts as aforesaid divided,  
And one other equal sixth part which of right descended to John Osburn  
another of the Sons of the said deceased, who died Intestate unmarried  
and without Issue, having first attained the Age of twenty  
one Years, And one equal third part of one equal sixth part which  
of right descended to the said Jonathan Osburn as aforesaid decd.  
So hold to him the said Randal Osburn (making in the whole one eq-  
ual half part and one equal third part of a fifth part as aforesaid  
of all and singular the Lands and Tenements whereof the said  
Richard Osburn died seized as in the said Writ specified as in a plen  
or Draught of the whole hereunto annexed, more particularly descri-  
bed and set forth) his Heirs and Assigns in severally forever,  
He becoming subject to his proportionable part of the aforesaid  
Dower or Widows thirds therein, And one other Equal sixth  
part, the whole into six equal parts first being parted and divi-  
ded aforesaid together with one equal third part of the aforesaid  
sixth.

sixth part which of right descended to Jonathan Osburn aforesaid, unto Mary De Haven the now wife of Isaac De Haven one of the daughters of the said deceased I have caused to be allotted assigned and delivered unto her as her share therein as in a plan or Draught of the whole hereunto annexed is more particularly described and set forth. To hold to her the said Mary De Haven her Heirs and assigns in severally forever she becoming subject to her proportionable part of the aforesaid Widows Dower or Thirds therein, and one other said sixth part the whole into six equal parts first being parted and divided together with one other third part of the aforesaid sixth part which descend to the said Jonathan as aforesaid deceased I have caused to be allotted, assigned and delivered unto Ann Osburn another of the Daughters of the said Deceased To hold to her the said Ann Osburn her Heirs and assigns in severally forever. She becoming subject to her proportionable part of the said Widows Dower or Thirds therein. As in the Plan or Draught of the whole hereunto annexed is more particularly described and set forth. And I the said Sheriff as well upon the Oaths and affirmations of the Jurors aforesaid do by these presents return That we have caused to be assigned allotted and delivered to each and every of the said parties, as each and every of their full shares purposes and portions of the two several Tracts of Land and premises with the Buildings, improvements, appendages and Appurtenances whatsoever thereunto belonging or in anywise appertaining according to the true Value thereof as in said Writ I am commanded. And so as aforesaid may to themselves severally appropriate and improve. And as touching the Widows Dower being assigned her in money, And the others the Heirs having the Lands divided amongst them is a rule or mode of proceeding perhaps not yet drawn into precedent. and is therefore alternative. All which we submit to the Honorable Court In Testimony whereof as well I the said Sheriff as the Inquest aforesaid have to this schedule or Return containing the Partition aforesaid set our Hands and Seals hereunto the Thirty first day of January In the year of our Lord one thousand seven hundred and eighty five.

Jebulon Potts		Jacob Weber		James Morris	
		James Stroud		George Maris	
		Hugh Evans		Amos Roberts	
		Joseph Tyson		John Roberts	
		Henry Lunnard		Jesse Foulke	
		Nathan Potts		Sam <sup>l</sup> . Wheeler	



Whereupon it is ordered by the Court that the aforesaid Inquisition and Partition of the Lands whereof Richard Osburn died seized be and remain firm and stable forever.

record made out & deliv<sup>d</sup>