

Jefferson County Circuit Court

Case Files - Civil

September 1876, No. 21

Dickemann, Catharine
Dickemann, Anton

VS

Dickemann, Joseph
Dickemann, Philip
Dickemann, Mary
Dickemann, Frank
Dickemann, Margaretha

Partition

18 acres in 518740 R4E

Box

36

Folder

13

Baltharino Dickemann and
Anton Dickemann, plaintiffs,
vs.

Joseph Dickemann, Philip
Dickemann, Mary Dickemann,
Frank Dickemann and Margaretha
Dickemann, defendants,

In the Circuit Court
of Jefferson County, Miss-
souri.

September Term 1876.

Suit in Partition.

Plaintiffs state, that Joseph Dickemann has died seized in fee simple of the following described Real Estate situate in Jefferson County, State of Missouri, to wit: situate in the North west quarter of the North East quarter of section eighteen (18) in Township forty (40) of Range 4 East, described as follows: beginning at the quarter section corner on the North side of said section eighteen; thence east nine chains and fifty links along the section line; thence South three degrees west twenty chains; thence west eight chains and fifty links to the South west corner of said tract, thence North twenty chains to the quarter section corner and place of beginning, containing 18 acres; being the same acquired by said Joseph Dickemann of Bayle Kinney by deed dated April 20th 1868. That Baltharino Dickemann, one of plaintiffs, is the widow of said deceased, and Anton Dickemann, the other plaintiff and all the defendants are the children and heirs of deceased. Plaintiffs state that Anton Dickemann, one of plaintiffs and all the 5 defendants are owners in

fee simple, and that each of them is entitled to an undivided one sixth part of the said Real Estate, subject to the dower interest of Catharine Dickmann, one of plaintiffs, and widow of deceased therein; and that the said Catharine Dickmann for her dower is entitled to the use of an undivided one third part of said Real Estate for and during her natural life.

✓ Plaintiffs state, that all the defendants are minors.

Plaintiffs ask a decree of partition of said Real Estate between the parties to this suit according to their rights and interests as above set forth, but say, that on account of the nature and amount of the property to be divided and the number of the persons an assignment of dower and partition thereof in kind cannot be made without great prejudice ~~of~~ to the persons, and pray that an order of sale be made without the appointment of commissioners and the proceeds thereof be divided among the parties according to their respective rights and interests, and to render such other decrees as may be necessary.

Henry F. Ahlvers
Atty. for plffs.

in the Circuit Court of
Jefferson Co. Mo.

September Term 1876.

Batham Dickmann
et al., plaintiffs,

vs.

Joseph Dickmann et
als., defendants.

Sub in partition,

Petition.

Filed Aug 17 1876

C. H. Worine

Clerk

Catharine Lickemann and Anton Lickemann plaintiffs.	} In the Circuit Court of Jefferson County, Missouri, September Term 1876.
vs	
Joseph Lickemann, Philip Lickemann Mary Lickemann Frank Lickemann and Martha Lickemann defendants	
Suit in Partition.	

Plaintiffs state, that Joseph Lickemann has died seized in fee simple of the following described real estate situate in Jefferson County, State of Missouri, to-wit: situate in the North West quarter of the North East quarter of Section eighteen (18) in Township forty (40) of Range 4 East described as follows: beginning at the quarter section corner on the North side of said section eighteen; thence East nine chains and fifty links along the section line; thence South three degrees west twenty chains; thence west eight chains, and fifty links to the South west corner of said tract, thence North twenty chains to the quarter section corner and place of beginning, containing 18 acres; being the same acquired by said Joseph Lickemann of Bazile Mines by deed dated April 20th 1866, that Catharine Lickemann, one of plaintiffs is the widow of said deceased Joseph Lickemann

and Anton Dickmann, the other plaintiff and all of the defendants are the children and heirs of deceased. Plaintiffs state that Anton Dickmann, one of plaintiffs and all the 5 defendants are owners in fee simple and that each of them is entitled to an undivided one sixth part of the said Real Estate subject to the dower interest of Catharine Dickmann, one of plaintiffs, and widow of deceased therein; and that the said Catharine Dickmann for her dower is entitled to the use of an undivided one third part of said real estate for and during her natural life.

Plaintiffs state, that all the defendants are minors. Plaintiffs ask a decree of partition of said Real Estate between the parties to this suit according to their rights and interests as above set forth, but pray, that on account of the nature and amount of the property to be divided and the number of the owners an assignment of dower and partition thereof in kind cannot be made without great prejudice to the owners, and pray that an order of sale be made without the appointment of Commissioners and the proceeds thereof be divided among the parties according to their respective

rights and interests, and to render such
other decrees as may be necessary,

Henry D. Ahlvers

Atty. for plffs.

A true copy of the original petition.

In testimony whereof I have
herunto set my hand and
affixed the seal of the Circuit
Court of Jefferson County Mo.
at office August 18th. 1876.

C. H. Horine Clerk

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

The State of Missouri,

St. Louis

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING

We command you, that you summon *Joseph Dickemann*
Philip Dickemann *Mary Dickemann*
Frank Dickemann and *Martha Dickemann*

if he be found in your County, that he, be and appear before the Honorable 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 *Second* ~~Monday after the fourth~~ *September* Monday of ~~September~~ next, then and there to answer unto

Catharine Dickemann and
Anton Dickemann

upon *their* original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then there this writ.

Witness, C. THO. HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *18th* day of *August*, A. D., 1876.

C. Tho Horine, Clerk Circuit Court.

No 21 17
4488

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept. TERM, 1876

Catharine Dickmann
et al

vs
Joseph Dickmann
et al

Original

Executed this writ in Polk County on the 25th day of August 1876 by delivering a copy of the writ and petition as furnished by the clerk to Philip Hickman and a copy of the writ as furnished by the clerk to each of the other following within named minor defendants, to wit: Joseph, Martha, Paul and Mary Dickmann.

Emile Thomas Sheriff

Polk County
By G. G. G. Stry

fee \$5.00
paid by
Plaintiff
Catharine Dickmann

Catharine Dickerman and
others Plaintiffs
against
Joseph Dickerman and others Defts

Now at this day comes
the Defendants by their
Guardian ad litem and
for answer to Plaintiffs
petition say that their
interests in said land are
correctly set out and
consent to the decree prayed
for being rendered -

John L. Thomas Esq
Guardian Ad litem for
Defendants

Catharine Dickinson
sisters
of mine

Joseph Dickinson
brother

answers of
expenses

Filed Jan'y 17 1877

Chas. W. Hines
Clerk

" In the Circuit Court of Jefferson County
State of Missouri.

January Term A.D. 1874.
Wednesday January 17th. 1874.

The following proceeding was
had viz:

"Catharine Dickermann and Anton Dickermann Plaintiffs
-vs-
Joseph Dickermann, Philip Dickermann (Mary
Dickermann, Frank Dickermann and Martha Dick-
ermann Defendants,

For Partition.

Now on this day came the Plaintiffs by
their attorney and the Defendants by John
L. Thomas & Bro, Guardian ad litem for the minor
defendants and by their answer admit that the
interest of the parties herein are correctly set out,
and also consent to partition and division of the real
estate described in the petition to-wit: Situate in
the North West quarter of the North East quarter of Section
eighteen in Township Forty of Range Two East des-
cribed as follows: Beginning at the quarter Section
corner of the North side of said Section eighteen;
thence East nine chains and fifty links along the
Section line; thence South three degrees west
twenty chains; thence West eight chains and fifty
links to the South West corner of said tract;
thence North twenty chains to the quarter Section
corner and place of beginning, containing 8 acres in

in Jefferson County, Wisconsin, and the court doth find that said parties are interested in said real estate as follows, said Anton, Joseph, Philip, Mary, Frank and Martha are each entitled to an undivided one sixth of said real estate, subject to the dower of said Catharine, and that said Catharine is entitled to dower in said real estate of one third thereof for and during her natural life. It is thereupon considered and adjudged by the court that partition and division of said real estate be made between said parties according to their respective rights and interests as herein declared by the court, and it appearing to the satisfaction of the court that partition and division of said real estate in kind cannot be made among said parties without great prejudice to their interests, it is thereupon ordered by the court that the Sheriff proceed to advertise and sell said real estate at public auction to the highest bidder for fifty per cent cash and the balance in twelve months and for the deferred payment take from the purchaser a bond or note with good and sufficient security bearing interest at the rate of ten per cent per annum; that said

sale take place on some day during the session of this court at the next regular term, and be governed by the same regulations prescribed by law for sales of real estate under execution, notice thereof being given in the manner provided by law for such sales, and out of the proceeds of said sale pay first the costs and expenses of these proceedings and distribute the balance among the parties according to their interests herein, and this cause is continued for said report."

A true copy from the record,

In Witness Whereof I have
hereunto set my hand and
affixed the seal of said court
at office in Hillsboro Mo.
February 23rd 1874.

Wm. H. Horine

Clerk Circuit Court

Jefferson Circuit Court.
May Term 1877.

Catharine Dickermann
et al

vs

Joseph Dickermann
et al

For Partition
— " —

Order of Sale.
— " —

Filed May 25th 1877.
C. Thos. Morris
Clerk

Sheriff Sale In Partition.

[In the Circuit Court of Jefferson County, Mo.]
Catharine Dickeman and Anton Dickeman, p^lt^s,

vs.

Joseph Dickeman, Philip Dickeman, Mary Dickeman, Frank Dickeman, and Martha Dickeman, defendants.

By virtue and authority of an order made by the Circuit Court of the county of Jefferson, State of Missouri, at its January term, A. D. 1877, I will on the 18th day of MAY next, 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:

Situated in the northwest quarter of the northeast quarter of section 18 township 40, of range 4 East, described as follows: Beginning at the quarter section corner of the north side of said section 18, thence East, 9 chains and 50 links along the section line; thence South three degrees West 20 chains; thence West, 8 chains and 50 links to the southwest corner of said tract; thence North, 50 chains to the quarter section corner, the place of beginning, containing 18 acres, in Jefferson county Missouri.

For the purpose of making partition between said parties, for which the purchaser will be required to pay fifty 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 the date, this 12th day of April, 1877.

JOHN WILLIAMS, Sheriff.

STATE OF MISSOURI, COUNTY OF JEFFERSON.

Be it Remembered, That on this 18 day of May, 1877, before the undersigned Clerk of the County Court of Jefferson County, Mo., came R. W. McMULLIN, who, being by me duly sworn, says the annexed advertisement was published in the "JEFF'N DEMOCRAT," a newspaper printed and published in the County of Jefferson, State of Missouri, of which he is printer, for 4 weeks, the first insertion being on the 20 day of April, 1877, and the last insertion on the 11 day of May, 1877, as follows, to-wit:

The Cor Southern B the propie gence in pl basement of sufficient m using effieci on the night The Black memorial to make the p that region was selected

In No. 16, Apr. 20, 1877
In No. 17, "27", 1877
In No. 18, May 4, 1877
In No. 19, "11", 1877

[Signature]

Sworn to and subscribed before me, this

18 day of May, 1877.

Printer's Fee, \$ 10.00 }
Affidavit, \$

[Signature] Co. Clerk.

Received Payment,

Hornes	\$ 920	
Hickman	15.00	
William	2.00	
Com	75	2070
Mumlin Printer, 10		\$36

36.00
 95
 15.00
 21.95
 2.50
 24.45

72

Sold to Catharine Dickerson for \$36.00
 all paid in cash

Catharine Dickeman ^{Ad}	} In the Jefferson County Circuit Court May Term 1877 Report of Sale
Anton Dickeman Plffs.	
against	
Joseph Dickeman Philip	
Dickeman. Mary Dickeman	
Frank Dickeman ^{Ad} Martha	} Defendants.
Dickeman	

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 the Circuit 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, agreeably with said advertisement, at the Court House door, in Hillsboro, on Friday the eighteenth day of May A.D. 1877, 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 seventy seven, expose to sale at public auction, the following described Real Estate, situate in said County to wit: Situated in the North west quarter of the North East quarter of Section

18 Township 40 of range 4 East described as follows
beginning at the quarter section corner on the North side
of said Section 18 thence East 9 chains ⁴50 links along
the section line; thence South three degrees West 20 chains
thence West 8 chains and 50 links to the South West corner
of said tract; thence North 20 chains to the quarter section
corner, the place of beginning, containing 18 acres

And at said sale Catharine Dickemaw being then
⁴ the highest & last bidder for said above described
land at the price and sum of Thirty six Dollars
the same was stricken off and sold to her for that
sum, which she has to me in hand paid. - And
this report is respectfully submitted
May 18th 1877 John Williams Sheriff

Catharine Dickerman

vs

Joseph Dickerman et al,

Now at this comes the
defendants by Guardian
ad. Litem & moves the Court to
set aside the sale in the above
cause for the following reasons,
to wit:

Because said land did not sell
for its worth

Because there was a combination
of Plaintiff to suppress bidding
Thomas Guardian

Ad litem for
defendants

Dickerman

125

Dickerman

Motion to set
aside sale

Filed May 25 1877
Otho Horne
Clerk