

Jefferson County Circuit Court
Case Files - Civil

Box

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Detolar 1854

St. Louis and Iron Mountain Railroad Company

vs

Rankin, Lewis
Rankin, Cecelia
Williams, James
Williams, Nancy

Condemnation

Land in S20 T39 R24E; survey map
included

The St. Louis & Iron Mountain Railroad Company, Plaintiff

AGAINST

Louis J. Rankin, and Cecelia Rankin,
his wife, and James Williams, and Nancy
Williams, his wife, —

Defendants.

To the Honorable, the Judge of the Circuit Court, in and for
the County of Jefferson State of Missouri.

The Saint Louis and Iron Mountain Railroad Company, the plaintiff
aforesaid, respectfully represents: That said Company is duly incorporated by Acts of the
General Assembly of the State of Missouri, approved March 3d, 1851, and
February 17th, 1853: That it is the intention of said Company, in good faith, to
construct and finish a Railroad from and to the places named for that purpose in
its said Charters, to wit: From some point within the City of Saint Louis, to
the Iron Mountain and Pilot Knob, or to the vicinity of one of the said points
last named: That by the aforesaid Act of March 3d, 1851, as soon as one
thousand shares of one hundred dollars each, are subscribed to the capital stock of said
Company, all the powers, privileges, rights, immunities, and benefits conferred, or intended
to be conferred by said Act, shall be vested in the said Company, which said number
of shares has been in good faith subscribed as aforesaid, and among the powers conferred
by said Act on said Company is the power to condemn land for the purposes of the
said Company: That said Company has surveyed the
line or route of its proposed Road, and made
a map or survey thereof, by which said route
or line is designated, and has located its said
Road, according to said survey, and filed cer-
tified copies of said maps and surveys, signed
by a majority of the Directors of said Company, in
the Clerk's Office of the several Counties through
or into which the said Road is to be constructed,
to wit, the Counties of St. Louis, Jefferson, Washington
and St. Francis.
That the line of said road is laid through a tract of land described as follows: A Tract
of land situate in said Jefferson County, containing
40 acres, being the North East quarter of the North
West quarter of Section twenty, in Township thirty
nine, of Range four East of 3th P. M. And the
roadway of said Railroad, as laid out in the
map or survey aforesaid, filed as aforesaid,
enters said Tract at Station Two thousand
three hundred and eighty seven, and twenty
hundredths, and leaves said Tract at Station
Two thousand four hundred and two, and
eighty hundredths, of the Centre line of
said Road, and comprises the portion of
said Tract, comprised between said Stations,
and the side lines of said Roadway, as
described in said plat, being in all,

Four acres, and six hundredths of an acre; said roadway being one hundred feet wide through said tract, except for a short distance, between stations, numbered 3400 $\frac{50}{100}$ and 3402 $\frac{80}{100}$, wherein, it is from one hundred and ten feet to one hundred and sixty feet wide.

The said Company further says that the ^{last} land above described is required for the purpose of constructing or operating the proposed road, and for a Roadway, and said Company asks that the same be condemned to its use therefor;

that the claimants of said land are as follows: Louis J. Rankin, who claims an undivided interest of one half of the same in fee, and Cecelia Rankin, his wife, who may have dower in her husband's said interest; and James Williams, who claims the other half of said land in fee, and Nancy Williams, his wife, who may have dower in her husband's said interest - and all of said Defendants are of age, and reside in Jefferson County, Missouri;

that said company has not been able to acquire title to said land for the reason that said Company and said Defendants have been unable to agree upon a price for the same.

Therefore said Company prays said Judge to appoint Commissioners of appraisal, who shall proceed, without delay, to ascertain and appraise the compensation, if any, to be made to the owners or persons interested in the real estate proposed to be taken as aforesaid, and otherwise, proceed as is provided for such cases in the several acts incorporating said company, and in the Act of the General Assembly of the State of Missouri, approved February 24th 1853, entitled "An Act to authorize the formation of Railroad Associations, and

to regulate the same." And said Company further prays that after due proceedings had according to law, a final order may be granted fully vesting in said Company the title to the land aforesaid, and that all such other and further relief be granted said Company as equity may require in the premises.

Abner Green

ATTORNEY OF THE SAINT LOUIS AND IRON MOUNTAIN
RAILROAD COMPANY.

State of Missouri, }
County of Jefferson } SS.

Abner Green, Plaintiff's Attorney being
duly sworn, on his oath says that the foregoing petition, and the matters therein
stated, he believes to be true.

Abner Green

Sworn to and subscribed before
me this Ninth day of Oct
1854 Tho C. Fletcher clk
Jas E. Honey Dep't.

To Louis J. Rankin, and Cecelia Rankin
his wife, and James Williams, and Nancy
Williams his wife.

You are hereby notified, that on the Twenty first day of
October 1854, at nine o'clock, A.M. or as soon
thereafter as counsel can be heard, at the Court House in the Town
of Potosi in the County of Washington I shall present
to the Judge of the Circuit Court of said County, a petition
of which the foregoing is a copy, and ask for the necessary orders in the case: when
and where you may attend, if you see proper.

By Abner Green

ATTORNEY OF THE SAINT LOUIS AND IRON MOUNTAIN
RAILROAD COMPANY.

We acknowledge service of a copy of the above petition and notice this ninth
day of October 1854

James Williams
Nancy Williams

of a copy
We acknowledge service of the within
Petition and Notice this tenth day of
October 1854.

J. J. Hamlin
C. F. Rankin



County of *Jefferson*

PETITION FOR CONDEMNING LAND.

St. Louis & Iron Mountain

RAILROAD COMPANY,

PLAINTIFF,

VERSUS

J. J. Hamlin & others

DEFENDANT.

Alfred Green Attorney for Plaintiff.

Filed Nov 28th 1854
Wm C McLehew
clerk

St Louis & Iron Mountain Rail Road Co.

In Vacation

October 21st 1854

Sewer & Rankin & Wife

James Williams & Wife

The plaintiff comes and presents his petition praying for the appointment of Commissioners to ascertain the Compensation to be paid to the Defendants on account of the real Estate proposed to be taken for the purposes of the said Rail Road, as more fully set set forth and described in his said petition herein filed. And it appearing that the Defendants have been notified hereof as required by Law, and not appearing to make objection to the granting the prayer of the petitioners, It is therefore ordered that James England, John W Weaver, and John H Morse be appointed Commissioners whose duty it shall be after taking an oath faithfully and impartially to discharge ~~required~~ the duties required of them, to proceed ~~to~~ view the premises described in the petition, and after hearing the testimony and allegations of the parties, ascertain and determine the Compensation to be made to the Defendants on account of the real Estate proposed to be taken. Making due allowance or deduction for any advantages or benefits which the parties in interest will derive from the construction of said road, and not allowing them the benefit of any rise in value of said lands in consequence of the survey, location or construction of said rail road. And that the said Commissioners meet at the house of Letitia Waters, on the 17th day of November next, at 9 o'clock in the morning of that day, and continue from day to day until completed, and report their proceedings herein at the earliest convenient day.

John H Stone Judge of
Jefferson Circuit Court Mo

$$\begin{array}{r} 34 \\ 15 \\ \hline 170 \\ 34 \\ \hline 510 \end{array}$$

St John's & Son Montreal
Boat Road Company
27,

David. Rankin & Thos
Apprentices
of Commodore

Price per doz \$ 1.00
For the Stock
Cellio

Cross

Pipkin

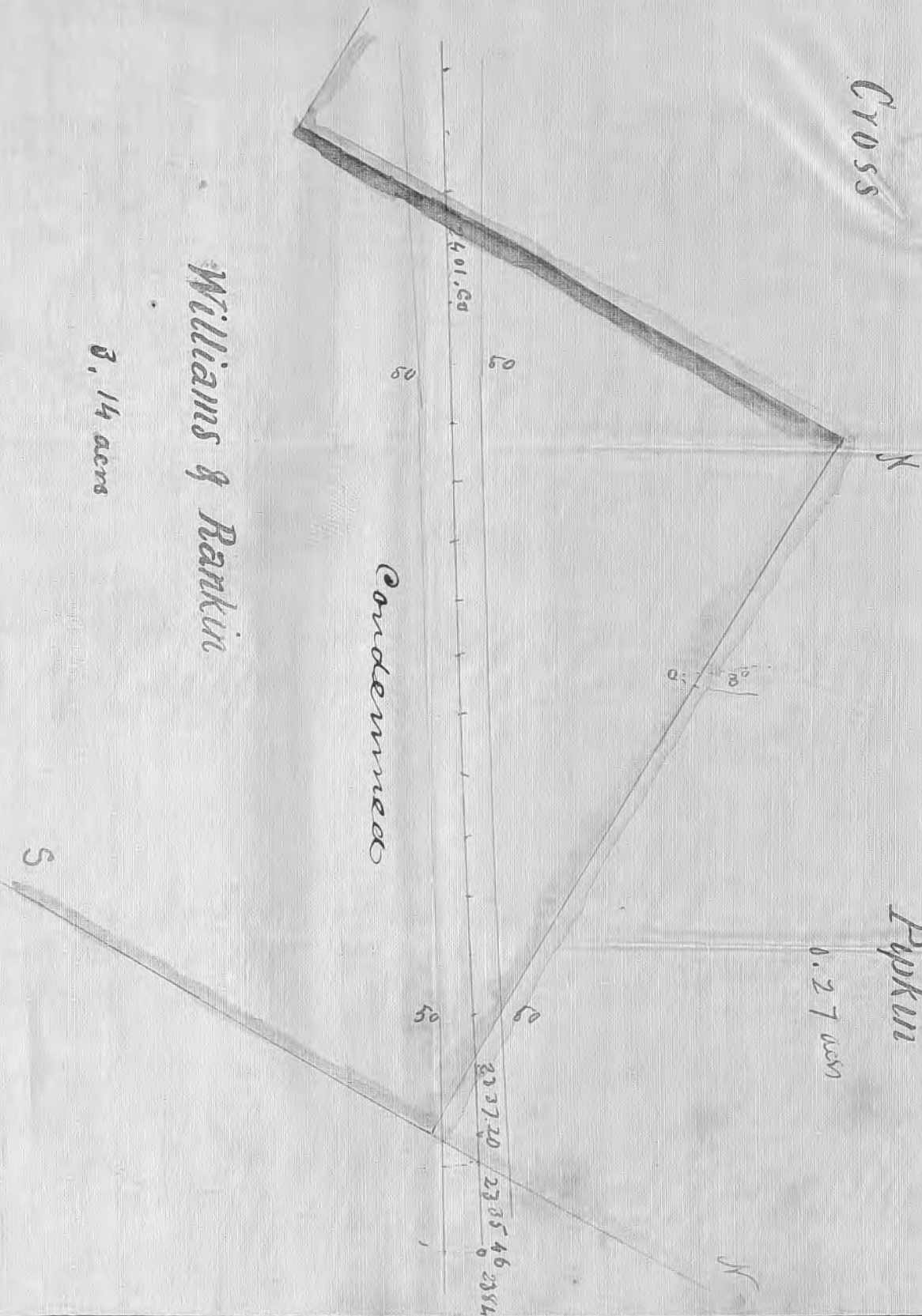
0.27 acres

Condemned

Williams & Rankin

3.14 acres

S



The St. Louis and Iron Mountain
Rail Road Company
vs.
Louis J. Rankin, and Others

State of Missouri }
County of Jefferson } ss.

We, the undersigned Commis-
sioners appointed in the above entitled Cause,
by an Order of the Judge of the Circuit
Court of said County, made at Potosi in Wash-
ington County, Missouri, on the 21st day of Octo-
ber 1854, being duly sworn, on our oaths, do
say, that we will faithfully and impartial-
ly perform the duties required of us in said
Cause, by the Order aforesaid, according to
an Act of the General Assembly of the
State of Missouri, approved February the
24th 1853, entitled, "An Act to authorize
the formation of rail road associations
and to regulate the same."

Subscribed and sworn }
to, this seventh day of } J. H. Mosse
November 1854, before } J. H. Weaver
me, } J. R. England

J. G. Crumey

Justice of the peace

West. Louis & Son
Mountain Land Socy Co.

At,
Louis L. Hankin & Son

Affidavit of
Concomitancy

STATE OF MISSOURI, }
COUNTY OF Jefferson } SS

Judge of the
The undersigned, Commissioners appointed by the Circuit Court in and for said County, to ascertain and appraise the compensation to be made to the owners or persons interested in the real estate proposed to be taken in said county for the purposes of the ST. LOUIS AND IRON MOUNTAIN RAILROAD COMPANY, as set forth in a petition of said Company, presented to said *Judge* Court on the twenty first day of October in the year of our Lord eighteen hundred and fifty-four, against

*Louis J. Rankin, and Cecelia Rankin, his wife,
and James Williams, and Nancy Williams, his
wife,*

*Respectfully report to said Judge, that James
England, John W. Weaver, and John H. Morse,*

having first ^{their} duly taken and subscribed an oath hereto annexed, faithfully and impartially to perform ~~our~~ duties as such Commissioners; did meet on the seventh day of November in the year aforesaid, at the hour and place named in the order of said *Judge* but not having time to complete the assessment of damages in the several cases of our appointment ~~if it had not been for the fact that the same from day to day till on the 10th day of November in the year aforesaid when we were all present on the premises~~ and did view the premises described in the petition, and hear the proofs and allegations of the parties aforesaid present, that is, said company by its Attorney, Abner Green, and no testimony being offered on either side, or taken by us, and thereupon, on the said tenth day of November in the year aforesaid, without any unnecessary delay, and before proceeding to the examination of any other claim, *all of us,*

being present and acting, did determine and ascertain the compensation which ought justly to be made by said Company to the parties owning or interested in the real estate appraised by us as aforesaid; making due allowance or deduction for all advantages or benefits which said parties in interest will derive from the construction of the proposed Railroad, but not allowing the parties owning, the benefit of any rise in value of the land aforesaid in consequence of the survey, location or construction of said Railroad; and we certify and report that the compensation to be made as aforesaid is as follows:

*To Louis J. Rankin and Cecelia Rankin his wife,
fifty cents.*

*To James Williams and Nancy Williams, his
wife, fifty cents.*

*We annex hereto a plat on which the land com-
demned as above is marked with the word "Condemned"
and as a part of a larger tract marked, "Williams
& Rankin." "3.14 acs."*

Witnesses whereof we have hereto signed our
names to this Report this tenth day of Novem-
ber, eighteen hundred and fifty four.

J. H. Morse
J. W. Weaver
D. R. England

The St. Louis & Oregon Mountain
Rail Road Company

vs.

Louis L. Bankins & others

Report
of Commissioners

Filed Nov 27 - 1854
Thos C Fletcher
Clerk

Williams Ronkin & Sittin

No of Station of Centre Line of Railroad	To next mentioned Station on Centre Line of Railroad		Widths from each Side of Centre Line of Railroad	
	Bearing as middle run road	Distance Feet	Left	Right
~~2385~~	~~48°45'E~~	~~46~~	~~0~~	~~55~~
~~2385.44~~	" "	~~29~~	~~0~~	~~55~~
~~2385.78~~	" "	~~225~~	~~55~~	~~55~~
2387.20	48°43'E	80	50	50
2388	" "	1100	50	50
2399	" "	150	50	50
2400.50	" "	110	55	55
2401.60	" "	120	0	58
2402.80			0	60

4.06 acres

In this case Pitkins land (a small corner 100
feet) was included with Williams Ronkin
that is the cause of the above erasures &
Changes

B. D. Sittin

Sept 23rd 1874

- *Reveries (of William)*
- *William's diary*

Died Nov 27th 1854
Wm C. de Eche
CCN

The St. Louis & Iron Mountain
Rail Road Company. — Plaintiff.

vs.

Louis J. Rankin & Beecia Rankin,
his wife, and James Williams, &
Nancy Williams, his wife, — Defendants.

To Louis J. Rankin & Beecia Rankin, his
wife, and James Williams, & Nancy Williams
his wife. — You, and each of you, are
hereby Notified, that, at the next Term of the
Circuit Court for the County of Jefferson, in the
State of Missouri, to be begun and held at the
Court House in Hillsboro in said County, on the
twenty seventh day of November 1854, on the
third day thereof, at eight O'clock A.M. or so
soon thereafter, as Counsel can be heard, I
shall move said Court, to Confirm the
Report of the Commissioners of appraisal,
made in the above Cause, on the 10th day
of November 1854, when and where, you
can attend if you see fit.

Nov. 11th 1854

Abner Green
Attorney for Plaintiff

State of Missouri }
County of Jefferson } ss.

I, Samuel B. Medley, being duly sworn,
state, that I executed the within Notice on
Louis J. Rankin, & Beecilia his wife on the 16th
day of November 1854, at the County aforesaid
by leaving with each of them an exact Copy
of the same, - and on James Williams, and Nancy
his wife, by leaving with each of them
an exact Copy of the same on the 17th day
of November, 1854. S. B. Medley

Sworn to & Subscribed before
me Nov 27th 1854
Thos B. Hatcher Clerk

The H. Lewis & Son Mountain
Trave & Horse Carriage
at
Louis J. Rankin & others
Notices

Filed Dec 2nd 1854
Thos B. Hatcher
Clerk