

June 1861 #10

Wickham, John
Drennan, Jonathan
Drennan, Rachel
Wilson, Rebecca,
et al

vs

Pitzer, David

Ejectment

275 arpents in U.S. Survey 395 on
Big River; \$100 damages; other
plaintiffs Willis, Nancy Rogers, Elizabeth
Doe, William Jones, Wesley Jones,
Chambers, Elizabeth Wilson, John L.,
Thomas M., Jacob, David Ogle, Bernard,
Nancy O'Farrell, Susan Herrington,
Baptiste, Elizabeth Balclash

In the Circuit Court Jefferson County,
John Mickerham,
Jonathan Drennen and Rachael Drennen his wife
Rebecca Wilson, Willis Rogers and Nancy his wife
Elizabeth Dace, William Jones, Wesley Jones
Chambers Wilson and Elizabeth his wife John L Ogle
Thomas M Ogle, Jacob Ogle, David Ogle Bernard
O'Varrell and Nancy his wife, Susan Herrington
Baptiste Baldasher & Elizabeth his wife, Plaintiffs

against

Amquid Citzer Defendant.

Plaintiffs state that they are
the heirs of ^{Jacob Mickerham &} Nancy Mickerham dec'd and entitled
to inherit her real estate, that as such heirs they
were on the first day of February 1860 entitled
to the possession of the following described
premises situate in the County of Jefferson
to wit, two hundred and seventy five arpens of
land being a part of U S Survey no 395 con-
firmed to Jacob Mickerham and surveyed
in 1825 by James McCormick as follows beginning
on the ^{East} Bank of Big River being part of a Survey
of 700 arpens, running from the river S 37° W
208 poles to the old line with the line of Aquilla
Mickerham thence with the old line to the cor-
ner of Jonathan Drennen thence with his line
N 30° E to Belen's Creek thence down the creek
to its mouth thence up Big River to the beginning
and being so entitled to the possession thereof
that the defendant afterwards on the second

day of February 1861. entered into said premises and unlawfully withholds from the plaintiffs the possession thereof; to their damage in the sum of one hundred dollars, they further aver that the monthly value of the rents and profits of the premises is ten dollars

Wherefore they demand judgment for the recovery of the premises and one hundred dollars damages for the unlawfully withholding the same from plaintiff and ten dollars per month for rents and profits from the rendition of judgment until possession is delivered to plaintiffs and for such other relief as to the court may seem just,

Sketches for Plffs.

John Wickerham and Jonathan Drennen two of said plaintiffs on oath states that the foregoing petition and the matters therein as stated he believes to be true

Signed & sworn to before me
Feb 8th 1861.

Elias J. Honey

Clerk

his
John Wickerham
mark

his
Jonathan Drennen
mark

John W. Starkham &
others
vs.
August Briggs

Filed July 8th 1861
Oliver W. Honey
Clerk

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

To the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon *Duqued Pitzer*

if he be found in your County, that he
do and appear before the Hon. 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 Monday of *May*
next, then and there to answer unto *John Wickham* for a
-*three Dollars*

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

Witness, **ELIAS F. HONEY**, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at office
in Hillsboro, this *Eighth*
day of *February* A. D. 1861

Elias F. Honey

Clerk Circuit Court.

I executed the within writ in the County of Jefferson
on Duquid Pitser by delivering him a certified copy
of this writ and annexed petition as furnished me
by the clerk on the 13th day of February 1861

Wm Doved Sheriff

No 10

To Jefferson Circuit Court
June Term 1861

2403

John Wickhamstead

vs & Summons

Duquid Pitser

Sheriff fee \$8 1.00

John Wickerham and others
vs

Ernest Pitzer Defendant

} In the Circuit Court
of Jefferson County Mo

The defendant, answering deny
that the plaintiffs or that any of them are with
The as heirs of ^{Jacob} Nancy Wickerham or in any other
Capacity, to two hundred & seventy five ~~acres~~ of
land, a part of United States Survey 395 Conf
issued to Jacob Wickerham. The defendant denies
that plaintiffs are entitled to any part
of said tract of land in controversy.
Defendant denies that he on the 2nd day
of February 1861 or at any other time entered into
said premises and wrongfully withheld the
possession thereof from the plaintiffs &
denies that he has damaged plaintiffs
one hundred dollars,

And for further answer defendant
states that neither the plaintiffs, their an-
cestors, grantors or other persons under whom they
claim, were seized or possessed of the pre-
mises in controversy within ten years before
the commencement of this suit. Defendant
further states that he ^{and those under} ~~and those under~~
^{whom he claims the premises} ~~whom he claims the premises~~ came into
the possession of the land in question men-
tioned and has peacefully occupied and pos-
sessed the same for a period of ten
years & longer than ten years, during all of
which time he ^{and those under whom} ~~and those under whom~~
^{claims} ~~claims~~ ^{have} had exclusive and continuous
possession and claimed the same under
^{color of title} ~~title and deeds of~~ ^{adverse}

and hostile to all persons & plaintiffs in particular. Defendant denies the plaintiffs have a right to remove this suit & insists that the plaintiffs are barred by the Statute of Limitations and adverse possession by defendant & those under whom he claims title.

The defendant in conclusion states that he is the legal owner of the premises in controversy & entitled to the possession
J. A. Bial
Atty for D. Petzer

Luigui Petzer states on oath that the foregoing answers & the matters therein as stated he believes to be true.

Subscribed & sworn } Luigui Petzer
to before me this }
25th day of March }
1863 }
Elias F. Honey Clerk }

John Wickham and

vs

August P. J. J. J.

Answer

October 25th 1863
Chas. J. Honeywell Clerk

Wickham & others } Jefferson & Co. Lane
 D^r Pitman } Dec 7. 1863.

D. Pitman }
 Wickham } Jefferson
 & Co. Cut Lane

Wickham & others Com & exar
 of the title papers, refers to
 D. Pitman, answer ~~to~~ ~~the~~ ~~petition~~
 of Wickham & others, & in Petition
 of Pitman in Wickham & others
 ask that they be set aside
 as against Law & Pitman is cross
 of said documents, as refers
 to by said Pitman.

Green & Hatchery

W. E. Chubbuck

Collier

m

D. P. Ryan

Yonkers

advised in person

to the City

in connection

with the

Advised Dec 12th 1863

Chas. J. Whoney

To the Honorable Circuit Court

Jefferson County, Mo

By an order of said Court at the December
Term 1863. I proceeded to survey and
subdivide survey No 395 in Jeff. Co. Mo.
and submit the plat of said lands
as being correct, from all the field
notes furnished

William B Reid
County Surveyor

Expense of Surveying and subdividing the land
Hickham Claim Survey 17th 1895 on Reg. 1111 by
Order of the Bench Court and making plat and
calculations of same

William H. Reid Surveyor	\$ 12.50
James Simpson & Hannan	3.00
Bernard Smith	<u>3.00</u>

Am't \$ 18.50