

Defferson County
Case File - Civil

Circuit Court

Box

15 Folder 26

June 1864, #32

Mc Culloch, James
Mc Culloch, Mary
Williams, William
Williams, Matilda,
et al

Lee, James

Dower

Assign Dower to Matilda Lee as widow
of Israel Lee in 425 acres in survey
897 747, 4323 E; Survey Map; others
Plaintiffs Josiah Lee, Isaac Wilson, Hester A.
Wilson

James R Mc Culloch & Mary his wife.

William Williams

Matilda Williams

Josiah Lee

Isaac Wilson & Hester A Wilson

vs

James Lee

In the Circuit Court
of Jefferson County Missouri

The plaintiffs state that about the year 1858, Israel Lee departed this life at Jefferson County Mo intestate, and seized and owner of the following Real Estate situate in Jefferson County Mo viz

425 acres of land being a part of United States Survey No 897 in Townships 42 & 43 Range 3 East, situate on the waters of Big River

Plaintiffs further state that Israel Lee left surviving him Matilda Lee his widow who was entitled to dower in said Real Estate, that Josiah Lee is a son of Israel Lee, Matilda, who married William Williams, Hester A, who married Isaac Wilson and Mary Lee, who married James R Mc Culloch, are daughters of Israel Lee and James Lee is a son of Israel Lee and as such heirs, the said land descended to them subject to the widows dower.

Plaintiff further states that Matilda Lee the said widow of Israel Lee conveyed to defendant James Lee by deed of 12th of April 1862, all her dower right and title in and to said land, that said James Lee is now occupying said land as the purchaser of said widows dower, that said dower right has not yet been ass

igned. Plaintiffs pray this Court to assign
the dower in said lands and for all
other proper orders as may be proper
of A Beal Attorney
for Plaintiffs

James R McCulloch being sworn states
on oath that the foregoing petition & the
matters therein as stated he believes to be
true

Subscribed & sworn
to before me this
day of 1864

James D McCallister

and
James Lee

Station to assign houses
in Royal Palace

Filed April 22nd 1864

Wm D Hooley
Clerk

50 pounds 40¢

Hooley

10 yd put	0.50
cost	50
and Hooley	1.20
stamp	5
brochets of pole 5c	10
order out	25
copy	110
stamp	50
order 100	6

James R. McCulloch &
Mary his wife
William Williams
Marion Williams
Israel Lee. Isaac Wilson
Hester A. Wilson

In the Circuit
Court of Jefferson
County
Missouri

vs
James Lee

The Plaintiffs State that about the year 1858, Israel Lee, departed this life at Jefferson County Mo., intestate and seized and owner of the following Real Estate Situate in Jefferson County Mo. Toz: 425 acres of land being a part of United States Survey No 894 in Townships 42 & 43. Range 3 East, Situate on the waters of Big River. Plaintiffs further State that Israel Lee left surviving him Matilda Lee, his widow, who was entitled to dower in said Real Estate, that Josiah Lee is a son of Israel Lee, Matilda who married William Williams, Hester A. who married Isaac Wilson and Mary Lee who married James R. McCulloch are daughters of Israel Lee, and James Lee is a son of Israel Lee and as such heirs the said land descended to them subject to the widow's dower

Plaintiffs further State that Matilda Lee
the said widow of Israel Lee conveyed to
defendant James Lee by deed of 12th of
April 1862 all her dower right and title
in and to said land, that said James
Lee is now occupying said land as
the purchaser of said widows dower, that
said dower right has not been assigned,
Plaintiffs pray this Court to assign
the dower in said land and for all
other proper orders as may be proper
J A Beal Attorney
for Plaintiffs

James R. M. Culloch, being Sworn States
on oath, that the foregoing petition & the
matters therein as stated he believes to
be true

Subscribed & Sworn to
before me, this
day of 1864

A true copy of the original
petition on file in my office

Witness my hand and the
Seal of said Court April 22^d
1864

Elias J. Honey Clerk



James R. McCulloch &
Mary his wife
William Williams
Marion Williams
Josiah Lee, Isaac Wilson
Hester A. Wilson

vs,

James Lee

In The Circuit
Court of Jefferson
County Missouri

The Plaintiffs state that about the year 1858, Israel Lee, departed this life at Jefferson County Mo, intestate and seized and owner of the following Real Estate situate in Jefferson County Mo viz: 425 acres of land being a part of United States Survey No. 897, in Townships 42 & 43, Range 3 East situate on the waters of Big River. Plaintiffs further state that Israel Lee left surviving him Matilda Lee, his widow, who was entitled to dower in said Real Estate; that Josiah Lee is a son of Israel Lee, Matilda who married William Williams, Hester A. who married Isaac Wilson and Mary Lee who married James R. McCulloch are daughters of Israel Lee, and James Lee is a son of Israel Lee and as such heirs the said land descended to them subject to the widows dower.

Plaintiffs further state that Matilda Lee the said widow of Israel Lee conveyed to defendant, James Lee by deed of 12th of April 1862 all her dower right and title in and to said land, that said James Lee is now occupying said land as the purchaser of said widows dower, that said dower right has not been assigned. Plaintiffs pray this Court to assign the dower in said land and for all other proper orders as may be proper. J^d Real Attorney for Plaintiffs

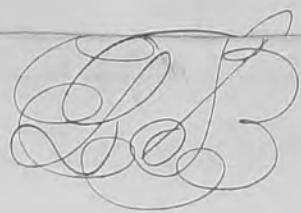
James R. McCulloch, being sworn states on oath, that the foregoing petition & the matters therein as stated he believes to be true,

Subscribed & sworn to }
before me this }
day of } 1864

A True copy of the original petition on file in my office.

Witness my hand and the seal of said Court August 14th, 1865,

Samuel A. Repp, clerk



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

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

We command you, that you summon *James Lee*

if- he be found in your County, that he
be 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
James R. McCulloch and Mary his
wife and others

upon their original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *Twenty Second*
day of April A. D. 1864



Elias F. Honey

Clerk Circuit Court.

TO JEFFERSON CIRCUIT COURT

2500

June 4th, 1864

James B. Mculloch
and others
vs
James Lee

Wm. A. Lee

42

103-130-232-286-317-393-410-477-495

James B. Mculloch

The within named James Lee not found in my
book of the 25th of May 1864

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

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

We command you, that you summon *James Lee*

if- he- be found in your County, that he
be 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 *James R. M. Bulloch*
and *Mary his wife and others*

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 *Twenty Second*
day of *April* A. D. 1864

Elias F. Honey

Clerk Circuit Court.

James P. McCallister
and others

vs

James Lee

Copy of petition filed
for defendant

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

The State of Missouri

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *James Lee*

*if he be found in your County, that he
be 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 *November* next, then and there to answer unto
James R. McCulloch and Mary his
*wife and others**

upon ~~the~~ original petition, a copy whereof is herewith annexed and ac-
companies this writ, and have you then there this writ.

Sam. A. Rapp
Witness, ~~ELIAS F. DOWNEY~~, Clerk of our said Circuit

Court, with the seal thereof herewith affixed, at office
in Hillsboro, this *Fourteenth*

day of *August* A. D. 1865.

Samuel A. Rapp
Clerk Circuit Court.

I executed the within writ in the County of
Jefferson State of Missouri on the 12th day
of Sept 1865 by delivery to the within named
Defendant James Lee a true copy of the writ and
annexed petition as furnished by the Clerk.

C. C. Fletcher
Sherriff

TO JEFFERSON CIRCUIT COURT

November Term, 1865

James R. McCulloch & others

vs. } Summons

James Lee

Fletcher Sherriff 150

Filed Sept 13th 1865
Samuel W. C. Spry
Clerk

James R McCulloch Plaintiff
vs
James Lee Defendant } In the Jefferson
Circuit Court

Default & commissioners ordered
to divide the land & report at next term
of this Court J A Paul
Nov 21. 1865. Atty for Plaintiff

James B McCall
at

James Lee

Memorandum

Communications

W. G. Rice
Very truly
yours
Wm. McCall

State of Missouri } ss. In the Circuit Court
County of Jefferson } of Jefferson County Mo.

November Term A.D. 1865.

James R. McCulloch and
Mary McCulloch his wife,
William Williams, Matilda Wil-
liams, Josiah Lee, Isaac Wil-
son and Keeter A. his wife

To a sign
dower in land

Against
James Lee, Defendant

Now at this day comes
Said Plaintiffs by their attorney, and it ap-
pearing to the Court that Said Defendant has been
duly Summored, and that he has bought
the dower interest of Matilda Lee, widow of Israel
Lee, deceased, and as such owner he is enti-
tled to Said dower interest in the land as fol-
lows. Four hundred and twenty five acres, of
land, being a part of United States Survey
No. 897, in Township 43rd 43, of Range 3 East
Situate on the Waters of Big River. It is
therefore considered by the Court, that the Said
Defendant as the representative, and legal owner
of the one third part of Said land, for and du-
ring the natural life of Matilda Lee, widow
of Israel Lee, late deceased, and the Court

doth appoint William L. Reed, Perry Bittick,
and Joshua Herrington, Commissioners, to
assign and admeasure said dower, who before
they enter upon their duties shall take an oath
or affirmation honestly and impartially to
discharge the trust reposed in them, & make
report of their proceedings herein to the Court,
at the next term thereof, & this cause is
continued.

A true copy from the Record
In Testimony whereof I have
hereto set my hand and affix
ed the Seal of said Court
this 29th day of Janry 1866.
J. A. R. sp. clk

To Jefferson Davis's Court
May Term 1866.

James P. Mullock, et al.

vs. Robinson Brown

James Lee, Defendant

Commissioners

William S. Reed

vs. Pittick and

Joshua Measurington

Copies for Commissioners

State of Missouri } ss In the Circuit Court
County of Jefferson } of Jefferson County Mo.
November Term A.D. 1865,

James R McCulloch and
Mary McCulloch his wife
William Williams, Matilda Wil-
liams, Josiah Lee, Isaac Wil-
son and Keester A his wife
Against
James Lee, Defendant.

To a sign dower
in land

Now at this day comes
Said Plaintiffs, by their attorney, and it appearing
to the Court that said defendant has been duly
Summoned, and that he has bought the dower
interest of Matilda Lee, widow of Israel Lee, de-
ceased, and as such owner he is entitled to said
dower interest in the lands as follows, Four
hundred and twenty five (425) acres of land,
being a part of United States Survey No. 897,
in Township 42nd 43 of Range 3 East, Situate on
the Waters of Big River. It is therefore con-
sidered by the Court, that the Said Defendant
as the representative, and legal owner of the Widows
dower in Said Estate, be Seized of the one third part
of Said lands for and during the natural life of
Matilda Lee, widow, of Israel Lee, late deceased,
and the Court doth appoint William L. Reed

Perry Pettick, and Joshua Herrington
Commissioners, to assign, and admeasure said
dower, who before they enter upon their duties
shall take an oath or affirmation honestly
and impartially to discharge the trust reposed
in them, ^{2d} make report of their proceedings
herein to the Court, at the next term thereof,
and this cause is continued.

A true copy from the Record.

In Testimony Whereof I have
hereto set my hand, and af-
fixed the Seal of said Court,
this 29th day of January 1866,
Samuel H. Peppy, clk

I Executed the within in the County of Jefferson State of Missouri
on W. G. Reed on the 5 day of July 1866 by delivering to him a copy
of this Order and I further executed notice on the 20th day of
July 1866 on Perry Bitlicks by reading the same to him in his
present hearing & I further executed this notice on Joshua
Herrington on the 4 day of March 1866 by reading the
same in his present hearing

C. C. Fletcher
Sheriff

At Jefferson Lewis's Court
May Term A.D. 1866.

James & P. C. M. Lock et al
— against —
James Lee Doft

Comminations

William G. Reed.

20 Perry Bitlick &

4 Joshua Herrington

vs
Joshua Doft

C. C. Fletcher Sheriff 2125-

Filed Mar 29th 1866
Saml. A. D. P. by Clerk

James R McCallough & Co. Cath of Commisfioners

James R McCallough & Co. ^{as agents} to open down

the Perry Bittick. Joshua Huntington and
William G Reid appointed Commisfioners by
a rule a copy whereof is herewith annexed
to show that we will faithfully & honestly
and impartially discharge the duty and
execute the trust reposed in us by the said
appointment

Perry Bittick
Joshua Huntington
William G Reid

Done to and subscribed before
me this 8th day of May 1866

W D D Greaser

Justice of the Peace
within and for Jefferson County Mo

Oath of
Commisary

To the Honorable Circuit Court

Jefferson County Missouri

We the undersigned appointed Commissioners under and by virtue of an order a copy whereof is hereby annexed, do respectfully report that we proceeded to admeasure and lay off as speedily as possible after the said order, the one third part of the lands embraced in the order for our appointment as the dower of Matilda Lee named therein, designating such part with posts and witness trees as herein described, And we found it practicable to award the new dwelling House and orchard together with 119 acres to the said Matilda Lee part of which land is in Cultivation, therefore we made a deduction proportionate to the benefit she will derive from such part of said improvements as is included in the portion assigned to her, The description of the land laid off is as follows, Commencing at a post on the bank of Big river in Survey N^o 897 T⁴² R³ a Hickory 10 inches in diameter bears north 40 links and an Elm 14 inches in diameter bears S 83 E 25 links distant. Thence S 22 W 52.15 chains a post from which a white Oak 12 inches in diameter bears N 20 E 83 links and a white Oak 20 inches in diameter bears S 62 E 78 links. Thence N 68 W 24 chains a post from which a Burr Oak 12 inches in diameter bears N 54 E 15 links and an Elm 10 inches in diameter bears S 20 W 16 links. Thence N 32 E 46.50 chains to a post on the bank of Big river from which

a maple 10 inches in diameter bears S 65 E 7 links and a
Maple 14 inches in diameter bears S 11 W 15 links. Thence up
Big river with its meanders to the place of beginning

Perry Bittick

Goshwa Herrington

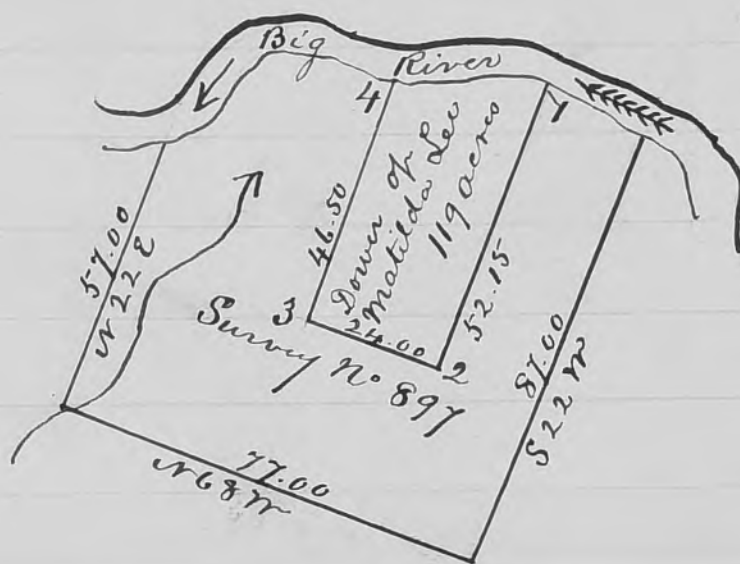
William G. Reid

Commencement
Report

Filed Nov-10th 1866.
Samuel H. Delapoy. Clerk

Plat of Survey N^o 897 T42 R3 E
 Jefferson Co. Mo. showing the track in said
 Survey, laid off as the dower of Matilda Lee

Joshua Sterrington }
 Perry Bittick } Commissioners
 William Reid }



Description of Corners

- | | | |
|-------------|-----------|----------|
| 1 Hickory | 10 north | 40 links |
| Elm | 14 S 83 E | 25 do |
| 2 White Oak | 12 N 20 E | 83 do |
| do | 20 S 62 E | 78 do |
| 3 Burr Oak | 12 N 54 E | 15 do |
| Elm | 10 S 20 W | 6 do |
| 4 Maple | 10 S 65 E | 7 do |
| do | 14 S 11 W | 15 do |

William Reid
 County Surveyor

Plot of the dunes
of Matilda Lee

James R. McCulloch et al,

vs 3 To Appear Dower

James Lee, Defendant

Perry Bittick Commissioner	2 Days	@ 2.00 =	4.00
Joshua Huntington do	2 do	~	4.00
William Reid do	2 do	~	4.00
William Reid Surveyor Mileage going and returning			
36 miles @ 8 ^{cts}		\$	2.88
4 Corners @ 1.50			6.00
Lines run over the first 100 chains			
98 chains			2.48
Calculating the quantity of land in			
said track			0.75
Recording survey			0.50
Joshua Huntington fore chainman	1 day		1.50
Perry Bittick Hind do	1 ~		1.50
William Brown Hayman	1 ~		1.50
John Bittick Axeman	1 ~		1.50
Justices fees			2.50
			30.98

Bill of Expenses