

Jefferson County Circuit Court
Case File - Civil

Box 18 Folder 68

May 1867

Jennie Peter
Pitzer, D. Kyle
vs

Pitzer, Elizabeth

Dower

672 acres in various locations as
widow of David Pitzer, survey
Map

Peter Jennie & D. Kyle Pitzer, Plffs

vs

Elizabeth Pitzer Defendant

In the Jefferson
Circuit Court,
May Term 1867

Plaintiffs state that August Pitzer, died in 1864, leaving surviving him, George Pitzer, D. Kyle Pitzer and Jane. Pitzer intermarried with John W. Morgan and the above named Defendant as his widow; and that he was seized at the time of his death of the following real estate situated in Jefferson County Missouri to wit: The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 33, T. 42, R. 4. E. containing eighty acres; also the SE $\frac{1}{4}$ (N of Big River) Sec. 25, T. 42, R. 3, E. containing forty three $\frac{35}{100}$ acres; also one undivided half of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (N of Big River) ^{Sec. 25, T. 42, R. 3, E.} containing twenty acres; also the N $\frac{1}{2}$ of Lot 2, of the SW $\frac{1}{4}$ & SE $\frac{1}{2}$ of Lot 2 & the N $\frac{1}{2}$ of Lot 1, of the SW $\frac{1}{4}$ Sec. 30, T. 42, R. 4, E. containing one hundred and thirty two $\frac{12}{100}$ acres; also the NE $\frac{1}{2}$ & the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 31, T. 42, R. 4, E. containing fifty seven $\frac{36}{100}$ acres; also the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ & the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 25 & the SE $\frac{1}{4}$ (S. of Big River) Sec. 26, T. 42 R. 3, E. containing ninety five $\frac{47}{100}$ acres; also one undivided half of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 31, T. 42, R. 4, E. containing twenty acres and

also a part of N. S. Survey No 395, 7, 41 & 42
R. 4, E. supposed to contain about two
hundred and twenty five acres. more or
less & is in the N. Corner of said Survey bounded
on the N E by Bellears Creek, on the S & South
West by Dimmons & Berhms, & the W. by Big
River.

Plaintiffs further state the dependant is entitled
to one third of all of said land for and
during her natural life: that D. Kyle
Pitzer & Jane Morgan are each entitled
to one third of said land subject to the
dower interest of said widow and that
Petter Jenni one of said Plaintiffs has bought
the interest of said George Pitzer in said
land & is therefore entitled to one third
thereof for, subject to the dower interest
of said Dependant.

Plaintiffs pray the Court to appoint
three Commissioners to set off, assign &
admeasure to dependant her one third
of said land for and during her natural
life.

John L. Thomas,
atty for Plaintiffs

2534

Peter Jannickal
for

Elizabeth Piper

Settles for assignment
of slaves.

settled April 3^d 1867
Edw. J. Hoovey att

To Elizabeth Fitzer, widow of the late Duquid
Fitzer Deceased.

You are hereby notified that we
shall apply to the Jefferson Circuit Court at
its next Term to be held at Hillsboro, Jefferson
County Missouri on the first Monday of May
1867 and on the first day of the Term or as
soon thereafter as a hearing can be had for
the appointment of three Commissioners to admeasure
set off and assign to you, your dower as the
widow of Duquid Fitzer, being one third of
the following lands during your natural
life to wit: The $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ & $\text{N}\frac{1}{2}\text{W}\frac{1}{4}$ S. 33. T. 42
R. 4. E. containing 80 acres; also the $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ (N. of
Big River) S. 25, T. 42, R. 3. E. containing $43\frac{1}{100}$
acres; also one undivided half of the $\text{N}\frac{1}{2}$ of the $\text{N}\frac{1}{2}$ (N.
of Big River) S. 25, T. 42, R. 3. E. containing 20
acres; also the $\text{N}\frac{1}{2}$ lot 2 of $\text{SW}\frac{1}{4}$ & $\text{SE}\frac{1}{2}$ lot 2, & $\text{N}\frac{1}{2}$ lot 1,
of $\text{SW}\frac{1}{4}$ S. 30, T. 42, R. 4. E. containing $132\frac{1}{100}$ acres;
also $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ & $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ of $\text{NW}\frac{1}{4}$ S. 31, T. 42, R. 4. E. con-
taining $57\frac{36}{100}$ acres; also the $\text{SE}\frac{1}{4}$ $\text{N}\frac{1}{2}$ & $\text{SE}\frac{1}{4}$ $\text{W}\frac{1}{4}$
Sec 25, and $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ (S. Big River) Sec. 26, T. 42, R.
3. E. containing Ninety five $\frac{47}{100}$ acres; also one
undivided half of the $\text{N}\frac{1}{2}\text{E}\frac{1}{4}$ $\text{N}\frac{1}{2}$ S. 31, T. 42, R. 4,
E. containing 20 acres; and also about 225
acres in No part of M. S. Survey 395, T. 41 & 42, R.
4, E.

Peter Jenni

D. Kyle Pitkin

By John L. Thomas Atty

John Williams

Elizabeth Pitger

Notice of intended
Application & house
down assigned

(Original)
John Williams Sheriff
fee 50

April 15

I Executed this notice in the County of
Jefferson State of Missouri on Elizabeth Pitger
on the 15th day of April 1867 By Delivering
to her a true copy of the same
John Williams Sheriff
By B. S. Whithead Dpt

State of Missouri } In the Circuit Court Wednesday
County of Jefferson } May 8th 1867.

Be it remembered that among the proceedings of that day
the following appears and remains of Record, ~~which exists~~

Record

John James & Co. vs. Peter

Elizabeth Peter

To assign Dower,

Now at this day comes said Plain-
tiffs by their attorney and is appearing to the Court that said
Defendant has been duly notified, and that as the widow
of Eugene Peter she is entitled to dower in the land in Plaintiffs
petition described as follows to wit: The SE¹/₄ NW¹/₄ & NE¹/₄ SW¹/₄
Sec 33 T42 R4E Contg. 80 acres, also the SE¹/₄ (W of Big River) S25
T42 R3E Cont 43¹/₂ acres, also one undivided half of the SE¹/₄ of the
NW¹/₄ (W of Big River) S25 T42 R3E Cont 20 acres, also the N¹/₂
Lot 2 of SW¹/₄ & S¹/₂ Lot 2 & N¹/₂ Lot 1 of SW¹/₄ S30 T42
R4E Cont 132¹/₂ acres, also NW¹/₄ & NE¹/₄ of NW¹/₄ S31
T42 R4E Cont 87³/₄ acres, also the SW¹/₄ NE¹/₄ & SE¹/₄ of
NW¹/₄ S25 & SE¹/₄ (Big River) Sec 26 T42 R3E Cont 95¹/₂
acres, also one undivided half of the SE¹/₄ NE¹/₄ S31 T42
R4E Cont 20 acres, and also about 225 acres in NW part
of U.S. Survey 395; T34 N42, R4E. It is therefore
considered by the Court that she be seized of one third of said land for and
during her natural life, and the court doth appoint Wm. H. Reid
H. F. Rottmans and Madison Graham Commissioners to
assign and admeasure said dower.

A true copy from the record.

for the circuit court
November term 1867

John J. Reed

U.S. Marshal

Eligible Person

(Order to assign donor)

(original)

John J. Reed
Jm. Graham,
H. J. Detmer

John Williams

Sherriff fee \$1.50

also \$1.00 4 days

& 2 days other

Sent to Sept 2nd 1867

I served this notice in Jefferson County
Mo on the 2nd day of September 1867
By reaching the same to Mr. Graham
and H. J. Detmer and on Mr. J. Reed
By delivering to him a copy of this notice
John Williams
Sherriff

Given my hand and official
this 27th day of May 1867.
Chas. H. Brown att.
By G. H. Brown att.

State of Missouri } In the Circuit Court Wednesday
County of Jefferson } May 5th 1867.

Be it remembered that among the proceedings of
that day the following appears and remains of record viz:

John & D. D. Coker }
vs } To assign Dower.
Elizabeth Coker } Now at this day comes said Plain-
tiffs by their attorney and it appearing to the court that said
Defendant has been duly notified, and that as the widow of
Dugoin Coker she is entitled to dower in the land in Plaintiffs
petition described as follows to wit: The SE^{1/4} NW^{1/4} & NE^{1/4} S 7^{1/4} Sec 33
T 42 R 4 E Contg 80 acres, Also the SE^{1/4} (N of Big River) S 25 T 42
R 3 E Cont 43²⁰/₁₀₀ acres, Also one undivided half of the SE^{1/4} of the
NW^{1/4} (N of Big River) S 25 T 42 R 3 E Cont 20 acres, also the NW^{1/2}
Lot 2 of S 7^{1/4} & S 1^{1/2} Lot 2 & N^{1/2} Lot 1 of S 7^{1/4} S 30 T 42
R 4 E Cont 13¹²/₁₀₀, Also N^{1/2} fl^{1/2} & NE^{1/4} fl^{1/4} of S 7^{1/4} S 31 T 42
R 4 E Cont 37³⁶/₁₀₀ acres, Also the S 7^{1/4} NE^{1/4} & SE^{1/4} fl^{1/4} NW^{1/4}
S 25 & SE^{1/4} fl^{1/4} (N of Big River) Sec 26 T 42 R 3 E Cont 93⁴⁷/₁₀₀ acres
Also one undivided half of the SE^{1/4} fl^{1/4} NE^{1/4} S 31 T 42 R 4
E Cont 20 acres, And also about 225 acres in NE part of
U. S. Survey 395 S 41 & 42, R 4 E. It is therefore considered
by the court that she be seized of one third of said land for and
during her natural life, And the Court doth appoint Wm.
G. Reid, W. J. Pettimers and Madison Graham com-
missioners to assign and admeasure said dower.

A true copy from the record
Witness my hand and official seal this 27th May 1867,
Elias S. Honey Clerk
By E. Tho. McConne Depy

Peter James (at),
or,
Edw. P. Phipps

Order to assign shares,

(Copy for commissioning)

Wm. H. Reed }
of Graham } commissioning
Wm. H. Reed }



State of Missouri }
County of Jefferson }

Madison Graham,
Wm G Reed & Henry F Dettmers,
upon their oath say, that they will
honestly and impartially discharge the
trust in them reposed, as Commissioners
of partition, between Elizabeth Fitzer,
Peter Jemi & D. H. Fitzer
sworn to and subscribed Madison Graham
before the undersigned
this 29th day of Oct^r 1867

William G Reed
Henry F Dettmers

German A. Ulrich
Justice of the peace

Attorneys
of

Wm. L. Reed

Madison Graham

Henry D. Holmes

Commissioners
Between

Elizabeth Taylor
and James

J. H. Taylor

Justice fees .35
mileage \$ 1.00

To the Honorable Circuit Court

Jefferson County Missouri

We the undersigned appointed Commissioners under an order, a copy whereof is herewith annexed, do respectfully report that we proceeded to admeasure and lay off as speedily as possible after said order the one third part of the lands embraced in said order for our appointment as the Dower of Elizabeth Pitzer named therein designating such part with posts and witness trees and we found it practicable to award the homestead together with the following described tract of land in survey 395 to the said Elizabeth Pitzer after making a deduction proportionate to the value benefit she will derive from such part of said improvements as is included in the portion assigned to her, commencing on the bank of Bellevue Creek in Survey 395 a Post from which an Elm 18ⁱⁿ bears N 3 W 12 links and an Elm 15ⁱⁿ S 64 E 71 links thence S 11 W 17.50 chains a post from which an Elm 17ⁱⁿ bears S. 54. W 20 links thence S. 43 E. 23 chains and 5 links to the West line of 100 Acres originally belonging to Jonathan Drimmer a Post from which an Elm 15ⁱⁿ bears S 43 W 41 links and an Elm tree 3ⁱⁿ bears N 37. E. 8 links thence with said Drimmer line S 38 W. to where it intersects the S. line of survey 395 thence south 82 W to the corner of Aquilla Michelsons land thence with E line of said tract N. 37. W. 208 Poles to a tree (ash) marked A. W. on the Bank of Big River thence down Big River to its confluence with Bellevue Creek thence up Bellevue Creek to the place of beginning containing one hundred and seventy acres more or less all of which is respectfully submitted

Madison Graham
Henry A. Dittmer
William Reid

Commissioners

Report of Commissioners
 ———
 Peter Jennie & Al
 A.S.
 Elizabeth Fisher
 ———
 Assignment of Dever

State of Missouri }
 County of Jefferson } b
 day of November A.D. 1867 before me the undersigned Clerk
 of the Circuit Court in and for said County personally appear
 ed Madison Graham one of the Commissioners in the above
 entitled cause and acknowledged the within report to be
 his act and deed for the purposes therein mentioned.

In Witness whereof I hereto set my hand
 and affix the Seal of said Court the day
 and year aforesaid

Elus J. Honey Clerk

State of Wisconsin
County of Jefferson } at

On the day of November A.D. 1869, before me the undersigned justice of the peace in and for said ^{County} personally appeared Henry J. Dittmer one of the Complainants in the case of Jeter v. Dittmer, et al. Elizabeth Judge, and acknowledges the contents of him made, to be his act and deed for the purposes mentioned in said report.

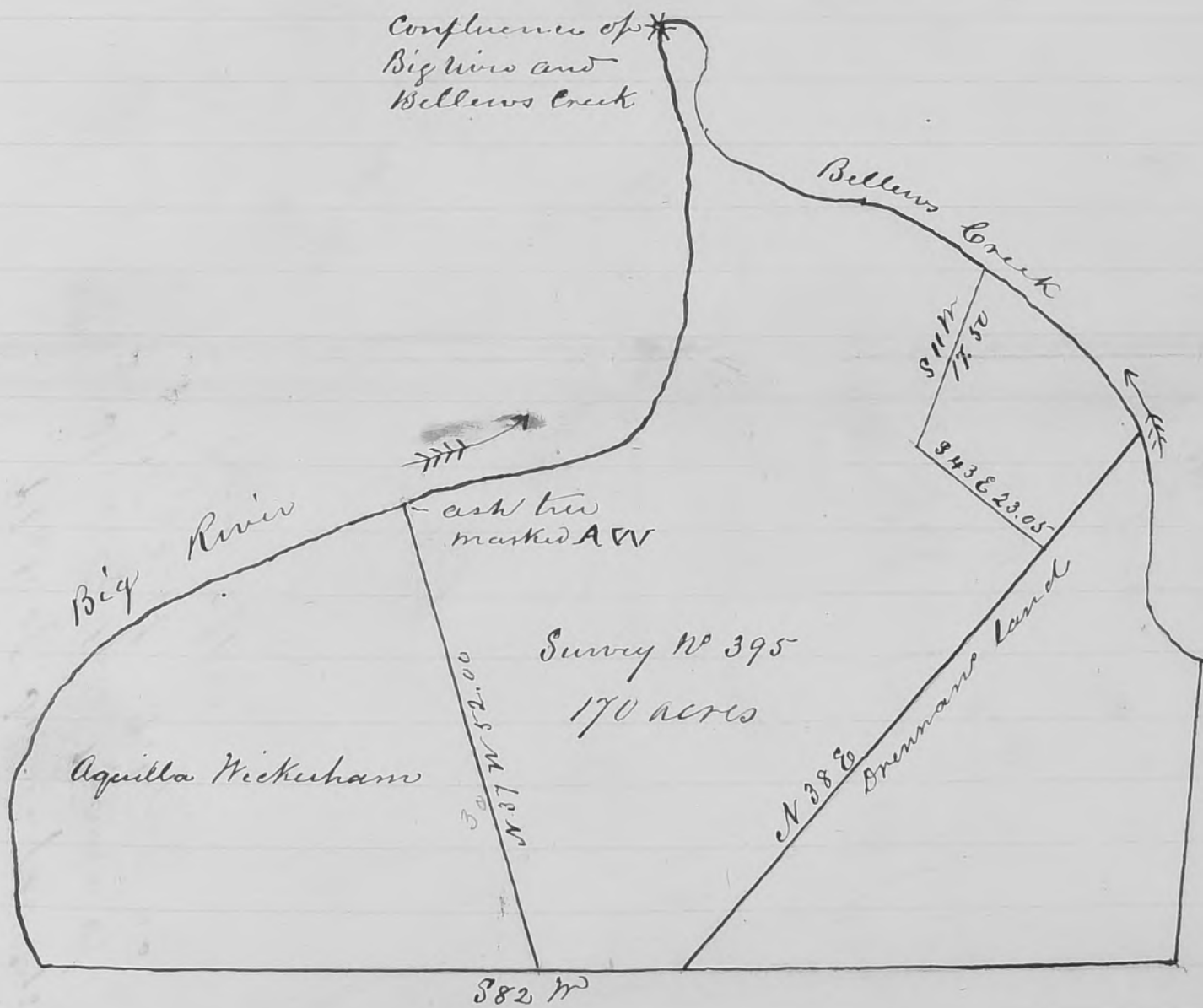
I, the undersigned, of have read my hand and subscribed my name this 9th day of November 1869.

Norman H. Albright
Justice of the Peace

Acknowledgement
of

Henry F. Dettmer

Commissioner



Plat of Survey No 395
showing the location of
Elizabeth Pitkin as
laid off.

Filed for 13-11-1891
O D Doney Clerk

Expenses of laying off the Town of Elizabeth Pitzer,

H. F. Dettmers	3 days	Commissioner @ 2.00	6.00
Madison Graham	3	do	6.00
Wm. Reid	3	do	6.00
			<u>\$ 18.00</u>

Wm. Reid Surveyor

4 corners established	@ 1.00	\$ 4.00
180 ch ² - lines	@ 1 ^{ch}	1.80
15 miles going and coming making 30 ^m	at 8 ^{ct}	2.40
Plot of town		.40
Recording survey		.50
Calculating track		.50
		<u>\$ 9.60</u>

Madison Graham	Chairman @ 1.50. 1 day	1.50
H. F. Dettmer	do " "	1.50
Wm. J. Buxton	Flagman " "	1.50
John Buxton	Axeman " "	1.50
		<u>\$ 6.00</u>

Human A. Ulrich Justice of the Peace fees
fees for acknowledgments \$ 1.35

Ephraim in
burying off the
Dance of Chigakun
Johyio,

Peter Jenni } In the circuit court
 vs. }
 O. L. Fager, } Nov Term 1867.

Fee bill 5 files 5 ^c 40 ^c default 35 ^c	75-
cont 25 ^c order appty com, 35 ^c Judgt, 50 ^c	1.00
Copy of ord appty Commissioners 60 ^c & 50	1.10
Copy without crs, 60 ^c cont Dept Com, 35 ^c	95-
Indices 15 ^c appr 10 ^c making cost 30 ^c	75-
ord of 20 ^c copying plat, Record plat of Surrey 50 ^c	70-
Ent fee bill of Com, 35 ^c ord 20 ^c	55
This fee bill, crs 1.25 ^c , Acknowledgments 50 ^c	1.75
	<u>\$ 7.65</u>

John Williams Sheriff, copy of notice on Sept.	50
" " " Serv Commissioners	1.50
Calls	10
	<u>\$ 2.10</u>

H. J. Dittmers, 7.50	7.50
W. Graham	2.50
Wm. Reid Surveyor	15.60
W. J. Burton	1.50
John Burton	1.50
H. A. Ulrich Justice	1.85
	<u>35.45</u>
	<u>\$ 4.20</u>



James Clerk
Maxwell
Thomson
Kelvin