

May 1867

McCollock, James R.
McCollock, Mary

Lee, Israel E.
Lee, S.V., et al

vs

Lee, James

Assign dower

490 acres in U.S. Survey 897

T42, 43 R3E; others plaintiff

w. F. Lee

James R. McCulloch and
Mary McCulloch wife of said
James R. McCulloch and
Israel E. Lee & S. D. Lee & W. H. Lee
Minors by James R. McCulloch their
Guardian

^{vs}
James Lee

In the Circuit Court of
Jefferson County - Missouri
May Term 1867

Plaintiffs aver that Israel Lee
departed this life in the year 18
leaving surviving him his widow
Matilda Lee and Mary a daughter
who intermarried with James R.
McCulloch and
a
daughter who intermarried with
Isaac Wilson Josiah Lee a son, James
Lee a son, Israel E. Lee a son, S. D. Lee
W. H. Lee

That said Israel Lee died seized
and possessed of the following Real
Estate situate in the County of Jefferson
and State of Missouri, ~~to~~ wit: Four
hundred and ninety acres of Land being
a part of United States Survey 897 in
Townships 42 & 43 Range three East

that said Matilda Lee as the widow
of said Israel Lee deceased was
entitled to Dower in said Land of
one third thereof during her natural
life, that since the death of said
Israel Lee said Matilda has sold
and conveyed her said Dower interest
to the Defendant James Lee, Plaintiffs
James R. McCollock and Mary McCol-
lock his wife aver, that they are the
owners and entitled to the one undivided
tenth of said Land that Israel E. Lee
S. D. Lee & W. H. Lee who are minors
under the age of Twenty one years
are each entitled to the one tenth and
that the Defendant and each of the other
Children and heirs of said Israel Lee
are entitled by heirship to one tenth
of said Land subject to the Dower
interest as aforesaid, and Plaintiffs
further aver, that since the death of
said Israel Lee, James R. McCollock
has been duly appointed and qualified
as Guardian of the said Israel E. Lee
S. D. Lee & W. H. Lee by the County Court
of said County of Jefferson

Plaintiffs pray the Court that
the Dower of the Defendant in the

Premises aforesaid be assigned and
Set-off to him, and to Render such
other and furthurs orders and judgm-
=ents as to the Court may seem just

Jos. J. Williams,
Atty. for Plaintiffs

James R. McCulloch and
Mary McCulloch wife of said
James R. McCulloch &
Israel C. Lee, S.V. Lee & W. H. Lee
Minors by James R. McCulloch their
guardian

vs
James Lee

In the Circuit-Court of
Jefferson County -
Missouri, May Term 1867.

To James Lee the above named Defendant - You will take notice that - we will present a petition to the Circuit-Court to be holden for the County of Jefferson aforesaid on the 6th day of May 1867 at the Court House in Hillsboro in said County and on the first-day of said Term or as soon thereafter as a hearing can be had of which the annexed petition is a true copy

James R. McCulloch
for himself & Mary McCulloch
his wife, & I. C. Lee, S.V. Lee
& W. H. Lee By Jas R. McCulloch
their Guardian

John H. McCallister
Et al.

vs
James Lee

Petition to assign
Dower

Original

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Filed April 15th 1867

Edw. J. Hendy, Clerk

I served the within notice on James Lee
in Jefferson County Missouri on the 15th day
of April 1867 by giving to him a true and
perfect copy of the within petition and
notice

Henry Bovee

Saworne to and subscribed }
before me April 15th 1867.
Wm. M. Mullin Ch. Sec. Court

James R. McCulloch and Mary
McCulloch wife of said James R. McCulloch
Israel E. Lee, S. V. Lee, & W. H. Lee, Minors by
James R. McCulloch their Guardian

vs
James Lee, Josiah Lee, Wetta Wilson
and Isaac H. Wilson husband of
Sara Wetta

In the Circuit Court of
Jefferson County Missouri
Plaintiffs James R. McCulloch and Mary
his wife and Israel E. Lee, S. V. Lee and
W. H. Lee Minors by James R. McCulloch,
Their Guardian State that they and the
Defendants are the legal owners as Tenants
in Common of the following Real Estate in
Jefferson County Missouri, To wit, Four
hundred and ninety acres of Land a
part of U. S. Survey 897 in Townships
42 and 43 Range three East Subject
to the Dower interest of Matilda Lee widow
of Israel Lee who died seized of said Land
which is one third thereof during the
natural life of said Matilda that said
Matilda has conveyed her said Dower
to James Lee, which has been set off &
assigned to him by a Decree of this Court
Plaintiffs state that they and each of them
are entitled to and own one undivided one

Leuth of said Land and that Defendants
each own one undivided Leuth part of said
Land Subject to the Dower interest of said
James Lee during the natural Life of said
Matilda as aforesaid, and plaintiffs further
State that said Israel E. Lee, S. V. Lee, & W. H. Lee
are minors and that James R. McCulloch is
their Guardian duly appointed by the County-
Court of said County of Jefferson and qualified
and bring this action by their said Guardian

Plaintiffs ^{pray} therefore that
the Court will order and decree that partition
of said Land be made between plaintiffs and
Defendants according to the rights of the parties
herein, and plaintiffs aver that said Land
can not be divided without great prejudice
to the owners and pray the Court to order the
same to be sold for the purpose of making
partition and division thereof or in Case the
Court shall not be satisfied that said Land
can not be divided without great prejudice to
the owners then that the Court will appoint three
Commissioners to make partition & division thereof
and that the Court will make such other
orders & decrees as may be right & proper in
the premises

Jos. J. Williams
Atty. for Plaintiffs

James R. McDowell
and others

^{vs}
James Lee et al.

Amended Petition
Filed by leave of Court

Filed May 14 1867
D. J. McHenry Clerk