

Jefferson County Circuit Court
Case Files - Civil

Box 21 Folder 48

May 1868, No 152

Dohassus, August

vs

Vivrett, Henry
Malden, Charles

Trespass

Cut and removed timber from
U.S. Survey 3265; \$600 damages

August Delassus, Plaintiff

Against

Henry Virrett & Charles

Walden, Defendants

In the Jefferson
Circuit Court.

May Term 1868.

Plaintiff states that on or about the 25th day of February 1868 and on divers other days prior thereto & since at the County of Jefferson Missouri, defendants without leave and wrongfully entered on that part of United States Survey No 3265, which lies in Jefferson County, of which the Plaintiff was then the owner and there and there cut timber of the value of Two hundred dollars and carried it away, said defendants at the time well knowing that they had no title thereto by which acts of defendants Plaintiff was damaged in the sum of Six hundred dollars treble the value of said timber for which Plaintiff asks judgment according to the form of the Statute in such case made & provided.

John L. Thomas
Atty for Plaintiff.

Auguste Delorme

27

My Notebook

Station in Indiana.

21 Oct Nov 12 1868.
 Dick Henry 21st

copy set of file -	25-
with "	1.00
copy -	2.00
card -	50
cont	25-
leaves and	20
motion	20
rule	20
10 lbs	25-
do	35-
do	25-
cash -	3, 65-

2nd 11 Dec 1868

2 00
1 35
3 50
3 65
<u>7 25</u>

Paid

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeling:

We command you, that you summon *Henry Vioreth*
and *Charles Alden*

if they be found in your County, that
they 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 *sixth* Monday after the
fourth Monday of *March* *1868*, then and there to answer unto

August Delassus

upon his 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 hereunto affixed, at office in Hillsboro, this
twelfth day of *March* A.D. 1868,

Elias F. Honey

Clerk Circuit Court.

No 15-2

260 43

JEFFERSON CIRCUIT COURT.

May Term, 1868,

August Deane

vs
Henry Vinnett

and
Charles Walden

original
John Williams Sheriff
fee
\$2.00

I executed this Writ in Jefferson County Missouri
on the 30th Day of March 1868 by Delivering
to Charles Walden a true copy of this Writ and Petition
and on Henry Vinnett ^{by Delivering him,} a true copy of this Writ

John Williams Sheriff

August Delassus ~ In the Circuit Court
vs ~ of Jefferson County
Henry Vinett & ~ Missouri
Charles Walden ~

Now at this day come Henry
Vinett and Charles Walden by their
Attorney and answering Plaintiffs
Petition jointly Deny, that they or
either of them, did on the 25th day of
February 1868 or on any day prior
thereto or since enter ~~unlawfully~~
without leave and wrongfully upon
that part of United States Survey ^{No. 3265} which
lies in Jefferson County Missouri and
Cut and Carry away Timber of the value
of Two hundred Dollars. Defendants
Deny that they or either of them ever
at any time entered upon any part of
Said Survey No. 3265 ~~and cut and carried~~
~~away any timber of any value what-~~
ever

Defendants further Deny that
Plaintiff is or ^{was} ~~was~~ on the 25th of
February 1868 or ever has been the
owner of said land described in
his petition or that he has now or
ever had any interest in said Land
which could in any case entitle him to

To maintain any action against these
Defendants for cutting any timber
on said Land or for any trespass
or ~~any~~ Damage thereto.

And Defendants deny
that Plaintiff is entitled to recover
~~any sum~~ from Defendants or either
of them the sum of six hundred
Dollars for Treble Damages or any
any other sum by way of
Damages or otherwise and
having fully answered every
Judgment for costs

Jos. J. Williams
Atty. for Defendants,

August Delassus
us
Vivett & Wälden

answer of Drfts.

Filed Sept 2nd 1868.
Eft Henry Cl

Williams
for Drfts.

COUNTY OF JEFFERSON,

The State of Missouri,

To Mark Chapman vs. James Johnson

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 23rd day of November 1868, at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

August Johnson is Plaintiff, and Direct and Indirect all

Defendants on the part of Plaintiff and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office,

this 11th day of Nov A. D. 1868,

Chas J Honey Clerk.

By Arthur J. Smith,

SUBPOENA.

To Jefferson Circuit Court.

Nov Term, 1868,

Delassus
vs
Vivett & Walden

For Plaintiff
Wat Johnson
Thomas Johnson
Wm Johnson,
John Williams
Sheriff fee *\$1.50*

I executed the within writ
at the County of Jefferson on the
19th day of November 1868 on that
petition and Wm. Johnston by reading
the same to them in hearing and not
on Thomas Johnston he not being found
in the County John Williams & Sheriff
By John Ringgold

Augustus D. Lassus - In the Circuit
Vinell & Waldron } Court of
Jefferson Co. Mo.

Now at this day come the
Defendants. and move the
Court to make a rule on Plaintiff
to file a Bond for Costs in the
above entitled Cause for the
following reasons. To wit

1st Because Plaintiff is a
non resident of the State
of Missouri and of the
United States

2nd Because Plaintiff is insolvent
and unable to pay the costs of
suit

3rd Because Plaintiff has no
property within the reach of
the process of this Court

Joe J. Williams
Atty. for Defendants

No 152

A. Delassus

^{vs}
Vinett Waldon

Motion for Bond
for costs

Filed Nov 17 1868
E. J. Hiney Clk.

overruled

Augustus De Lasse, Plaintiff
vs
Vivrett &
Waldron, Defendants

In the Jefferson
Circuit Court.

The above named Defendants will take notice that depositions of witnesses to be read on the trial of the above entitled Cause on the part of the Plaintiff will be taken at the office of Shourd & Popsier L.E. Corner Third & Pine Sts, St Louis, Missouri on the 20th day of November 1868, between the hours of nine o'clock in the forenoon & two o'clock in the afternoon of that day.

John L. Shourd,
Atty for Plaintiff.

A. De Lassus

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Vivret & Malsson

notice to take depositions

I serve the within copy of each of Williams
on the 16th Day of October 1868 by deliv-
ering to him the said J. Williams
a true copy of this notice

John Williams Sheriff

August (Lilacwood) & 7. Henry.

Stevens & Madman } Copy Oct. cord 150. and 1 2, 20

Copy 104 Sheet 104 tiles 20¢, and 20¢. 23. 85-

20

Dec. 20¢ 18¢. 23.

John Williams Shiff. some 20¢

400

some 20¢

150

Culla

20

The Bill.

\$7, 50
\$8, 00