

September 1870

Miller, Ann E,
James, Lewis
Orr, Robert
Orr, Laura P.
et al

vs

Rehger, Lewis

Ejectment

80 acres in S 6, 7 T 41 R 3 E; \$100.
damages; other plaintiffs William +
Sallie L. Wasson, Heneeth + Priscilla
McKenzie, Jacob P. + Lucy L. Rapp,
Hugh W. + William Hancock, Mary C.
Robinson, Richard, Mary J., Isaac,
Elijah W. + Frances A. Caulk, Stephen,
Langston, John T. + Sarah E. Bacon,
Josephine Smith, A. P. Linn, Alexander
McElhinney

The Circuit Court
of Jefferson County,
May Term 1870

State of Missouri }
County of Jefferson } ss.

Ann E. Miller, Lewis James, Robert Orr
and Laura T. Orr, his wife, William Nasson,
and Sallie L. Nasson his wife, Kenneth
McKenzie and Priscilla McKenzie
his wife, Jacob T. Rapp and Lucy L.
Rapp his wife, Hugh M. Hancock, Mrs
J. Hancock, Mary C. Robinson, Richard
Caulk, Mary J. Caulk, Isaac Caulk,
Elijah W. Caulk, Stephen Bacon, Langs-
ton Bacon, ^{John} ~~William~~ G. Bacon, Sarah E. Bacon,
Josephine Smith by her guardian A. J.
Linn, Frances A. Caulk by her Curator
Alexander McElhinney and George Hopper
by his next friend plaintiffs

vs

Louis Rettger, defendant

Plaintiffs state that on the 1st day of
April A. D. 1870, they were the owners
in fee simple and entitled to the possession
of the following described premises, situated
in the County of Jefferson and State of

Missouri to wit: The South East Quarter
of the South East Quarter of Section
Numbered Six (6) and the North East
Quarter of the North East Quarter of
section Numbered Seven (7) in Town-
ship Forty one (41) Range Three (3)
East of the Fifth Principal Meridian,
containing in the aggregate ~~Eighty~~
Acres, and being so entitled to the pos-
session thereof that the defendant
afterwards to wit: on the second day of
April A. D. 1870 entered into and upon
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 month-
ly value of the rents and profits of the premises
is ten dollars, Wherefore plaintiffs
demand judgment for the recovery of
the premises and one hundred dollars
damages for the unlawfully withholding
of the same from the plaintiffs, and ten
dollars for the monthly rents and profits
from the rendition of judgment until
the possession of the premises is delivered
to plaintiffs, and for other proper relief

Richard H. Musser

and
A. M. Elhiney.

Attorneys for plaintiffs.

Gechnick

Edmund C. Miller et al.

James Patterson

John G. out recorder
about 4 miles west
of the mouth of the river
in the
mouth of the river

John G. out recorder
about 4 miles west
of the mouth of the river
in the
mouth of the river

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

Louis Kelton

*if he be found in your County, that he be and appear before the Honorable
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. In the First Monday after the fourth Monday
of Sept next, then and there to answer unto*

Ann E. Miller
Exels

*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 herunto affixed,

at office in Hillsboro, this *25th*

day of *August* A. D. 18*70*

Elias F. Honey

Clerk Circuit Court.

By

Lewis H. Clifford Deputy.

2880 ✓

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1870

Ann & Miller

Plat

Plaintiff

AGAINST

Louis Rettger

Defendant

(Signature)

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The within was served on the 20th Day of Aug a D 1870 at Jeff Co Mo, by delivering a copy of the within writ and Petition, as furnished to me by the Clerk of the Circuit Court to the Defendant Louis Rettger

Fees 1.00

Frederick Luedemeyer Sheriff
by Fred Willmack
(Signature)

Ann E. Meller, Lewis Jones, Robert Orr,
 and Laura P. Orr, his wife, William Masson,
 & Sallie L. Masson his wife, Kenneth Mc
 Kinzie & Priscilla McKinzie his wife, Jacob
 P. Rapp, & Lucy L. Rapp his wife, Hugh
 M. Hancock, William Hancock, Mary E.
 Robertson, Richana Caulk, Mary J. Caulk,
 Isaac Caulk, Elijah W. Caulk, Stephen
 Bacon, Langston Bacon, John I. Bacon,
 Sarah E. Bacon, Josephine Smith, by
 her Guardian, A. P. Cline, Francis A. Caulk,
 by her Curator Alexander Mc Elheny, and
 George Hoover by his Next Friend,

Plaintiffs

Against

Louis Rettger,

Defendant,

In the Circuit Court of
 Jefferson County, Missouri

The Defendant for Answer to the Pre-
 tention of Plaintiffs, denies that Plaintiffs were
 on the first day of April 1870, or at any other time,
 the owners in fee simple and entitled to the pos-
 session of the following described premises, sit-
 uate in Jefferson County Missouri, to wit, the
 South East quarter of the South East quarter of
 Section No. Six, and the North East quarter of
 the North East quarter of Section No. Seven, in
 Township Forty one, of Range Three East, Con-

claiming Eighty acres, or any part of said lands,
And Defendant denies that he on the 2nd day
of April 1870, or at any other time, unlawfully
entered into and upon said premises, and
denies that he then or now unlawfully with=
holds from the Plaintiffs, or any of them, the
possession of said premises, and denies that
Plaintiffs have been damaged in the sum
of one hundred dollars, or in any sum, by any
unlawful withholding of said premises by De=
fendant, & denies that the monthly rents of
said premises are worth ten dollars, - And ^{he} denies
that Plaintiffs are entitled to judgment for
the recovery of the possession of said premises,
or any part of them, or for one hundred dollars,
or any sum, for damages, or for ten dollars
for monthly rents & profits, or for any sum
whatever.

And for further answer, Defendant denies
that either or any of the Plaintiffs, or their ancestors,
predecessors, grantors, or other persons under whom
they claim title to said Lands, were seized or pro=
sessed of the said Lands described in their pe=
tition, ^{or any part of them} within ten ^{years next} before the commencement
of this suit, - and Defendant states that he
has held the uninterrupted adverse pro=
session of said Lands and premises, un=
der color and claim of title to the same

for ten years consecutively next before the
commencement of this suit, holding the
same adversely as against all persons, un-
der a claim of title, and exercising the
usual acts of ownership over the same, And
he denies therefore that Plaintiffs can have
or maintain any action for the recovery
of said premises or any part of the same,
or for damages or for rents and profits of
the same. And having fully answered De-
fendant asks to be discharged with his reason-
able costs.

Abner Green
Attorney for Defendant

Ann E. Mellen Jethen

as,
Louis Rottger

Deftu. Annon

Red Sept 8 1870

E. J. Henry Oct

The County of Jefferson Sct.

The State of Missouri

To the Sheriff of the County of Jefferson - Greeting

Whereas Ann E Miller

et als. on the Twenty eighth day of March A.D. Eighteen hundred and seventy one, obtained Judgment in the Circuit Court of said County of Jefferson against Louis Rettger for the possession of the following described Real Estate and that said Ann E Miller et als have their writ of restitution ~~thereof~~ to wit: The South East quarter of the South East quarter of Section numbered six and the North East quarter of the North East quarter of Section numbered seven in Township Forty one Range three east of the fifth principal meridian containing Eighty acres. And that they have and recover of and from the said Louis Rettger their ~~costs~~ and charges herein laid out and expended. You are therefore Commauded ~~to~~ take with you the power of the County if necessary and to cause the said Louis Rettger to be forthwith removed from said premises and the said Ann E. Miller et als to have peaceable possession thereof. And that of the goods and Chattels, Lands and Tenements of the said Louis Rettger you cause to be levied the sum of Five & $\frac{40}{100}$ Dollars for costs, and One Dollar for this writ. And that you have the same before the Hon. Judge of said Court on

the ninth day of September A.D. 1872 and that
you certify how you execute this writ and have
you then and there this writ

Witness W. S. Boyce Clerk of said Circuit
Court at Hillsboro this 20th day of August
A.D. Eighteen hundred and seventy two
W. S. Boyce Clerk

us } Hi Da &
Restitution
Louis Reltzer

2500h
pops given

100
740
20
7.6

Wm. B. May Jr.

Amos E. Miller et al, }
vs, }
Louis Beltzer }

Judgment for plaintiffs
for possession of the premises, and
one each damages.

A. M. Whitney
of the City of New York,

Ann E. Millerchal

vs.

Louis Pettger.

Memorandum