

Jefferson County Circuit Court
Case Files - Civil
October 1835

Box 2 Folder 30

Paul, by next friend
Bartibeau, Pierre

vs.

Chauxin, Lefevrier, Adam.
Chevalier, Helen
Tayon, Charles
Chouteau, Pierre, Sr.

Trespass, assault and battery, false imprisonment

Freedom suit; other defendants Auguste Chouteau, Jr.,
Pierre Chouteau, Jr., Lequeste Chouteau, Bartholomew
Berthold, Pelagie Berthold, Joseph Tayon, Francis Tayon,
Terrace Valle; child of Celeste; charge of venue
from St. Louis to St. Charles, 1829, to Jefferson
County 1835

State of Missouri } In the Circuit Court
County of Saint Louis } July Term 1825

Paul, a free man of color, held in slavery, who is permitted by the court to sue by Pierre Barthelemy his next friend, as a poor person, by his Attorneys ~~Barrie~~ Gamble & McGirk assigned as counsel by the court, complains of ~~Lefranc~~ Chauvin, Administrator to of all and singular, the goods, chattels, ^{rights} credits & effects, which were of Helen Chevallier deceased, at the time of her death, who died intestate, Charles Teyon,

Pierre Chautau Senior, Auguste Chautau Junior, Pierre Chautau Junior Leguiste Chautau, Bartholomew Berthold and Pelagie Berthold his wife, Joseph Teyon Francis Teyon and Terran Valle, of a plea of trespass, For that the said defendants, heretofore to wit on the first day of January in the year of our Lord one thousand eight hundred and twenty five, with force and arms, at the county of Saint Louis aforesaid, an assault did make upon the body of the said Paul, and then and then beat bruised and ill treated the said Paul and then and then imprisoned him the said Paul and kept & detained him in prison against his will, without any reasonable or probable cause whatever, and have ever since kept and detained him in prison there & do still keep & detain him in prison, contrary to the laws of this state: And the said defendants & other wrong them and then did to the said Paul, against the peace of the state, wherefore the said Paul says he is injured and has sustained damage to the amount of five hundred dollars, wherefore he sues &c.

Gamble, McGirk
Atty for plffs—

X No 57

In the Circuit Court
July term 1825

Paul

vs
Premier Leomin Adams
& others

Of the Clerk
It is an action of
trover, & of & battery
and false imprisonment

from a summons for
defy

James, Canale, & Mark
Hays for self

Filed 22d June 1825
John Canale clerk

His acknowledgement
of this writ
Worthen
J Worthen

Received this writ on Worthen's Acknowledgment his wife
Jane 11th 1825 in the City of Adams as with appears from the above
Acknowledgment. — On September 10th at his place
of residence. — On June 10th 1825, Charles Worthen by and
Deputy Charles on the 14th of the same month and on August
10th on the 23rd of the same month in the City of Adams by
giving them the writ & declaration to read & their Acknowledging
the service thereof. —
Charles Taylor Joseph Taylor
Thomas Taylor & Anne Little Not found in my County
July 9th 1825
Service \$7.00
Fees \$2.00
Mon Ests \$9.00

X No 57

In the Circuit Court
July term 1825

Paul

vs
Lefrenier Chouvin Administrator
of others

To the Clerk

It is an action of
Trespass, Act & Battery,
and false imprisonment

from a summons for

att & c

James Gamble, Clerk

att & c for self

Filed 2nd June 1825

Archibald Gamble Clerk

County of Saint Louis for

The State of Missouri

To the Sheriff of said County Greeting

We Command you to summon Lefrenier Chouvin Administrator of all and singular
the goods, chattels, rights credits and effects which were of Helen Chevallier deceased at
the time of her death who died intestate. Charles Tayan, Pierre Chouteau Senior
Auguste Chouteau Junior, Pierre Chouteau Junior Lequestre Chouteau, Bartholomeu
Berthold and Delagie Berthold his wife, Joseph Tayan, Francis Tayan and Senace
Talle, that they be and appear before the Judge of our Circuit Court at the next term
thereof to be held at the City of St. Louis within and for the County of St. Louis on the
fourth monday in July next then and there to answer unto Paul a free man of
color who is permitted by the Court to sue by Pierre Banibeau his next friend as a
poor person of a plea of trespass to the damage of said plaintiff of five hundred dollars
and have you then their this writ.

Witness Archibald Gamble Clerk of our said
Court at Office this second day of June 1825
Archibald Gamble Clerk

No 17
In the Circuit Court
July Term 1895

Paul
vs.
Sérenice Chauvin Adm'r
& others

St. Louis County, Mo.
This writ is a counterpart of the
one filed to the Sheriff of the County
of St. Louis - 2nd June 1895
Archibald Gamble Clerk

Michael

County of St. Louis for

The State of Missouri

To the Sheriff of the County of Saint Charles

Greeting

We Command You to Summon Charles Tagon, Joseph Tagon, Francis Tagon and Terrace
Walle (impleaded with Sérenice Chauvin Administrator of all and singular the goods
chattels, rights, credits and effects which were of Helen Chevallier deceased at the time of
her death who died intestate, Pierre Chouteau Senior, Auguste Chouteau Junior Pierre Chouteau
Junior Leguest Chouteau, Bartholomew Berthold and Pelagie Berthold his wife, that they
be and appear before the Judge of our Circuit Court at the next term thereof to be held
at the City of St. Louis within and for the County of St. Louis on the Fourth Monday in
July next then and there to answer unto Paul a free man of color who is permitted by
the Court to sue by Pierre Baribeau his next friend as a poor person of a plea of
trespass to the damage of said plaintiff of five hundred dollars and have you then
thus this writ.

Witness Archibald Gamble clerk of said said
Court at Office this Second day of June One thousand
eight hundred and twenty five

Archibald Gamble clerk

Executed this writ on the within named Joseph Tagon and
Tennaser valler by reading it to them in the Township of
St Charles this 14th day of June 1825 and on Charles Tagon in the
Township of St Charles on the 16th June 1825 by reading it to
him, the within named Francis Tagon is not found
in my County this 11th July 1825
Sheriffs Fees ^{cts} \$3.50

W. L. Mills Sheriff
of St Charles City Mo

Lefevre Chauvin
Charles Tagon
Pierre Choutan sen
and others
ads

Paul a boy of color
by his next friend J.
Barbeau

C.C.C. & Louis J. L. 1825

And said defendants by their
attorney came and ~~defended~~ the form
and injury when ~~it~~ and ~~said~~ that
they are not guilty of the said dep
posed witnesses laid to their charge
a any part thereof in manner and form
as the said Paul hath above them
complained of them and of others by
but themselves on the contrary

And the said plaintiff doth the like

Harris Gamble & McGirk

Attys for plff

Charles J. L.
Attys for Def

John C. Brown

ad

have

then

for you

five and 3.49995

of 99 and 1/1000000

Paul
Lefevre Chauvin admr
Helen Thresher

St Louis Nov Dec 1825

~~Paul~~

And said Lefevre Chauvin admr
thats of said Helen Thresher by his attorney comes
and defends the force & injury when he said says as
to the assault & beating all beating and imprisoning
the said Paul as in said Decree mentioned the
said Paul ought not to have or maintain his aforesaid
action thereof against him because he says that
before and at the time when he in said Decree was
found to be at St Louis aforesaid the said Paul was
a slave in the lawful possession and service of
said Lefevre Chauvin wherefore the said Lefevre
then and then detained and still doth detain
said Paul in his service and possession which
detention and possession are the assault & beating
beating all beating and imprisoning the said Paul
in said Decree mentioned and thus the said Lefevre
is ready to verify wherefore he prays judgment
if the said Paul ought to have or maintain his
aforesaid action against him

lawyer { all for def

John Shaw's
copy of the
church
as
sent

Dec 12 1835
J. P. Cole

COUNTY OF ST. LOUIS, Sec.
State of Missouri,

TO THE SHERIFF OF St. Louis, — COUNTY...GREETING:

YOU are hereby commanded to SUMMON August Chouteau & David McLaney

that setting aside all manner of excuse and delay, they be and appear in proper person before the Judge of our Circuit Court, on the *twenty first* day of *December* instant at the City of St. Louis, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said court, wherein *Paul*

Chasmin Adams of *Belton* *Chevalier* is — *is* plaintiff, and *Lefreniere*

defendant and have you then there this writ. , on the part of the

WITNESS, ARCHIBALD GAMBLE, Clerk of our said Circuit Court, at

the City of St. Louis, this *20* day of *December*

in the year of our Lord, one thousand eight hundred and twenty *six*

Archibald Gamble Clerk C. C.

Nov. Term 1826

Paul

Chevalier's Com

Subsoma for

Monteare

W.D. Delaney

for Regdr

Executed this writ on David Delaney, Dec 21 on Aug^t Chetam
Dec 21. 1826

Sum \$1.00

Robinson Sh

Paul, a man of Colour } p. Sent for freedom in the St. Louis
Circuit Court, 1828.

Lefrenier Chauvin Adm^r of
Helen Chvalier deceased } The Petition of Paul, the above
named plaintiff, represents to the
honorable Circuit Court, that he fears that he will
not receive a fair trial in the said court in which said
suit is now pending on account that he believes the
judge thereof is prejudiced ^{against} the petitioner & his claim to
freedom, so that he cannot & does not expect a fair
& impartial trial of said cause in said court; where
fore your petitioner prays a change of venue, & that
said cause may be sent & certified to some other
county for trial, where the causes complained of
do not exist, and your petitioner will ever pray
&c.

Attest. J. C. McGuck }

Paul ^{his}
+
mark

State of Missouri } p. Personally appeared before
County of St. Louis } me ~~the undersigned~~ ^{the undersigned}, a justice
of the Peace within & for the
said county of St. Louis, Paul, a man of color,
who being by me duly sworn, upon his corpo-
ral oath, deposes, that the facts set forth in
the above petition, are true, as this affiant
verily believes; and that he cannot & does not
expect a fair trial of said suit, above named,
in said county of St. Louis or in said court, on
account that the judge thereof is prejudiced against
him and his claim to freedom.

Taken, sworn to and subscribed }
before me at the county }
& City of St. Louis, this 21st day }
of July, 1828.

Paul ^{his}
+
mark

James B. Penrose

Justice of

the Peace

William of Paul for
Charge of Bruce

no

Leicester's Admiration?

James M. Smith

Paul
vs
Séjunier Chauvin, Admr
of Helen Chualier dec'd

Is in the St Louis Circuit
Court Nov Term 1828

Antoine vs Same

Same

Edward vs Same

Same

William vs Same

Same

Augustus vs Same

Same

Sophie vs Same

Same

To the above above named defendant and to
H. Gyer, Luke E. Sawlip, Josiah Spalding & George F.
^{defendants attorneys,}
Strother, take notice that the above named plaintiffs
in the above named suits, will apply to the Circuit
Court now sitting in the County of St Louis on Monday
the eighth day of December instant, for a change of
venue in said several suits.

H. R. Gamble &
P. C. McGirk atts for
Plffs.

Paul & others

vs

Chas. W. Allen

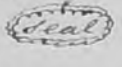
Motion of applica-
tion for change of
venue.

To Guyton, Sawyers,
Spalding & Brothers

A copy of the within notice was delivered to H. L. Guyton
~~the undersigned~~
~~and assistant~~ ~~in~~ ~~the~~ ~~case~~ ~~of~~ ~~the~~ ~~above~~ ~~named~~ ~~parties~~
Dec 2. 1828

Chas. W. Allen

State of Missouri
County of St Louis } Be it Remembered that heretofore to wit, at the March Term of
the Circuit Court for the County of St Louis in the year One Thousand Eight Hundred and
twenty Five on the Nineteenth day of May in the year aforesaid Isaac C. McGirk presents
here to the Court the petition of Celeste for herself and her children and Grand children
namely Sophia, Antoine, Paul, Auguste praying that she may be permitted to in-
stitute suit against Lefreniere & Chauvin Administrator of Helen Chevalier deceased
and against all or any of the legal representatives of the said Helen Chevalier for Es-
tablishing her right and the right of her said children and Grand children to freedom
and that they may be permitted to sue as poor persons. Thereupon the Court permit the
said petitioners to sue as aforesaid and assign Isaac C. McGirk, Hamilton R.
Famble and Robert P. Harris as their counsel and direct that an action of Assault
and Battery be commenced against the said defendants in the name of the
said petitioners by their next friend and it is ordered by the Court that the said
defendants permit the said plaintiffs to have a reasonable liberty of attending
their counsel and the Court when occasion may require it and that the said
petitioners shall not be taken or removed out of the Jurisdiction of this Court
or be subject to any severity of treatment on account of their said application
for freedom and afterwards to wit, on the second day of June in the year
aforesaid Paul, one of the aforesaid petitioners by his attorneys filed in the office
of the Clerk of the said Circuit Court his declaration against Lefreniere Chauvin
Administrator of Helen Chevalier deceased Charles Tagon and others which said
declaration is in the words and figures following to wit; State of Missouri County
of St Louis ss. In the Circuit Court July Term 1825. Paul a free man of color held
in Slavery who is permitted by the Court to sue by Pierre Baribeau his next friend
as a poor person by his attorneys Harris, Famble & McGirk assigned as counsel
by the Court. Complainis of Lefreniere & Chauvin Administrators of all and
singular the goods chattels rights credits & effects which were of Helen Chevallier
deceased at the time of her death who died intestate, Charles Tagon, Pierre Chouteau
Senior Auguste Chouteau Junior, Pierre Chouteau Junior, Leguette Chouteau
Bartholomew Berthold and Pelagie Berthold his wife, Joseph Tagon Francis
Tagon and Terrace Valle, of a plea of trespass, For that the said defendants hereto-
fore to wit on the first day of January in the year of Our Lord one thousand eight
hundred and twenty five with force and arms at the County of St Louis aforesaid
an assault did make upon the body of the said Paul and then and there beat
bruised and ill treated the said Paul and then and there imprisoned him the
said Paul and kept & detained him in prison against his will without any
reasonable or probable cause whatever and have ever since kept and detained
him in prison there & do still keep & detain him in prison contrary to the laws
of this state, and the said defendants other wrongs then and there did to the
said Paul against the peace of the state, wherefore the said Paul says he is
injured and has sustained damage to the amount of five hundred dollars
wherefore he sues & Harris, Famble & McGirk Attys for plffs. and afterwards
to wit, on the said second day of June in the year aforesaid the Clerk of the
said Circuit Court Endorsed thereon a writ of summons in the words and figures
following to wit; County of St Louis ss. The State of Missouri To the Sheriff of said
County Greeting We command you to summon Lefrenier Chauvin Administrator
of all and singular the goods chattels rights credits and effects which were of
Helen Chevalier deceased at the time of her death who died intestate. Charles

Jayon, Pierre Chouteau Senior Auguste Chouteau Junior Pierre Chouteau Junior
Lequette Chouteau, Bartholomew Berthold and Pelagie Berthold his wife Joseph
Jayon, Francis Jayon and Terrace Valle that they be and appear before the
Judge of our Circuit Court at the next term thereof to be held at the City of St Louis
within and for the County of St Louis on the fourth Monday in July next then
and there to answer unto Paul a free man of Color who is permitted by the
Court to sue by Pierre Banibeau his next friend as a poor person of a plea of
trespass to the damage of said plaintiff of Five Hundred Dollars and have you
then there this writ  Witnesses Archibald Gamble Clerk of our said Court
at Office this second day of June 1825. Archibald Gamble Clerk. - and afterwards
to wit at the return term of the said writ the Sheriff of the County of St Louis Re-
turned the same into Court with an acknowledgement of service by B. Berthold
and Pelagie Berthold in the words and figures following We acknowledge service
of this writ B. Berthold, P. Berthold and his return thereon endorsed in the words
and figures following to wit; Executed this writ on Bartholomew Berthold
& Pelagie his wife June 11th 1825 in the City of St Louis as will appear from
the above acknowledgement - on Lafreniere Chauvin June 10th at his place of
residence - on Pierre Chouteau Sen^r Pierre Chouteau Jr and Legest Chouteau on the
14th of the same month, and on Auguste Chouteau Jr on the 23rd of the same month
in the City of St Louis by giving them the writ & declaration to them to read & their
acknowledging the service thereof - Charles Jayon, Joseph Jayon, Francois Jayon
& Terrace Valle not found in my County July 9th 1825. John K Walker Sheriff
by An^o Simonds Jr D. Shiff. - and on the said second day of June in the year afore-
said the Clerk of the said Circuit Court issued a counterpart of said writ of
Summons directed to the County of St Charles which is in the words and figures
following to wit; County of St Louis for The State of Missouri To the Sheriff of the
County of Saint Charles Greeting - We command you to Summon Charles Jayon
Joseph Jayon, Francis Jayon and Terrace Valle (impleaded with Lafreniere Chauvin
Administrator of all and singular the goods Chattels, rights, credits and effects
which were of Helen Chevallier deceased at the time of her death who died intestate,
Pierre Chouteau Senior Auguste Chouteau Junior, Pierre Chouteau Junior
Lequest Chouteau, Bartholomew Berthold and Pelagie Berthold his wife
that they be and appear before the Judge of our Circuit Court at the next term
thereof to be held at the City of St Louis within and for the County of St Louis
on the fourth Monday in July next then and there to answer unto Paul a
free man of Color who is permitted by the Court to sue by Pierre Banibeau
his next friend as a poor person of a plea of trespass to the damage of said
plaintiff of Five hundred dollars and have you then there this writ 
Witnesses Archibald Gamble Clerk of our said Court at Office this second day
of June One thousand Eight Hundred and twenty five Archibald Gamble
Clerk and the Sheriff of the said County of St Charles returned the same into
Court with his return thereon Endorsed in the words and figures following
to wit; Executed this writ on the within named Joseph Jayon and Terrace
Valle by reading it to them in the Township of St Charles this 14th day of
June 1825 and on Charles Jayon in the Township of St Charles on the 16th
June 1825 by reading it to him (the within named Francois Jayon is not found
in my County this 11th July 1825) H. Mills Sheriff of St Charles Ct^y Me and
afterwards to wit at the July Term of the said Circuit Court in the Year One

thousand Eight Hundred and twenty five the said defendants by their attorney filed their plea in the words and figures following to wit; Lefreniere Chauvin Charles Yagon, Pierre Chouteau sen^r and others, ads, Paul a boy of color by his next friend P Banibeauc C.C. C St Louis July term 1825. And the said defendants by their attorney come and defend the force and injury when &c and say that they are not guilty of the said supposed trespasses laid to their charge or any part thereof in manner and form as the said Paul hath above thereof complained ag^t them and of this they put themselves on the Country Lawless atty for Deft. And the said plaintiff doth the like Janis Gamble v. M. Girk Atty for plff. - and the said Cause was continued until the November term of the said Circuit Court in the year Eighteen Hundred and twenty five at which said term the death of Charles Yagon one of the said defendants suggested whereupon Lefreniere Chauvin Executor of the said Charles Yagon appears and suit revived against him as Executor aforesaid. - and at the same term of the said Circuit Court the said defendant filed a Special plea in the words and figures following to wit; Paul vs Lefreniere Chauvin adm^r of Helen Chevalier C.C. St Louis Nov^r Term 1825. and said Lefreniere Chauvin Administrator of said Helen Chevalier by his attorney comes and defends the force & injury when &c and says as to the assaulting, beating ill treating and imprisoning the said Paul as in said Declon mentioned the s^r Paul ought not to have or maintain his aforesaid action thereof against him because he says that before and at the time when &c in said Declon mentioned to wit at St Louis aforesaid the said Paul was a slave in the lawful possession and service of said Lefreniere Chauvin wherefore the said Lefreniere then and there detained and still doth detain said Paul in his service and possession which detention and possession are the assaulting beating bruising ill treating and imprisoning the said Paul in said Declon ment^d and this the said Lefreniere is ready to verify wherefore he prays Judgement if the said Paul ought to have or maintain his aforesaid action against him Lawless att for Deft. - and the said cause was continued from term to term until the November term of the said Circuit Court in the Year Eighteen Hundred and twenty Eight at which said term the Plaintiff by his attorney presents to the Court his petition verified by the affidavit of the said plaintiff stating that he fears that he will not receive a fair trial in the said Court in which said suit is now pending on account that he believes the Judge thereof is prejudiced against the petitioner and his claim to freedom so that he cannot and does not expect a fair and impartial trial of said cause in said Court, it is therefore ordered by the Court that the Venue be changed to the County of Saint Charles in the second Judicial Circuit of this State and that the Clerk of this Court do certify and transmit a full transcript of the Record and proceedings in this case together with all papers filed in the cause and appertaining to or forming part of the Record to the clerk of the Circuit Court for the County of St Charles at the next term thereof and the petition ^{and affidavit} aforesaid are in the words and figures following to wit; Paul a man of color vs Lefreniere Chauvin. Adm^r of Helen Chevalier deceased, p. Suit for freedom in the St Louis Circuit Court. 1828 The Petition of Paul the above named plaintiff represents to the honorable Circuit Court, that he fears that he will not receive a fair trial in the said Court in which said suit is now pending on account that he believes the Judge thereof is prejudiced against the petitioner & his claim to freedom so that he

Paul
no 3
Helen Chevalier Adams & Co
Change of Name to St Charles

do the bill of the Lewis & Co
for this amount \$3.70
-- Same for costs & bill in this case -- \$8.24
-- J. J. Walker late of J. J. Lewis & Co -- 9.00
-- J. J. Walker late of J. J. Lewis & Co -- 3.50
\$22.024

Twenty two & two of half cents.
J. J. Walker & Co

Filed 17th March 1879
Wm. Adams & Co

State of Missouri
County of St Charles } ss: Be it remembered ~~and~~ that on the seven-
teenth day of March in the year of our Lord eighteen hundred and
twenty nine, was filed in the office of the Clerk of the circuit court
for the said county of St Charles, the accompanying transcript of
the record and proceedings in the case of "Paul against the Admin-
istrator of Helen Chevalier," certified from the circuit court of the
county of St Louis, on an order of change of venue to the said county
of St Charles, in which said cause, at the October Term of our
circuit court for the year aforesaid, on the first day of said
Term and the fifth day of the said month of October, the follow-
ing proceedings were had - to wit:

"Paul } Petition for Freedom &c certified from St Louis county
"Helen Chevaliers adm^r &c } on motion and affidavit filed, it is
"ordered that this cause be continued at the cost of the Defendant."

And afterwards the said cause was continued from term to
term of of our said court, until the June Term of the same for
the year Eighteen hundred and thirty five, at which said Term
the following order was made - to wit:

change of venue "Paul } Petition for Freedom
"Adm^r of Helen Chevalier } The Judge of this court having been
"of counsel for one of the parties to this action, it is ordered by the
"court that the venue be changed to the county of Jefferson in the
"seventh judicial circuit of this state; and that the Clerk of
"this court do certify and transmit a full transcript of the
"record and proceedings in the case - together with all papers
"appertaining to, and filed in the same - to the Clerk of the cir-
"cuit for the said county of Jefferson, at the next term thereof."

State of Missouri
County of St Charles } ss: I, William Christy, Jr, Clerk of the circuit
court for the county aforesaid, certify the above to be a full
and correct transcript of the record and proceedings in the
case of "Paul against the Administrator of Helen Chevalier"

-ier, as the same now remain of record in my office, accom-
-panied by all the papers appertaining to the said cause

Given under my hand and the seal
of said Court at Office in the Town of
St Charles this 27th day of October AD. 1835

William Christy Jr

By Deputy J. D. Johnston

Jus in St Charles
to Circuit Court }

Clerk Christy, for costs of this suit \$8.10
" this transcript .32 1/2
" certificate & seal .50
" Tax .62 1/2
9.55

Forwarding these papers
to Sterculaneum
fifty miles } 5.00
\$14.55

Paul
vs
Helen Chevalier's adm^r } change
of name

cost of changes \$14.55-