

Jefferson County Circuit Court
Case Files - Civil
December 1863

Box 14 Folder 85

Frederitzie, John M. gdn
Richardson, George

v.

Richardson, Henry

Ejectment

193 acres in Lot 37 and part of Lot 38
Subdivisions of United States Survey
No. 844; Damages \$20.00.

George Richardson
By J W Frederetzo
his Guardian, Plaintiff
against
Henry Richardson
defendant

In the Circuit
Court of Jefferson County
Missouri

The plaintiff states that on or about the 15th day of September 1863 he was entitled to the possession of the following described premises situate in Jefferson County Missouri to wit Lot 37 and the middle part of Lot 38, in Subdivisions of United States Survey No 844 in Townships 42 & 43 Ranges 5 & 6 East, Containing 193 acres, for a more complete description of which reference is made to the deed from E W Dickson to John Richardson on record in the Records office of Jefferson County Mo in Book II p 470 and from Skelton Richardson to John Richardson on record in said Records office in Book II page 505-

And being so entitled to the possession thereof that the defendant afterwards to wit on the 16th day of September 1863, entered into the premises and unlawfully withheld from the plaintiff the possession thereof to his damage of twenty dollars.

Plaintiff asks judgment for recovery of the premises and for \$20 damages and for the monthly rents & profits & interest & costs

of judgment and for all other proper
orders & relief

George Richardson

By John Frederick's Guardian

I the Frederick states on oath that
the foregoing petition & the matters therein
stated he believes to be true

Subscribed & sworn
to before me this
8th day of October 1863
Elias J. Horney Clerk

John M. Frederick



The Circuit Court
Jefferson County

George Richardson
By his Execution
18.

Wm Richardson

John in Execution
Not summoned in
Beal & Co

for help

Filed Feb 8 '18 63
Geo J. Moorey
Clerk

The State of Missouri, } ss.
COUNTY OF JEFFERSON.

To the Sheriff of the County of Jefferson---Greeting:

We command you, that you summon *Henry Richardson*

if he be found in your County, that he
do 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 second Monday after the fourth
Monday of November next, then and there to answer unto
George Richardson, by his Guardian
John M. Friederitz

upon *his* original petition, a copy whereof is hereunto annexed and ac-
companies 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 *Tenth*
day of October A. D. 1863

Elias F. Honey

Clerk Circuit Court.

TO JEFFERSON CIRCUIT COURT

1867
December Term, 1863

George Richardson
vs
his Guardian
as }
Dumour
Henry Richardson

Shirley's Fee \$100

5/15, 27, 156, 218, 528

I executed the within writ at the County of
State of ^{Jefferson} Missouri on Henry Richardson by
delivering to him a copy of the same with
an ex petition as furnished me by the
Clerk this the 13 day of November, a 1863

J. B. Dorris Sheriff
by J. T. Hop Deputy

George Richardson by J. M.
Friedetz his Guardian Plaintiff
against
Henry Richardson defendant

In the Circuit Court
of Jefferson County
Missouri.

Defendant for answer to the petition of the plaintiff states, that John Richardson the grandfather of the plaintiff died leaving a will duly admitted to probate, by which he bequeathed of his real estate seventy acres of land in Jefferson County Missouri, including the dwelling house of said testator, and which is a part of the land described in the plaintiff's petition to his daughter Ellen Richardson, the wife of defendant; that it was further provided in said will that the said Ellen should have the possession of all of the lands of the testator for the care and support of her children and herself and his two sons Samuel & George; That after the death of said testator the said Ellen continued to remain upon said land until she died which was something over a year after the death of her father. That said Samuel died shortly after his father and before the death of said Ellen. It was further provided that said Ellen should have said seventy acres after the death of said Samuel & George— defendant further states that said Ellen died

leaving this defendant her husband and the following named children to wit.

that John Richardson Jr was appointed guardian of the above named children by the County Court of Jefferson County Missouri and as such authorized this defendant to take possession of a part of said seventy acres and to erect a building thereupon, which this defendant did

Defendant avers that by the death of said Ellen he became tenant by the courtesy of so much of said land as said Ellen is entitled to by said will, and that he also is in possession of said land as a cotenant with the plaintiffs, and not as adverse to him.

He therefore denies that he unlawfully withholds from the plaintiffs the possession of said land.

He denies claiming possession of any part of said land in petition described or that he is in possession of any part of it except a part of the said seventy acres which said seventy acres is defined by metes and bounds.

Defendant avers that said ~~plaintiff~~ is damaged twenty dollars or any other

sum, or that said plaintiff is entitled to
the monthly rents and profits,

Thomas Pipkin atty
for defendant



Philip Pipkin atty for defendant in
the above cause makes oath and says
that the foregoing answers and the
matters therein as stated he believes
to be true

Subscribed & sworn to P. Pipkin
before me Dec 11 1863
Elias J. Hooley Clerk

Appron Cicut
Count Dec. Jan 1863

George Richardson
by Guardian

Henry Richardson

Richardson Amner

Dec 11 1863

John & Henry
Cicut

George Richardson by Guardian

Henry Richardson

The Defendant for supplemental answer to the petition of Plaintiff states that he has been duly appointed by this Court, since the commencement of this suit, a trustee in place of Ellen Richardson deceased under the will of said John Richardson deceased; that he has filed his bond with good security in the sum of two thousand dollars for the faithful discharge of the duties as such trustee & that Defendant as such trustee is entitled to the possession of the ^{all the lands} ~~seventy acres~~ mentioned in his former answer Plaintiff's Petition.

Sworn to & subscribed before }
me May 15th 1865 } Henry Richardson
Emmett H. Coffey }
Clerk }

George Richardson

(3)

Henry Richardson

Supplemental Shivers