

Nov 1865, No. 12

Sarpy, John Russell et al

vs.

Bittick, William

Trespass

Defendant accused of cutting
down trees on 500 acres of land;
Survey No. 1939 T43-R4E;
Judgement requested of \$750.

Other Plaintiffs: Frederick Berthold;
Virginia L. Berthold; James L. D.
Morrison; Julia Ann H. Morrison;
depositions

John R Sapsy	}	In the circuit Court of Jefferson County Missouri
Fredrick Berthold		
Virginia L Berthold		
James L D Morrison		
Julia Ann A Morrison Plaintiffs		
against		
William Bittix Defendant		

The plaintiffs state that defendant at sundry times in the winter and Spring of 1864 wrongfully and without leave entered on the following lands situate in Jefferson County Mo to wit, 500 acres of land being part of United States Survey No 1939 in Township 43 Range 4 East on the waters of Big River in Jefferson County, that defendant did then & there cut down and carry away trees & wood standing ^{belonging to plaintiffs} being and growing on said tract of land, of the value of one hundred and twenty five dollars.

Plaintiffs further state that John B Sapsy and Peter R Sapsy owned said land, that about the year 1857, John B Sapsy died and his part of said land descended to John R Sapsy, a son, Virginia L Berthold a daughter and Julia Ann A Morrison a daughter, that Peter R Sapsy died about January 1865 without any descendents & that the said land descended to said John R Sapsy, Virginia L Berthold & Julia Ann A Morrison and that they are entitled to recover against defendant for said trees & wood cut & carried away as aforesaid.

Plaintiffs ^{further} ~~demand judgment~~ ^{state} that the defendant had no right or title to said tract of land and had no interest or right to said trees & wood there standing, being and growing on said land taken away as afore said. Plaintiffs demand judgment for three hundred and seventy five dollars, triple the value of said trees & wood cut down & carried away by defendant as aforesaid & for all other proper relief.

Plaintiffs state that in the winter and Spring of 1865, the defendant at sundry times wrongfully and without leave entered the following lands situate in Jefferson County Mo to wit, 500 acres of land being a part of United States Survey No 1939 in Township 43 of Range 14 East, that said defendant did then & there cut down and carry away trees & wood standing, being and growing on said tract of land of the value of \$250, that said land was in possession of plaintiffs, that said defendant did not own said land nor had any right & interest in said land or to the said trees & wood standing & being on said land.

Plaintiffs pray judgment for \$750 triple the value of said trees & wood so cut down & carried away by said defendant and for all other proper relief.

J. A. Seal
Atty for Plaintiffs

J. A. Paul Plaintiff's Attorney Being sworn
on his oath says that the foregoing petition &
the matters therein as stated he believes to be
true

Subscribed & sworn to before
me this 14 day of July 1865

J. A. Paul
Atty for Plaintiff
Charles F. Blattan
Notary Public



John D. Carleton
vs

William Pettie

Depones

Witnesses for the
John Carleton
David Sturdy
William Pettie

Filed July 17-1868

Samuel H. May, Clerk
\$175 Ad by Plaintiff

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

William Pittick

if he be found in your County, that he
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 second ~~Monday~~ after the fourth
Monday of *November* next, then and there to answer unto

*John R. Darby & Berthold V. L.
Berthold James L. D. Morrison
J. A. A. Morrison*

upon *their* original petition, a copy whereof is hereunto annexed and ac-
companies this writ, and have you then there this writ.



Witness, *Samuel A. Reppy*, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *20th*
day of *September* A. D. 1865

Samuel A. Reppy
Clerk Circuit Court.

I do hereby certify that this writ in the County of Jefferson
State of Missouri on the 13th day of Oct 1865
by leaving a copy of this writ and annexed
petition at the usual place of abode of James
Pitts with a white person over the age
of fifteen years and a member of his family

Cliff Fletcher

Sheriff

By John Williams Dpty
Sheriff

12

TO JEFFERSON CIRCUIT COURT

November Term, 1865

John P. Darby et al
vs
James Pitts
William Pitts

Fletcher Sheriff 1865

John R Saipy et al } In the circuit Court
vs } of Jefferson County Mo
Andrew Chatman }

1 John R Saipy et al } In the circuit Court of Jeff
vs } erson County Mo
Israel Shultz }

2 John R Saipy et al } In the circuit Court of Jefferson
vs } County Mo
William Pittix }

John R Saipy et al } In the circuit Court of Jefferson
vs } County Mo
Jesse Kild }

To Andrew Chatman - Israel
Shultz, William Pittix & Jesse Kild. you and
each of you are hereby notified that depositions of witnesses
to be read in evidence in the above Suits on the
part of the plaintiffs in each suit, will be taken at the
office of John McFulton Notary Public No 91 Chesnut
Street in the city of St Louis, Missouri on the eighth day
of May 1866 between the hours of 8 o'clock Am & 6
o'clock Pm & if not completed on that day, they will be
continued from day to day at the same place & between the
same hours till completed

J A Deal Atty for Plaintiffs

Depositions of witnesses produced, sworn and examined
on the 9th day of May in the year of Our Lord 1866
between the hours of eight-o'clock in the forenoon
and six-o'clock in the afternoon, of that day at the
office of John M Fulton Notary Public No 91 Chest-
nut Street in the City of St Louis County of St Louis and
State of Missouri before me the said John M Fulton
Notary Public for said County in a certain cause
now pending in the Circuit Court of the County
of Jefferson in the State of Missouri between
John R Sarpy et al plaintiffs and ~~James~~ William
Bitter defendant on the part of the plaintiffs

John M Fulton
Notary Public
St Louis County
Missouri

Charles P Chouteau - being of lawful age
produced, sworn and examined on the part of
the plaintiffs deposes and says:

I ~~am acquainted with~~ ^{knew} Gregoire Sarpy - he died
^{between} ~~about~~ 1827 and 1829 - somewhere about that period
^{Gregoire} ~~He~~ Sarpy left three children to wit John B
Sarpy, Peter A Sarpy and Leston Sarpy all
three are dead now - Peter A and Leston
died without any heirs or descendants from
them - the legal heirs of John B Sarpy are
Virginia L who married Frederick Berthold
John Russel Sarpy is the second child - The
third child is Julia Ann, A who married
James L. D. Morrison all of ~~whom~~ ^{are}
~~alive~~ - which children of the said John
B Sarpy are still living

Sworn to and subscribed before
me this 9th day of May A.D. 1866

John M Fulton St. P. St Louis Co Mo

Chas. P. Chouteau

State of Missouri
County of St Louis

I, John M Pullen Notary Public
within and for the County of St Louis in the State of Mis-
souri, do hereby certify, that in pursuance of the annexed
notice, came before me, at my Office, Number
91 Chestnut Street in the City and County of St
Louis and State of said Charles P Chouteau who was
by me sworn to testify the whole truth of his know-
ledge touching the matter in controversy aforesaid:
that he was examined and his examination reduced
to writing and subscribed by him in my presence
on the day, between the hours and at the aforesaid
office in the City and County of St Louis and State
of Missouri

In witness whereof I hereunto set my hand
and affix my notarial seal at Office this 9th
day of May A.D. 1866

John M Pullen Notary
Public for St Louis County
Missouri

John R. Sharpes

as
William Bitts

Deportation

for

Plautiffs

Filed May 16th 1866.
Dune & Joyalt

Dec 8/50

John P. Sarpy }
vs }
Willis H. Pitlick } es.

Free Bill, \$1.75 Paid by Plff.
Samuel A. Sarpy, Clerk. writ \$1.50
file 2 papers 10¢ copy Pet. 10¢ Continuance 35¢
3 subps. 10¢ docket 30¢ fee bill 10¢
Dismissal 35¢

388-
\$10

C. C. Fletcher Sheriff. Serving writ \$1.50
subp & writ. \$2.00 non est an 1 subp 35¢
action called twice 10¢ calling party 10¢
Serving notice to take Deposit 75¢

\$4.80

Jesse Kidd Whit. 2 days 17 miles
J A Chabrand " 2 " 17 "

\$5.72

\$5.72

21.84

John T. Danbury
as of the Bill
Willis Smith