

Jefferson County Circuit Court
Case Files- Civil

November 1867- No. 67

Box #

19

Folder # 72

Beeler, Mary
Beeler, Cynthia
Beeler, Conrad W.
Beeler, Catharine, Guardian

vs

Beeler, Jesse

Trespass

Pltff accuses Def of cutting
down Cedar logs, value \$100
& Saw logs, value \$80, seeks
Damages of \$540

Mary Beeler, Cynthia
Beeler, and Conrad W.
Beeler, by their Guardian
Catharine Beeler and
Catharine Beeler, Plffs
against
Jesse F. Beeler, Defendant

Plaintiffs state that Conrad S. Beeler
on the 10th day of April 1866 departed this
life seized of the following real Estate
situate in Jefferson Co. Mo. viz: Lots 4,
5, 10, 15, 12, 11 & 6, in Sec. 16. T. 43. R. 4. E.
and also fractional Sec. 17, T. 43, R. 4. E.,
and leaving surviving him his widow
Catharine Beeler and three children, who
are minors and appear by their Guardian
Catharine Beeler.

Plaintiffs aver that Defendant wrongfully
and without leave did on or about the first
day of September 1866, and on divers other
days both prior & subsequent to the said first
day of September 1866, enter into the above
described land and cut and carry away
therefrom cedar logs of the value of one
hundred dollars and saw logs of the value
of Eighty dollars: and that Defendant at the
time of cutting said timber well knew that
he was not on his own land or land belonging

to the United States.

Plaintiffs ask judgment for one hundred and
Eighty dollars, the single value of said cedar
& saw logs and prays the Court to enter judgment
for five hundred and forty dollars, being
treble damages, according to the Statute
in such cases made and provided.

John L. Thomas
Atty for C. Beeler.

Catharine Beeler
Guardian of said minors,

Mary Beeler Tal

m

Leont Beeler

Melita in the house.

Recd May 14th 1867
of Honey &

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

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Jesse J. Beeler*

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 *6th* Monday after the
fourth Monday of *September* next, then and there to answer unto
Mary Beeler, Cynthia Beeler, Conrad W. Beeler
By their Guardians *Catherine Beeler and Catherine*
Beeler,

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 hereunto affixed, at office in Hillsboro, this
fourteenth day of *May* A.D. 18*67*

Elias F. Honey

Clerk Circuit Court.

By *E. Tho. Horne D. Co.*



1867
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TO

JEFFERSON CIRCUIT COURT.

1867

Term, 1867

Wm. J. Beeler Clerk

vs. 1 defendant

James J. Beeler.

(original)

John Williams

Sheriff fee \$1.00

Done June 7

I Executed this Writ in Jefferson ^{County} Missouri
on J. J. Beeler on the 7th Day of June 1867
By Delivering to him a true copy of this
Writ and Petition as furnished by the
Clerk

John Williams Sheriff

Mary Beeler, Cynthia Beeler and Conrad W. Beeler, by their Guardian Catharine Beeler, and Catharine Beeler, & Plaintiffs	}	In the Circuit Court Jefferson County Mo,
Against Jesse F. Beeler, & Defendant	}	

The Defendant for Answer states that he has no knowledge or information sufficient to form a belief of whether Conrad W. Beeler was the owner at the time of his death of the Lands described in Plaintiffs petition, or not, or any part thereof, and therefore he requires proof, - or whether Plaintiffs have title to any of said Lands, and therefore proof is required, - Defendant denies that he, or on or about the first day of September 1866, or at any other time, wrongfully and without leave entered upon said Lands, or any part of them, and cut and carried away therefrom Cedar Logs of the value of one hundred dollars, or Saw Logs of the value of eighty dollars, or any saw Logs whatever of any value, & Defendant states that he had privilege to cut and carry away timber on Lands adjoining the Lands described in Plaintiffs petition, - and in cutting timber on the land for which he had such privilege, he, without knowing the lines dividing said Lands, did unintentionally cut not exceeding six or seven small trees, on the Lands described in said petition, - and which timber, cut, is not worth over six or seven dollars, - and he denies that he cut and carried away from said Land any more than said six or seven trees, - And Defendant denies that he

at the time he cut said six or seven trees, knew he was cutting on Plaintiffs land, or on any land on which he had no right or privilege to cut, And Defendant further states that, although the timber he cut on Plaintiffs land was not worth over seven dollars, yet to avoid a law suit, he on the 10th day of January 1868, tendered to Plaintiff thirty dollars in full satisfaction for such timber unintentionally cut on Plaintiffs land, - more than three times the actual value of said timber so cut, - and offered to pay the costs of this suit, which had accrued at that time, Defendant now tenders to Plaintiffs dollars, in full satisfaction for any damages they have sustained.

Defendant denies that Plaintiffs are entitled to judgment for One hundred & eighty dollars, for single damages, - or for 540 dollars for treble damages, And denies that Plaintiffs are entitled to judgment for any sum exceeding seven dollars, And Defendant asks that all costs accruing since said tender was made, be taxed against the Plaintiffs.

Almer Green
Attorney for Defendant

In Circuit Court
Jefferson County

Mary Beelen and
Others

vs.

James H. Beelen

Defts

(Plummer)

Diled Mar 21st 1868

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