

In the Circuit Court
July Term 1835

No 12 =

Wm
vs
Rufus Pettibone & others

The within is a counterpart of the writ
issued to the Sheriff of the County of
St Louis 2 June 1835
Archibald Gamble Clerk

Shffs fee of 2.00

To Franklin - P.B. Rock 25th

The State of Missouri

County of Saint Louis 3/4

To the Sheriff of the County of Franklin

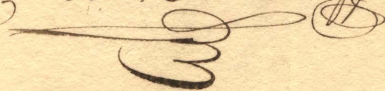
Greeting -

We Command You to summon John Butler and Betsey his wife impleaded with Rufus Pettibone, Charles D. Patton and Sally his wife, Owen Wingfield and Sally his wife, Isaac Veteau, John Whitset alias Whitesides, Mitchel Patton and Anne his wife, Michael Sanford and Theresa his wife John Whitset & alias Whitesides and Lucinda Whitset alias Whitesides, 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 & there to answer unto Wmmy a free Woman of Color who is permitted by the court to sue by Alexander Clark her next friend as a poor person of a plea of trespass to the damage of said plaintiff of Two hundred dollars and have you then this writ.

Witness Archibald Gamble clerk of our said Court at Office this second day of June One Thousand eight hundred and twenty four
Archibald Gamble Clerk



Executed the within writ on John Butler and Elizabeth
Butler his wife in Newport Townshipp Franklin
County by reading the same ^{to them} in their hearing on
the 14th day of June 1825

Robt. Brock Shff F. C.




State of Mississippi } p. In the circuit court July Term
County of St Louis } 1825

Winny a free woman of color held in Slavery, and who
is permitted by the court, to sue as a poor person
by Alexander Clark her next friends, who by her
Attornies Edward Bates and Isaac C. McKirk, appeared
as counsel by the said court, complains of Rufus
Petitbone, and of Charles W. Hutton, and Sally his wife,
and of Isaac Nathan,

Butler and Betsy his wife, John Whitsett, alias Nathan
Mitchell Hutton and Anne his wife, Michael Sanford
and Thessa his wife, John Whitsett Jr, Alice Whitsett
and Lucinda Whitsett, alias Whitsett, of a plea of
trespass, for that whereas the said defendants heretofore
to wit, on the first day of January in the year of
our Lord Eighteen hundred and twenty five with force
and arms, at the County of St Louis, unlawfully and
against did make in upon the body of the said
Winny, and then and there beat bruised and ill treat
ed her the said Winny, and then and there impris
ed her the said Winny, and then and there detain

nison without
all cause whatsoever, and has still ever
and detained her in prison, and do still
detain her in prison, against the will of the
said Winny and contrary to the laws of this state
and other wrongs to the said Winny then and there
did against the peace of this state, wherefor
the said Winny says she has sustained damage
to the amount of five hundred dollars and there
for she sues &c.

Bates & McKirk
Attys for plaintiff

The State of Missouri, the Sheriff of said County, greeting

We Command you to Summon Rufus Pettibone, Charles B. Hutton and Sally his wife Owen Wingfield and Sally his wife Isaac Voleau, John Butler and Betty his wife John Whitset alias Whitesides Mitchel Hutton and Anna his wife Michael Sanford and Theresa his wife John Whitset alias Whitesides and Lucinda Whitset alias Whitesides 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 Wmmy a free woman of color who is permitted by the court to sue by Alexander Clark her 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 return this writ

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



No 52

In the Circuit Court
July Term 1825

Wmmy

vs

Rufus Pettibone & others

Is the clerk of the

Circuit Court

There is an action of

trover & detinue and

John Whitset must

show a summons

for the defendants

State & Co. Clerk

for self

Attest 27th June 1825
Archibald Gamble Clerk

received this writ on 9th June 1825 On the ninth day of July 1825 by reading it to him.

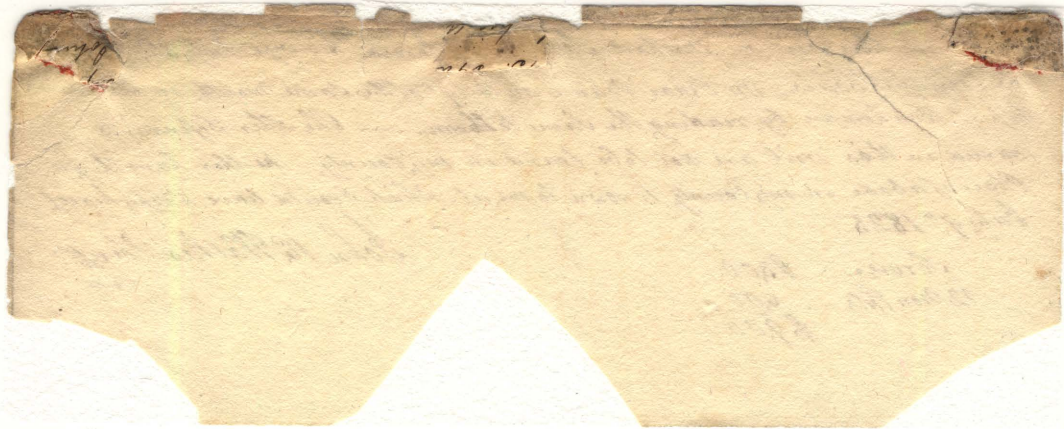
The other defendant to wit Rufus Pettibone, Charles B. Hutton and Sally his wife Isaac Voleau and Sally his wife John Butler and Betty his wife John Whitset alias Whitesides and Anna his wife Michael Sanford and Theresa his wife John Whitset alias Whitesides and Lucinda Whitset alias Whitesides not for in my bounty they are to be

Executed this writ on Michael Sanford & Theresa his wife July 6th 1825 in
the City of St. Louis. On Isaac Votaw on the 9th of the same month in the Towns-
hip of Bonhomme by reading the same to them. — The other Defendants
named in this writ are not to be found in my County — neither have they a
Place of abode in my County known to me, at which I could have a copy hereof
July 9th 1825

Service	\$3.00
12 Non Ests	6.00
	\$9.00

John B. Walker Sheriff

31406



Nenny, a free woman of color

vs

Refus Pettibone,
Charles B. Matten & Sally his wife

Owen Wingfield & Sally his wife

Isaac Notman

John Butler & Betsey his wife

John Whitest, alias Whitesides

Mitchel Matten & Anne his wife

Michael Sanford & Thursa his wife

John Whitest alias Whitesides

Lucinda Whitest alias Whitesides.

§. In the circuit court
of St Louis county 1825
action of Trespas of
sault & Battery &c.

Malinda, a free girl of color

vs

Same

§.

Same

Harry, a free boy of color

vs

Same

§.

Same

Lorinda a free girl of color

vs

Same

§.

Same

Lenny, a free woman of color

vs

Ephraim Musick

Charles B. Matten & Sally his wife

Owen Wingfield & Sally his wife

Isaac Notman

John Butler & Betsey his wife

John Whitest alias Whitesides

Mitchel Matten & Anne his wife

Michael Sanford & Thursa his wife

John Whitest alias Whitesides

Lucinda Whitest alias Whitesides

§.

Same

Winnitta a free girl of color

vs

Same

§.

Same

We the attorneys for the parties in the foregoing named causes, now pending in the S. Louis circuit court, agree that any competent depositions legally taken, or taken by consent in either of the above named causes may be read in all the others; as far as they may relate to the matter in controversy and further, we agree, that notice to take depositions in any of the said causes, ~~and may be served~~ on any attorney of record for either party, instead of the party or parties, and that depositions taken in pursuance of any such notices properly given as aforesaid, may be read in the same manner as if notice had been served on the party or parties themselves in person.

S. Louis, October the 4th 1825

~~Wm. C. McKim~~
 Isaac C. McKim
 Attorney for plffs

E. Bates as for as
 am concerned

Bozons
 for Deft.

Wm. & Others

Missick, Pettibone &
 others.

Agreement between
 the attorneys of each
 party in relation
 to Depositions

COUNTY OF ST. LOUIS, Set.

State of Missouri,

TO THE SHERIFF OF *St. Louis*

COUNTY....GREETING:

YOU are hereby commanded to SUMMON

John B. Lucas

that setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, ~~on the~~ *forthwith* day of _____ 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 *Winnery*

is

plaintiff, and *Robert Pettibone*

adversely are

defendant *s*, on the part of the *Defendants* and

have you then there this writ.

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

City of St. Louis, this

15th

day of

April

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

Six

A. Gamble

Clerk C. C.

March 1826

Served on Juries

at Lucas on the
11th April 1826

in the city of

Albany

John H. Walker

~~1824~~

for
50 lbs

Winney

is

Pettibone's adme

for

13 Lucas

for Def

COUNTY OF ST. LOUIS, Sct.

State of Missouri,

TO THE SHERIFF OF *Saint Louis* COUNTY...GREETING:

YOU are hereby commanded to SUMMON *John B. Lucas*.

that setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the *twenty fifth* day of *July* 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 *Tranny*

adms. ar is plaintiff, and *Refus Rpt. lions* defendants, on the part of the *defendants*, and have you then there this writ.

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

City of St. Louis, this *twenty sixth* day of *June* in the year of our Lord, one thousand eight hundred and twenty *six*

Arch Gamble

Clerk C. C.



July Term 1826

Winnipeg

R. Pettibone adm^r

for

J. B. Lucas

For Defendant

July 25th 1826

Executed on
John B. Lucas
on the 14th July
1826. in the
City of St. Louis
J. B. Walker
Sherriff

per J. B. Walker

Winn vs	Malinda vs	Jenny vs
Levi Pettibone Admr of	Same	Ephraim Musick
Rufus Pettibone decd	Lorinda vs	Winnetta vs
Harry vs Same	Same	Same

To Josiah Spalding Esqr. Attorney for the plain-
tiffs in the above causes.

You will please take notice, that the said
several plaintiffs, by their agent or attorney, will
attend at the dwelling house of Elias Mitz, in
the County of St Louis, 9 or 10 miles from St Louis,
on Saturday the fifth day of August next, be-
tween the hours of 10 o'clock A.M. and six o'clock
P.M. of that day, and then & there take the depo-
sitions of witnesses, to be read in evidence on
the trial of the above mentioned causes, on the
part of the plaintiffs, when & where you and
the said plaintiffs, will attend & cross exam-
ine, if you think fit.

St Louis July the

1826.

Bates & McKim
attos for plffs

Wm. & others

vs

Pettibone & others

Noted to take
depositions at
house of E. M. Pettibone
Saturday 5th Aug.

Received copy of
within 31. July 1826
J. M. Pettibone

In the case in which
Pettibone alone is con-
cerned I acknowledge
this to be a sufficient
service of notice
J. S.

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

TO THE SHERIFF OF *Saint Louis* COUNTY...GREETING:
YOU are hereby commanded to SUMMON *John B. Lucas*

that setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our
Circuit Court, on the *29th* day of *November* 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

Wmney is plaintiff, and
R. Pettibones is defendant, on the part of the
Defendant. and have you then there this writ.

WITNESS, ARCHIBALD GAMBLE, Clerk of our said Circuit Court, at
the City of St. Louis, this *12th* day of *October*
in the year of our Lord, one thousand eight hundred and twenty *six*

Archibald Gamble Clerk C. C.



November Term
1826.

Wmney
vs.

A Petitioner adms.

Subpoena
for

John B. Sweeney

for

Defendant

29th Nov 1826.

Executed the notice on 13th Decr 1826
by reading to him the same
At \$-50
Admission \$1/5

winning.

vi.

Pettibone's admistr
dothers

And said Levi administrator
of Rufus Pettibone deceased, I said Sanford &
wife come and defend the ~~force~~ and injury
when J.C. say that they are not guilty
of said trespass, imprisonment & wrongs
in manner & form as is alleged against
them in said declaration & that they
put themselves upon the Country & C.

Costs & Attorneys
for de fts

and for a further plea said Levi administrator as aforesaid says and said
Levi Ford says that at the time when I.C., the said Winny was the
slave of Charles B. Kellon, Owen Wingfield, Isaac Volcan, John Butler
John Whitset, Michael Kellon, Michael Ford, John Whitset
Jr & Lucinda Whitset, to wit at the County aforesaid: and that
the said ~~trespasses~~ supposed trespasses & detentions were committed
on said Winny as such slave & not otherwise: and that
they are ready to verify: Wherefore they pray judgment I.C.,

Filed Nov 29th 1826

A.C. Clerk

Wm. Ford
Atty for pff.

Winny
4th

Puttison v. others

plea

Filed April 12th

1826

A. G. Clerk

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

TO THE SHERIFF OF *St. Louis*

COUNTY...GREETING:

YOU are hereby commanded to SUMMON

Joseph W. Gamble

that setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the *fourth* day of *April* 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

is *Phellibon* *ad & others* one plaintiff, and *Wenney* *Defendant* and have you then there this writ.

WITNESS, ARCHIBALD GAMBLE, Clerk of our said Circuit Court, at the City of St. Louis, this *29th* day of *Nov* in the year of our Lord, one thousand eight hundred and twenty *Six*

A. Gamble

Clerk C. C.

Exhibited this writ on 10th of January Nov. 29. 1866.

Answer p. 50

Admission do. 7.

Wenney
Petitioner do. 14.
for
J. V. Garner
Southworth for
Def. do.

The State of Missouri, } **sect.**
COUNTY OF ST. LOUIS,

To the Sheriff of said county—**GREETING:**

We command you to attach *James Richardson*
if *he* may be found within your bailiwick, and bring *him* forth-
with before the judge of our circuit court, now sitting at the city of St.
Louis, within and for the county of St. Louis, then there to answer
unto the State of Missouri, touching a certain contempt by *him* com-
mitted, in not attending as a witness in a case of *Winny*

plaintiff, and *Rafes Pettibone*, ad

defendant, on the part of the *Defendant*

after being legally summoned by the sheriff of the said
county, and have you then there this writ.

WITNESS *Gambel* clerk of our said court
at the city of St. Louis, this *29th* day of *Novr*
in the year of our Lord one thousand eight hundred and *twenty six*
and of our independence the

A. C. Gambel Clerk

November 1836

Wm
Pittman and
Attorney for
Jas. Richardson

The State of Missouri, } set.
COUNTY OF ST. LOUIS,

To the Sheriff of said county—GREETING:

We command you to attach *John B. Lucas*
if *he* may be found within your bailiwick, and bring *him* forth-
with before the judge of our circuit court, now sitting at the city of St.
Louis, within and for the county of St. Louis, then there to answer
unto the State of Missouri, touching a certain contempt by *him* com-
mitted, in not attending as a witness in a case of *Winneg*
plaintiff, and *Rufus Pettibone, ad &*
Sother defendant, on the part of the *defendants*
after being legally summoned by the sheriff of the said
county, and have you then there this writ.

WITNESS *Archibald* clerk of our said court
at the city of St. Louis, this *29th* day of *Novr*
in the year of our Lord one thousand eight hundred and *twenty six*
and of our independence the

A. Gambell *clerk*

St Louis Circuit Court
Term 1822

Weninger
Replevin and
others

against
for

Two Bledues

McClellan came into court and the attack
must not be made

Abraham

Winne
vs.

Levi Pettibone Michael Sanford
& 6 Thirson his wife & others

St Louis Circuit Court. Nov. Term
1826.

Be it remembered that on the trial of
this case the plaintiff Winne proved that some time about
the year one thousand seven hundred ninety two one John
Whitset came to the now state of Illinois and brought with
him said Winne then twelve or fourteen years of age hold-
ing her as a slave: also then bringing with him his
son Thomas Whitset then aged about eight years: that
said John resided three or four years at a place in the
now state of Illinois called Whitsets Station and then
removed into Mississippi ^{in 1796} where he afterward died, the said
Winne having all that time been held as a slave and
said Thomas having resided with his father John Whit-
set during that time: said Thomas also resided with his father
during all the time of said John's residence in the then
North West Territory: The plaintiff gave nothing for
this in evidence material to the point of law
raised to the admission of the testimony hereinafter
specified. The defendants then introduced a witness,
who stated that he was at Whitsets Station afore-
said in the fall of the year 1794 and ^{shortly afterwards} ~~then~~ ~~to the~~
had a conversation with said John Whitset, who
and said John then and there said that said girl
Winne ~~had~~ ~~for~~ ~~before~~ ~~said~~ ~~John~~ ~~came~~ ~~on~~ ~~to~~ ~~the~~
country & while he ^{resided in Georgia he} ~~went to~~ ^{the} ~~the~~ ~~father~~
of said John ^{who then} gave a deed of gift of said girl Winne
to his son the said Thomas; and that that was all
the said father in law did for them, although his
said John's house had just been burnt down with
his property: and he had thereupon gone to his said father
in law's to obtain assistance. The plaintiff, ~~came out~~
moved to exclude the declarations of said Whitset in
relation to the said deed of gift from the consid-

moving to remove the defendant of the state taken off from taking plaintiff's
that says the state
that removing to remove the defendant of the state taken off from taking plaintiff's
of the state

action of the Jury: which the Court accordingly
did & decided that ~~the~~ said declarations aforesaid
should not go to the Jury: and they were ac-
cordingly excluded. To which opinion of the Court
the defendants counsel excepted and prayed the
Court to sign this bill of exceptions which
is done accordingly.

Wm: C. Carr

Wm: C. Carr
of
Attorneys
for the
Plaintiffs

Winny a free woman of color
and her three infant children
mentioned in the petition

v,

Charles Rufus Pettibone

Charles B. Hutton

Owen Winfield

Isaac votiau

John Butler

John Whitset

Mitchel Hutton &

Michael Sanford legal

Representatives of John Whitset decd

John Whitset and

Lucinda Whitset heirs

of Thomas Whitset decd &

legal representatives of John

Whitset decd

Let the order in this case be made, in the usual form
that Winny & her children mentioned in the petition
are allowed to sue the above persons for their freedom
as poor persons by their next friends, that they are not
to be removed out of the jurisdiction of the court, nor
subpoenaed to any security, ~~for having~~ ^{and} an amount of
this application, and that they be not debarred of
reasonable liberty of attending their counsel, - (accord-
ing to the Statute on persons, the new law)

Just apige Bates & McSpoke as counsel

Also insert in the order, that the Sheriff serve
the defendants with notice of this order

Left to his Son
prohibited the property
is not found in this Son

Wm. L. - De Ho

Jenny a free woman of color &
Winnetta her infant child

17

Ephraim Murick
and all the other persons named in Jennings case
Except Rufus Pettibone -

Let the order be the same with this addition
that Jenny with her child shall be held out by
the Sheriff to any person he pleases in the county
for the most in can get till the November term
of this court, and then from term to term till
the suit is finally decided, and that the Sheriff take
bond from the hire with ~~express~~ ^{good} security for the
payment of the hire, and that the hire shall have
the said Jenny forth coming when and where the
court shall award, and that the hire allow the
negro liberty of attending her counsel, and that the
Sheriff receive the hire and keep it subject to
the order of the court ^{entry that}

also state in the Bates & McGirk appeared by
the court as counsel by the court

Invent, that the Sheriff serve the defend
ants with notice of this order

Make out a copy and hand it to the Sheriff
in both cases and give it to the shiff