

MISSOURI STATE ARCHIVES- ST. LOUIS

Provenance

All records in the collection were created in the course of business by the St. Louis County Circuit Court (1804-1875) and its subsidiary courts as provided for by federal and state law. Subsidiary courts included: Court of Common Pleas (1841-1865), Land Court (1853-1865), Law Commissioner's Court (1851-1865), Criminal Court (1839-1900), Court of Criminal Correction (1866-1881), and Probate Court (1804-1891). See individual subsidiary court's series descriptions below for more detail.

Upon the separation of St. Louis City and St. Louis County as provided for in the 1875 constitution, the city retained custody of all court records previously produced. These records have remained in the custody of the St. Louis Circuit Court since that time, both in the historic Old Courthouse (constructed 1839-1852) and the Civil Courts Building (constructed in 1930). The records are now housed in the Missouri State Archives-St. Louis located in the Carnahan Courthouse at 1114 Market Street in St. Louis. NOTE: Some case files for the period December 1804 to July 1808 (approximately 3 cubic feet) are kept by the [Missouri Historical Society Library and Research Center](#). MSA-St. Louis holds photocopies and microfilm for these files.

For court records not held by MSA-St. Louis, contact either the [City of St. Louis Circuit Court](#) or the [St. Louis County Circuit Court](#).

Administrative History

The nineteenth-century St. Louis judicial system was complex and changed as St. Louis evolved from a French colonial village into the United States' fourth largest city. Following the Louisiana Purchase in 1803, a federally-governed court, under a series of territorial administrative organizations – the Louisiana District [1804-1805], the Territory of Louisiana [1805-1812], and the Missouri Territory [1812-1821] – undertook the burden of untangling an array of complex problems arising from the French and Spanish colonial past. The United States Congress established the earliest territorial courts of Quarter Sessions and Common Pleas. The territorial legislature established the first St. Louis Circuit Court in 1815. By the time Missouri entered the union in 1821, the judicial system had been reshaped and reorganized several times.

Between 1804 and 1813, St. Louis territorial courts included the Court of Quarter Sessions of the Peace (criminal and administrative jurisdiction), the Court of Common Pleas (civil jurisdiction), the Probate Court (probate jurisdiction), the Orphan's Court (orphans, minors, and guardian jurisdiction), and the General Court (chancery jurisdiction and supervisory control over the other courts). In 1813, the Court of Quarter Sessions, Common Pleas, Orphan's Court, and Probate Court were abolished and replaced by the Court of Common Pleas, which had civil, criminal and probate jurisdiction for the county until 1815, when the St. Louis County Circuit Court was established.

Collection Summary

Case files contain petitions, pleas, responses of defendants, summons, subpoenas, calls for witnesses or jurors, testimony, depositions, judgments, verdicts, and a variety of exhibits supporting the pleas of the plaintiffs or defendants. Case files often contain inventories of personal or commercial property, wills, accounts of money owed or paid for goods or services, maps, plats, surveys, or similar items illuminating the matter under dispute in the courts. Many of the cases do not include the verdict, judgment, or final resolution of the case. This information can be found in the corresponding indexed record books for the various courts.

The records document the social, political, economic, legal, and cultural history of St. Louis, the State of Missouri, and the United States of America. They provide insight into early territorial expansion, the fur trade, Native Americans, the institution of slavery, local and national debt relationships, and they place St. Louis and Missouri in the context of broader national historical trends and events.

Related Materials

Because the various courts in St. Louis and the records they created were interrelated, researchers are encouraged to utilize records from all the record groups described below.

Oversized Materials

Documents too large for the processing folder are separated from the file and placed in larger folders in flat, oversize boxes. A target placed in the file indicates how many documents have been removed and their location.

Collection Finding Aids

The collection includes record books, dockets and indexes for the various courts, as well as various electronic indexes for locating case files. A portion of the St. Louis County Circuit Court records can be searched in the Missouri State Archives online Judicial Records database, <https://s1.sos.mo.gov/Records/Archives/ArchivesDb/JudicialRecords/>. Images with transcriptions of the collection's Freedom Suits and cases related to the fur trade and Native Americans can be searched and viewed here: <http://digital.wustl.edu/stlcourtrecords/>. Records for Coroner's Inquests can be searched in the Missouri State Archives Coroner's database, <https://s1.sos.mo.gov/Records/Archives/ArchivesDb/Coroners/>

Languages

English, French, German, and Spanish.

USING THE COLLECTION

Access Statement

The collection is open and available for use. The condition of some records may require access on microfilm only. Staff will instruct researchers on handling records that are in poor condition and have not been microfilmed. Some records are accessible online.

Researchers must read and comply with the Researcher Agreement before beginning research activity.

Rights Statement

There are no copyright restrictions on the collection.

Preferred Citation

For case files: Case Name, Term Month and Year, Case No., "Case Files, St. Louis County [name of court], Missouri State Archives- St. Louis."

For record book entries: Case Name, Term Month and Year, "St. Louis County [name of court], Record Book #, p. #, Missouri State Archives- St. Louis."

RECORD GROUP: *St. Louis County Circuit Court, 1804-1875***Administrative History**

The St. Louis County Circuit Court was created in 1815 having civil, criminal, probate, and chancery jurisdiction until 1821. Probate jurisdiction passed to the County Court from 1820 until the creation of the Probate Court in 1841. The Missouri General Assembly abolished the chancery/equity distinctions in 1849; all actions in law or equity were civil thereafter. The following courts were created under the supervision of the Circuit Court: Criminal jurisdiction passed to the Criminal Court created in 1839, with the Court of Criminal Corrections being created in 1866 with misdemeanor jurisdiction. The Court of Common Pleas shared civil jurisdiction with the Circuit Court from 1841-1865. The Land Court had jurisdiction over all civil matters related to real estate and mechanic's liens from 1853-1865. The Law Commissioner's Court functioned as a small claims court and heard appeals from Justices of the Peace from 1851-1865.

The Court of Common Pleas, Land Court, and Law Commissioner's Court were abolished as of January 1, 1866. The Circuit Court assumed all civil jurisdiction at that time. Criminal jurisdiction remained with the Criminal Court and the Court of Criminal Corrections.

Scope and Content

Records of the St. Louis County Circuit Court consist of case files, record books, dockets, and indexes. Circuit Court files are processed for the following time periods: 1804-1844, 1861-1868. Early Court of Common Pleas, Court of Quarter Sessions of the Peace, Orphan's Court, and Chancery Court files (1804-1849) are included in the earliest Circuit Court group. There are 325 cubic feet of processed records and 285 cubic feet of unprocessed records. The collection also includes 44 flat, oversized boxes. Slave Freedom Suits are part of the Circuit Court collection. There are 138 record books, indexes, and dockets for the Circuit Court (1804-1879) and Chancery Court (1811-1847).

RECORD GROUP: *St. Louis County/City Criminal Court, 1839-1893; Court of Criminal Corrections, 1866-1881***Administrative History**

The Criminal Court was established by the General Assembly of the State of Missouri on January 29, 1839. The Criminal Court was a court of record that had original and appellate jurisdiction in criminal cases. The Circuit Court had a superintending control over the Criminal Court, only by appeal or writ of error.

The Saint Louis Court of Criminal Corrections was established in 1866. The Court of Criminal Corrections had exclusive original jurisdiction of all misdemeanors under the laws of the state of Missouri. The punishment that came from this court was either a fine or imprisonment in the county jail. The Court of Criminal Corrections was abolished in 1881.

Scope and content

Records of the St. Louis County Criminal Court consist of case files on 362 reels of microfilm. The paper case files for the 19th-century Criminal Court are not extant, having been destroyed after being imaged. There are 49 record books and indexes to the Criminal Court (1831-1892) and 26 record books and indexes for the Court of Criminal Corrections (1866-1881).

RECORD GROUP: *St. Louis County Court of Common Pleas, 1841-1865***Administrative History**

The Missouri General Assembly established the St. Louis Court of Common Pleas on January 21, 1841. The Court of Common Pleas was established to hear and determine all civil cases at law or in equity and was a court of record. The Court of Common Pleas exercised supervisory control over and heard appeals from Justices of the Peace. The Court of Common Pleas was abolished as of January 1866.

Scope and content

Records of the St. Louis County Court of Common Pleas consist of case files, record books, dockets, and indexes. There are 20 cubic feet of flattened records, 94 cubic feet of unprocessed records, 17 cubic feet of executions and fee bills, 1 flat oversized box, and 50 record books, indexes, and dockets (1841-1865)

RECORD GROUP: *St. Louis County Law Commissioner's Court, 1851-1865*

Administrative History

The Saint Louis County Law Commissioner's Court was established in 1851. The Law Commissioner's Court had the power and jurisdiction in all action founded upon contract, actions of trespass and trespass on the case, actions of forcible entry and detainer, and actions on mechanic's liens in which debt and damages were less than \$150 (this amount was revised to \$500 in 1864). The Law Commissioner's Court had superintending control over Justices of the Peace in civil cases and exclusive appellate jurisdiction with the circuit court in all cases not expressly prohibited by law. The Law Commissioner's Court was abolished as of January 1866.

Scope and content

Records of the Law Commissioner's Court consist of 52 cubic feet of processed records (1857-1865), 17 cubic feet of unprocessed records (1851-1856), 3 cubic feet of executions and fee bills, 1 flat oversized box, and 10 record books and indexes (1851-1865).

RECORD GROUP: *St. Louis County Land Court, 1853-1865*

Administrative History

The Saint Louis County Land Court was established by the Missouri General Assembly on February 23, 1853. The Land Court had original and exclusive jurisdiction in all actions founded upon a claim to the title or possession of land within the county of Saint Louis and all actions on mechanic's liens for more than \$150. The Land Court had a superintending control over the Probate Court, the Law Commissioner Court, and Justices of the Peace in all such actions, as relate to land, or any interest or right. The Land Court was subjected to a superintending control of the Supreme Court as well as the Circuit Court. The Land Court was abolished as of January 1866.

Scope and content

Records of the St. Louis County Land Court consist of 35 cubic feet of unprocessed records, 2 flat oversized boxes, and 14 record books and indexes (1853-1865).

RECORD GROUP: *Mechanic's Liens, 1824-1875*

Administrative History

In December 1821 the Missouri General Assembly passed "an Act for securing to mechanics and others, payment for their labor and materials in erecting any houses or other buildings in the state of Missouri." Builders, contractors, laborers, and material suppliers could file a claim on the building or property for any unpaid balance within a stipulated period of time. The lien specified who owned the property charged with the claim, included a detailed account of the work performed or material provided, and provided a description of the property to be charged with the lien. When

filed, the Mechanic's Lien took precedence over any other claims held against the property. If the claim was not paid the court could issue a judgment against the person responsible for paying the plaintiff for material supplied and/or work performed. Beginning in 1821, the Circuit Clerk was responsible for recording an abstract of the lien in a book kept for that purpose. The clerk was also to record the satisfaction or release of each lien in that book. Legislation passed in 1873 allowed for the filing of liens against railroads. The Circuit Court numbered and filed separately liens against railroads beginning in December 1874.

Scope and Content

Records of the Mechanic's Liens series consist of 20 cubic feet of processed records, 1 flat oversized box, and 8 record books and indexes (1824-1888).

RECORD GROUP: *St. Louis County/City Probate Court, 1804-1891*

Administrative History

The first Probate Court was established in 1804. Probate jurisdiction passed to the Court of Common Pleas from 1813-1815, then to the Circuit Court from 1815-1820, then to the County Court from 1821-1840. A separate Probate Court was established in 1841 and remains in existence today. All probate files were transferred between the courts.

Scope and Content

Records of the St. Louis County Probate Court include guardianship files (1802-1875) and decedent's estate files (1804-1891). The collection consists of 253 rolls of microfilm. MSA-St. Louis does NOT hold files or record books from the Probate Court. For those records, contact the [City of St. Louis Circuit Court](#).

RECORD GROUP: *St. Louis County/City Naturalization Records, 1816-1906*

Administrative History

Congress passed the first naturalization law in 1790. From that time through the early 20th century, immigrants could file naturalization papers in any court of record. In Missouri these courts included county courts, circuit courts, chancery courts, probate courts, criminal courts and common pleas courts. There was a two-part filing process, but the process did not have to take place in the same court. After living in the United States for two years, an immigrant could file the original "first papers," or declaration of intent (this requirement ended in 1952). After another three years of residence, the immigrant could file the petition for naturalization, or "second, or final papers". All Europeans residing in the Louisiana Territory (Missouri) at the time of the 1803 Purchase were automatically granted United States citizenship rights and privileges.

Exceptions to the general 5-year rule were:

- Wives and minor children of naturalized men were granted derivative citizenship and did not have to file.
- From 1824 to 1906, immigrants who were minors and had lived in the United States for five years prior to their 23rd birthday could simultaneously file the declaration of intent and petition for naturalization.
- An 1862 law allowed, after one year of residence, an honorably discharged Federal Army veteran of any war to file a petition for naturalization; the requirement for an original declaration of intent was waived. An 1894 law extended this to veterans of the Navy and Marine Corps. These were normally referred to as "soldier's papers."

Scope and Content

Naturalization records held by MSA-St. Louis consist of declarations of intent, or first papers, and petitions for naturalization, or second or final papers, and soldier's papers recorded in each of the various courts in St. Louis. These are recorded in 144 books for the years 1816-1906.

MICROFILM HOLDINGS

- Black Abolitionist Papers: 1813-1865, 17 reels
- Board of Aldermen, St. Louis: Minutes, 1830-1858; Ordinances, 1824-1877, 1988-1989, 19 reels
- Chancery Court: Case files, record books, and indexes, 1811-1849, 51 reels
- Circuit Court
 - Case files, 1804-1840, 1861-1865, 1866-1868, 621 reels
 - Record books, indexes, dockets, administrative, 1774-1888, 58 reels
- City Directories, St. Louis: 1848-1852, 1866-1870, 3 reels
- Coroner's Inquests: 1830-1900, 40 reels; Coroner's Accounts, 1837-1876, 1 reel
- County Court: Record Books and Minutes, 1804-1950, 84 reels
- Court of Common Pleas: Dockets, Minutes, and indexes, 1853-1865, 5 reels
- Criminal Court: Case files, 1840-1900, 362 reels; Record Books and indexes, 1831-1876, 14 reels
- Justices of the Peace: Commissions, 1825-1888, 3 reels; Dockets, 1848-1872, 2 reels
- Land Court: Record Books and indexes, 1853-1865, 7 reels
- Law Commissioner's Court: Record Books and indexes, 1851-1865, 4 reels
- Mayor's Messages, St. Louis: 1850-1901, 10 reels
- Mechanic's Liens: 1824-1875, 30 reels
- Missouri Gazette and Illinois Advertiser: 1808-1818, 2 reels
- Naturalizations: 1816-1906, 48 reels
- Probate Court: Case File Index, 1876-2000, 19 reels; Estates, 1804-1891, 227 reels; Guardianships, 1802-1875, 7 reels
- Recorder of Deeds: Marriages, 1806-1920, 25 reels; Land Surveys, 1806-1851, 1 reel
- St. Charles Circuit Court: Case files, 1805-1835, 39 reels

REFERENCE COLLECTION

546 books comprising primary and secondary resource material for regional, state and local history, including reports of the St. Louis Court of Appeals and the Missouri Supreme Court

COURT RECORDS – MSA-ST. LOUIS

