ST. LOUIS CIRCUIT COURT
CASE FILES
NOVEMBER TERM 1839 NO. 20

BOX NO. 26 FOLDER 20

ANDREW, OF COLOR, BY CELESTE, HIS MOTHER & NEXT FRIEND
VS.
PETER SARPY

TRESPASS; ASSAULT; FALSE IMPRISONMENT

FREEDOM SUIT

PLTF. ATTY. F.W. RISQUE
PLTF. SOUGHT $200 DAMAGES
DEFT. ATTY. BOGY + HUNTON

SEE ALSO JUDY VS. MOACHUM, MARCH TERM 1837, NO. 40, 41, 42.

- PLTF SON of CELESTE, GRAND DAUGHTER of JUDY WHO WAS BORN IN VA; SOLD IN LOUISVILLE, KY TO WILLIAM SULLIVAN THEN TO ROBERT BUNTON IN N.W. TERR; SOLD TO TOUSSAINT DEBOIS of KASKASKIA, SOLD TO PETER MENARD of WHO BROUGHT TO STL IN TERRITORY of UPPER LA AND SOLD TO WILLIAM LECOMPTE; CELESTE PRONOUNCED FREE IN CIRCUIT COURT of ST. LOUIS & ST. CHARLES CO., THEREFORE PLTF, CELESTE SON ENTITLED TO FREEDOM, ORDINANCE of 1787, VERDICT FOR PLTF.

To the Honorable Luke E. Lawless Judge of the circuit court of St Louis county: The petition of Andrew by Celeste his mother and next friend respectfully represents: That in the month of october 1799 a certain Robt Burton (then and for many years subsequent a resident of Vincennes in the north western Territory) purchased of a certain William Sullivan in the Town of Louisville and State of Kentucky, Judy the grandmother of your petitioner as a slave for life and immediately thereafter brought the said Judy to Vincennes aforesaid the place of his residence where she was kept and used as a slave by the said Burton and family until the about the month of april 1800 at which time she was delivered to a certain Toussaint Dubois who brought her to Kaskaskia in the Territory aforesaid, where she was delivered to a certain Peter Menard who brought her to St Louis in the territory of upper Louisiana and sold her in the month of august 1800 to a certain Wm H. Lecompte.

Your petitioner further represents that the said Judy remained in slavery until a short time since, when she and several of her children with the said Celeste was pronounced to be free by the verdict & judgment of the

& St Charles
circuit court of St Louis county. Your petitioner
further represents that he is now held in
slavery by a certain Peter Sarpy contrary
to law, he therefore prays that he may be
permitted to bring suit as a poor person
by Edith his mother and next friend
for the recovery of his freedom against
the said Peter Sarpy. Your petitioner
further represents that he is appre-
hensive that the said Sarpy may send
or take your petitioner beyond the limits
of this state, he your petitioner therefore
prays that the said Sarpy be com-
pelled to give bond and security to
have your petitioner forthcoming to
answer and abide by the judgment
of the court in the premises and ev
it please your Honor to make this
usual order in such cases made &
as in duty bound will ever pray
&c -

Andrew by
Edith his mother
& next friend
his
X
mark

State of Missouri
County of St Louis } ss.

This day Celeste a free woman of color personally appeared before the undersigned a justice of the peace for the county aforesaid and made oath that the matters and things in the foregoing petition contained so far as they depend upon her own knowledge are true and those coming from the information of others she believes to be true.

her
Celeste X
mark

Sworn and subscribed to this eighth day of July AD 1836 by James L Purdy Justice of the peace for Saint Louis County

It is hereby ordered that Andrew be allowed to sue as a poor person to establish his right to freedom by Celeste his mother and next friend and that Ferdinand Wherry be assigned him as counsel for that purpose.

That the said Andrew have reasonable liberty to attend his counsel and the court as occasion may require; that he be not removed out of the jurisdiction of the court and that he be not subjected to any cruelty on account of his application for freedom.

[illegible]

[illegible]
Circuit Court

No. St Louis

Circuit Court: Nov: Term 1839

Andrew J. Calvert &
Mortimer Trustfund
vs
Peter Sarpy
} Petition

St Louis Circuit Court.

November Term 1839.

County of St Louis To wit:

Andrew by Clotilda his mother and next friend by leave of the court first had and obtained complains of Peter Sarpy of a plea of trespass for false imprisonment. For that the said defendant heretofore to wit on the first day of July in the year of our Lord one thousand eight hundred and thirty nine with force and arms assaulted the said plaintiff to wit at the county aforesaid and then and there beat bruised and ill treated him and then and there imprisoned him and kept and detained him in prison there without any reasonable or probable cause whatsoever, for a long time, to wit: for the space of hours then next following contrary to law and to the will of the said plaintiff, and the said plaintiff avers that before and at the time of the committing of the grievances, was, and still is, a free person and that the defendant held and still holds him in slavery, and other wrongs to the said plaintiff then and

No. St Louis Circuit
Court. November Term 1839.

Andrew by Celeste his mother
and next friend

vs } Declaration.

Peter Lasley

This is an action of Trespass for false imprisonment to recover Damages $200. Clerk will issue summons.

J. W. Reigner
atto. for Plf.

Filed this 4th day of Dec. A.D. 1839 said Clerk
Two Hundred dollars and Thirty five cents
Fees Circuit Ct.

J. W. Reigner
Attorney for Plf.

Peter Sapp

ads

Andrew by Celeste his next friend & mother. 3

Plea.

And the said defendant by his attorneys comes & defends the wrong & injury &c and says that he is not guilty of the said supposed grievances above laid to his charge, or any or either of them, or any part thereof in manner & form as the said plaintiff hath above complained against him. And of this he the said defendant puts himself upon the Country.

Bogy & Hunton.
attys for deft.

No 20 Nov. T

Peter Lapsy
ads
Andrew – (a Colored man)

Suit for freedom

Plea – not guilty

Borgy & Benton
attys.

Filed November 27th 1839
W Rutan Clerk

County of St. Louis, ss.

THE STATE OF MISSOURI,

To the Sheriff of St. Louis County—GREETING:

We command you to Summon Peter Sarpy if he be found in your county that he be and appear

before the judge of our Circuit Court, on the first day of the next term thereof, to be held at the City of St. Louis, within and for the County of St. Louis, on the third Monday of November next, then and there to answer unto Andrew, who sues by Celeste his mother and next friend of a plea of trespass for false imprisonment

to the damage of said plaintiff of two hundred dollars: And have you then there this writ.

Witness, *JOHN RULAND*, Clerk of our said Court, with the seal thereof hereto affixed, at office, in the City of St. Louis, this Eighth day of July in the year of our Lord eighteen hundred and thirty-nine.

J. W. Ruland CLERK.

I acknowledge myself bound for all costs that may accrue in the above cause.

Witness my hand and seal, at St. Louis, this day of 18

SEAL.

No. 10

St. Louis Circuit Court

August Term 1839

Andrew by select his mother
and next friend

vs Summons

Peter
~~Antoine~~ Sarpy

Trespass for false imprisonment

Dam. $200.

Issue 1/2

Filed July 8th 1839

Mr. Rutland Clerk

Let issue

Sub. 1.00 & Return Jy 14th 12/81

Executed this writ in the County of Saint Louis ~~Lyon~~ the 8th day of July 1839 by reading it and the declaration to Peter Sarpy. ~~on the~~

Service 1.00

Marshall Brotherton
Sheriff
By Wm S. M. Knights
Deputy

In St Louis Cir. Court Nov T. 1841

Andrew by next friend
of
Peter Sarpy

Taken in custody to
secure freedom.

In this cause. Magnus
that a Judgment of Guilty be entered
in this entitled cause against
Defts Peter Sarpy, ~~and the Plaintiffs Andrew, an infant~~
~~pro hac suo~~. Feby. 2. 1841.

Bogy & Hunton
attys for Sarpy