

DeForsen County Circuit Court
Case Files - Criminal

Box

23 Folder 76

May 1869

State
vs

Klopper, Henry

Maliciously Killing Horse

Killed H. Stellbink's mare

State of Missouri } Fifteenth Judicial Circuit
County of Jefferson } In Circuit Court

May Term A.D. 1869

The Grand jurors of the State of Missouri
duly empanelled sworn and charged
to inquire within and for the body of
the County of Jefferson upon their oaths
do present that Henry Klossper late
of the County of Jefferson ~~upon their oaths~~
and State of Missouri on the first day of
February A.D. 1869 at the County of Jefferson
and State of Missouri did then and there
willfully feloniously and maliciously
kill man and wound one man
being then and there the personal prop-
erty of and belonging to one H. Stettin
of the value of one hundred dollars, against
the peace and dignity of the State

In Demand

Circuit Atty

State vs Henry Klopper

Maliciously killing one

Witnesses

H. Saltbrink

John Bremer - Mary Bremer
Cath. Stumberger Rachel Stumberger
Henry Meyer

A true bill

Michael McNamee
Foreman

Filed May 18th 1869

E. F. Honey Clerk

By S. H. Alford

clerk

CAPIAS.

State of Missouri, } ss.
 County of *Jefferson*

The State of Missouri,

To the Sheriff of *Jefferson* County---GREETING.

We command you to take *Henry Kloesfer*
 if he be found in your county, and him safely keep, so that you have his body
 before the Judge of our Circuit Court, at the Court House in *Hillsboro*
Missouri within and for the said County of *Jefferson*
~~on the~~ *Monday in forthwith* ~~next~~, then and there be-
 fore our said Judge, to answer an indictment preferred against him by the
 Grand Jurors of the State of Missouri, empaneled, sworn and charged to
 inquire in and for the body of the County of *Jefferson* aforesaid, for
Maliciously Killing Hore.

whereof he stands indicted. And this you shall in no wise omit. And have you
 then there this writ.

Given under my hand and the seal of our said Court.

Done at office in *Hillsboro* *Mo.*, in the
 County aforesaid, on this *18th* day of
May, A. D. 1869

Elias F. Honey Clerk.

By L. H. Alford Deputy Clerk

Winchell, Eberle & Mars, Printers, Hannibal, Mo.

CAPIAS.

bring in
Circuit Court,

Returnable Term, *May* 186*9*

STATE OF MISSOURI,

vs.

Henry Kloepper

Sheriff will take bond in penalty of
Dollars.

ATTEST:

_____, Clerk.

give Bond

*Ordered the within & bringing the body be fine the Sher Circuit Court at 24
Fred Schmeisser Sheriff
per Deputy*

COUNTY OF JEFFERSON,

The State of Missouri,

To Henry Shebark Shuckman, May Thomas

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 15 day of June 1869 at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein Alice Plaintiff, and Henry Shebark Defendant, on the part of fail. and herein you are in no wise to

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this 25 day of Oct A. D. 1869

Elias F. Honey Clerk.

By J. H. H. H.

SUBPOENA

To Jefferson Circuit Court.

State

Henry Klooper,

John Kromer

Mary Kromer

for State

COUNTY OF JEFFERSON,

The State of Missouri,

To

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear

before our Circuit Court for the County aforesaid, on the

13th day of Jan 1869

at Hillsboro, then and there to testify, and the truth to say in a certain

matter of controversy, now pending in our said Court, wherein,

State

Henry Hopkins

Plaintiff, and
Defendant, on the part of
and herein you are in no wise to
fail.

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this

25 day of

Oct

A. D. 1869

Clerk.

By J. H. Wood & Elias F. Honey

Served the within Subpoena this 27 day of October
1944 by reading the same to the within named
Henry Stelbrink and Catharina Steinberg and
Richard Maurer in their hearing and presence at
Jefferson County Mo

fees \$1.50

Fred Lichtenmayer Sheriff
By Fred Vollmuth Deputy

SUBPOENA

To Jefferson Circuit Court.

State

vs. Kleckner

Henry Stelbrink -

Catharina Steinberg X

Richard Maurer -

for State,

1944 - 27

Mo - 27

Served

COUNTY OF JEFFERSON,

The State of Missouri,

To Mary A. Worine

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 15 day of June at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *State* Plaintiff, and *Henry Stephens* Defendant, on the part of *John* and herein you are in no wise to fail.

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this 3 day of June

A. D. 1869

Elias F. Honey,

Clerk

John Stephens

SUBPOENA

To Jefferson Circuit Court.

Nov 5th 1869

State

vs

Henry Kleopfer

for debt

May A. Horne

Served the within Subpoena this 12 day

COUNTY OF JEFFERSON,

The State of Missouri,

To *Mrs. Katherine Marquis & Julia Wetzel*

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the *15th* day of *November* *1869* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *State of Mo* Plaintiff, and *Henry Blackford,* Defendant, on the part of *defendant* and herein you are in no wise to fail.

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this *11th* day of *November* A. D. 186*9*

Elias F. Honey
Clerk.

By d. H. Brown & Co

Served the within Subpoena this 11 day
of November 1869 by reading the same to
the within named Julia Vollmack & Belharine
Manning in their hearing and presence at
Jefferson County Mo

fees \$1.00

Fred Luchtemeyer or Sheriff
by Fred Vollmack
Deputy

SUBPOENA

To Jefferson Circuit Court.

State

vs
J. Belharine

Julia Vollmack

Belharine Manning

Served 11

COUNTY OF JEFFERSON.

The State of Missouri,

To Henry Meyers.

GREETING :

YOU ARE HEREBY COMMANDED, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the fourth, at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

Plaintiff and

State
vs Henry Bleckman

Defendant, on the part of

and herein you are in no wise to fail,

WITNESS, SAM'L A. REPPY, Clerk of our said Court,

with the Seal thereof hereto affixed, at office, this

16 day of Nov A. D. 1889

Edwin S. Henry Clerk.

2766

SUBPENA.

TO

Jefferson Circuit Court

.....*Nov*..... Term, 1869

State

vs

Henry Kleoppe

Henry Meyer

Served the within Subpenna this 13 day of November
1869 by reading the same to the within named Henry
Meyer in his hearings and presence at Jefferson
County Mo

fees 50 ct

*Tested Subpenna by Fred Schenck
By Fred Schenck Deputy*

COUNTY OF JEFFERSON,

The State of Missouri.

To Catherine Stenning & Richard Marquis,
Miss Catherine Amadio

You are Hereby Commanded, That setting aside all manner of excuse and delay,
you appear before our Circuit Court for the County aforesaid, on the Monday of
October 1870 at Hillsboro, then and there to testify, and the truth
to say in a certain matter of controversy, now pending in our said Court, wherein

State
Plaintiff, and Henry Mcopher

Defendant, on the part of State, and herein
you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this 15 day of

January J. D. 1870

Miss F. Honey Clerk.

By J. H. O'Connell Deputy

2764

State
or
Henry Kleopfer
Catharine Stemberg
Richard Maupin X

The within subpoena was served this 31 day of January 1864
by reading the same to the within named Catharina Stemberg
and Richard Maupin at their places of abode in the town of
in them hearing and professing at Jefferson County Mo

fees \$ 1.50

Fred Luck Tenney ex sherriff
 by Fred C. Kinnaird

Deposits

COUNTY OF JEFFERSON,

The State of Missouri.

To Henry Whitbark Auditor Mary Brown

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 1st day of

Liberty 1870 at Hillsboro, then and there to testify, and the truth

to say in a certain matter of controversy, now pending in our said Court, wherein

State,

Plaintiff, and Henry Kierstead

Defendant, on the part of Plaintiff and herein you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 15th day of

January A. D. 1870 Wm. B. Henry Clerk.

Ed. Woodford Deputy

State

vs

Henry Kleopfer^o

Henry Stebrink +
John Krumer^o +
Mary Krumer^o X

Served the within by reading the same to the within named Henry
Stebrink, John Krumer & Mary Krumer as before to Mr
as Jefferson County Missouri on the 27th day of January
1870

Given 150

Test Subscribed & sworn to
by Joel Volkmann
Deputy

COUNTY OF JEFFERSON,

The State of Missouri.

To Julia A Holmack Plaintiff
& Mary A Storrie & Henry Grasse

You are Hereby Commanded, That setting aside all manner of excuse and delay,
you appear before our Circuit Court for the County aforesaid, on the 2nd day
February 1870 at Hillsboro, then and there to testify, and the truth
to say in a certain matter of controversy, now pending in our said Court, wherein
State of Mo

Plaintiff, and

Henry Holmack
Defendant, on the part of A Defendant and herein
you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with

the seal thereof hereto affixed, at office, this 31st day of

January A. D. 1870 Elias F. Honey Clerk.

Or J. M. C. C. C.

Spa
State
or
Henry Kleopfer

Mrs A Julia Vollmarck +
Mrs Kady Mapin +
Mrs Mary A Horine +

The within subpoena was served this 1st day of February
1870 by meeting the same to the within named Julia
A. Vollmarck and Kady Mapin and Mary
A. Horine in their hearing and presence at Jefferson
County Pa

Fred Lusk Temagen Schenck
by Fred Vollmarck
Deputy
Fees \$2.00

COUNTY OF JEFFERSON,

The State of Missouri.

To

Henry Meyer

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the first week at Hillsboro, then and there to testify, and the truth

to say in a certain matter ^{A controversy,} now pending in our said Court, wherein State of Mo.

Plaintiff, and

Henry Hershbar
Defendant,

on the part of Plaintiff and herein you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with

the seal thereof hereto affixed, at office, this per day of

September A. D. 1870

E. F. Honey Clerk,

By H. Hershbar

State
to
Henry Kleopfer
for Ref
Henry Meyer

the within was served at Jefferson's house by wedding
the same to the within named Henry Thayer in his hearing
and presence this 24 day of February 1840 at Jefferson County N.Y.

decs 50 lts

Frederick Such Lemay & Schenck
By Silar R Green

COUNTY OF JEFFERSON,

The State of Missouri.

To

Edw Green vs H B Wells

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the

27th

at Hillsboro, then and there to testify, and the truth

to say in a certain matter of controversy, now pending in our said Court, wherein

State

Plaintiff, and

Henry Kleckner

Defendant, on the part of Plaintiff and herein you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with

the seal thereof hereto affixed, at office, this 1st day of

February A. D. 1870

E F Honey Clerk.

State
of
New Jersey

That within was served at Jefferson County, N.J., by reading the same within
the presence and hearing of the within named Elias H. Green
this 2^d day of February 1890

~~By Elias H. Green~~

and due to my or clerk's

290

Decs 30th 18

COUNTY OF JEFFERSON,

The State of Missouri.

To

John Veith & Mrs John Veith

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 3rd day of

February 1870 at Hillsboro, then and there to testify, and the truth

to say in a certain matter of controversy, now pending in our said Court, wherein,

The State of Missouri is
Plaintiff, and Henry Hleedner

Defendant, on the part of Defendant and herein
you are in no wise to fail.

WITNESS, Elias F. Honey, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this 2nd day of

February, A. D. 1870

E. F. Honey Clerk.
By J. H. Campbell, St

State

vs

Henry Meyer

Entered the within by reading the cause in the within named John
Devitt and the John Devitt his wife as defendant hereby return
the 2nd Day of February a D 1895
Jas. Orr

John Devitt and Mary
Devitt

1 The Court instructs the jury
that in order to constitute the offense
Charged in the indictment the killing
must be willfully and maliciously
done and unless the jury believe
from the evidence that the Defend-
ant killed with the malice and
also that the act was done
from malicious motives their verdict
should be for the Defendant;

2nd

The Court further instructs the jury that unless they believe from the evidence that the Defendant killed Methueto male and unless they also believe from the evidence that the act was done either out of a spirit of wanton cruelty or wicked revenge their verdict should be for the Defendant

Refused.

State
vs
Henry Kleopfer

Instruction
Refused

3rd The Court instructs the Jury that it is their Province to judge of the reliability of the several witnesses who have testified before them and to give such weight to their testimony as they may under all the circumstances of the case deem it entitled to,

4th

The Court instructs the Jury that if they have a reasonable doubt of the guilt of the Defendant they should acquit him, but that doubt should be a rational doubt and not a mere possibility of his innocence

If the jury believe from the evidence
that the Deft. Henry Klopper in the
County of Jefferson, State of Missouri
within three years before the finding
this indictment willfully and maliciously
by maimed, wounded or killed the
Mare of Henry Still think the jury
will find the defendant guilty and
as to his punishment by imprison-
ment in the penitentiary not
less than two years nor more
than three years or by imprison-
ment in the County jail
not less than six months or
by fine not less than two hundred
and fifty dollars or by both a fine
not less than, one hundred
dollars and imprisonment
in the County jail not
less than three months.

We the jury find the defendant guilty
and give her punishment, of two years
confinement in the Penitentiary

Michael H. H. H. H.

foreman