

Dofterson County Circuit Court
Case File - Criminal

Box

27

Folio

74

March 1871

State

vs

Faves, Henry

Felonious assault

Assaulted Fred Volmache
with a knife

State of Missouri }
County of Jefferson } ss,

This day personally appeared before the undersigned Justice of the Peace within and for said County, Frederick Volmack, who being sworn states that Henry Eaves of said County, did at the County aforesaid, on the first day of December 1870, maliciously, willfully and feloniously assault and strike at him the said Frederick Volmack, with a knife, and with a large stone, which he held in his hand with intent him the said Frederick Volmack then & there to kill and ^{or to do great bodily harm} murder; Contrary to the Statute, and against the Peace & Dignity of the State.

Fred Volmack
Sworn to and Subscribed
before me this 1st day
of December 1870
J. C. Powers J.P.

110
Helen Dec 1870
J. H. Swan 90

Heed Don 12 1870
L. J. B. 1870

Julia Anne 3 1871
M. J. 1871

The State of Missouri To the Sheriff of Jefferson
County Greeting Whereas complaint hath
been made before me a justice of the peace
within and for the county of Jefferson
upon the oath of Frederick Wollmaker
of the county of Jefferson that one Henry
Eaves of said County did at the County of said
said on the first day of December 1870
maliciously willfully and feloniously
assault and strike at him the said Frederick
Wollmaker with a knife and with
a large stone which he held in his
hand with intent him the said Frederick
Wollmaker then there to kill and murder
or to do great bodily harm contrary
to the Statute and against the peace & dignity
of the State These are therefore to command
you forthwith to apprehend the said
Henry Eaves and bring him before
to consider the premises and further to
deal with according to Law
Given under my hand this 1st day
of December 1870

J. B. Powers J. P.

Warrant

State vs
Henry Caves

Filed for record 1870
L. McCarty

Recd June 3 1871
W. J. Powers

Served the within Warrant 15 day of September
18 70 by bringing the Body of Henry
Caves before James C. Powers one Justice of
the Peace of Jefferson County Mo

Fred Lucktemeyer Sheriff
By Fred Vollmuth

fees \$ 1.00

Sept 5

Know all men by these presents that one
Henry Eaves as principal and Albert
Eaves

as securities acknowledge ourselves
indebted to the State of Missouri in
the sum of one hundred
dollars to be void upon the condition
that whereas the said Henry Eaves
has been arrested and brought
before Justice James B. Powers
for a felonious assault upon
Fred. Vollmack and whereas
the trial for said charge was
set by said Justice for Dec.
8th 1870. Now if the said
Eaves shall be and appear
before said Justice at his office
in St. Louis on the 8th day of Dec-
1870 to answer to said charge and
not depart without leave
then this bond shall be void
otherwise it shall remain in
full force.

Witness our hands and seals,
this 1st day of December 1870
Albert H. Hanna (Henry Eaves
work) (Albert Eaves
work)

Recd
Recd
Recd
Recd
Recd

Donal

State

Henry Daves

Filed Decr 12790

L. H. Daves

Decr 12790

W. H. Daves

The State of Missouri,

COUNTY OF JEFFERSON.

To

John William Cochran and

You are

hereby Commanded,

That setting aside all manner of excuse and delay, you

appear before our ~~Circuit Court~~ *Justice of the Peace*, for the County aforesaid, on the

1870

, at Hillsboro, then and there to testify and the *before said Justice* truth to say in a certain matter of controversy, now pending ~~in our said Court~~, wherein

The State of Missouri Plaintiff, and *Henry Evans*

Defendant, on the part of

in no wise to fail,

I am with you and herein you are
Declarer 1870 Justice of the Peace of
MISSOURI, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this

4 D. 187

day of

Clerk

SUBPENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

State Term, 18

vs
Henry Eanes
Jr
G J Johnston
John Williams
E Amor
John Williams Sheriff

J P fees

35

John Williams Sheriff fee \$2.00

Dated April 3^d 1871

W S Boyce clk

Served the within in Jefferson County Mo on
the 1st day of December 1870 on G J Johnston
John Williams & Eanes and John Williams
by directing the same to each of them
John Williams Sheriff

The State of Missouri,
COUNTY OF JEFFERSON.

To Messrs McCullen & W. Harris
Mr. Bridle et al. Defendants

You are Herby Comanded, That setting aside all manner of excuse and delay, you
appear before ~~the undersigned~~ ^{the undersigned} Justice of the Peace
~~the undersigned~~ ^{the undersigned} for the County aforesaid, on the 8th day of

December, 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 Missouri Plaintiff, and Henry Lane
of

Defendant, on the part of ^{plea an} ~~plea an~~ ^{and herein you are}
in no wise to fail. ^{May under my hand this 5th day of}
December 1870 at St. Louis, Mo.
~~Witness, ELIAS F. HONER, Clerk of our said Court, with the seal thereof~~

~~hereto affixed, at office, this~~ day of
A. D. 187

Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Term 18

vs
Henry Eaves
vs
Thomas McMullen
C J Marine
William Bridell
A Huffman

J P fees 35
John Williams Sheriff fee \$2.00

Served the within in Jefferson County, Mo on
the fifth day of December 1870 on Thomas McMullen
McMullen C J Marine and Wm Bridell and
A Huffman by executing the same to each of them
John Williams Sheriff

State of Missouri } Before Justice
 } James C. Poore
Henry Eaves

This affiant states that James C. Power the Justice before whom he is brought for trial saw the trouble which has given rise to this prosecution & he believes said Justice has formed an opinion as to the guilt of this affiant so that he cannot have a fair trial before him. He therefore asks for a change of venue.

Sworn to & subscribed } Henry + Eaves
before me Dec 8 1870
James L. Pamer Justice of the
peace

Offhand from
Chambers House

State
Young Ladies

Filed Dec 12 1871
J. H. Coffin

Filed June 30 1871
W. S. Chambers

State of Missouri, Plff } Before Justice
2 } James C. Power,
Henry Eaves, Deft }

Know all men by these presents
that we Henry Eaves as principal
and Albert Eaves & Elisha Eaves
as security acknowledge ourselves
indebted to the State of Missouri
in the sum of one hundred dollars
to be void upon this condition:
That whereas said Henry Eaves
has been arrested and brought
before Justice James C. Power
on a charge of felonious assault
upon Fred. Vollmoet and whereas
a charge of venue has been
taken from said Justice to
L. H. Alford another Justice
of the peace in ~~said~~ the County
of Jefferson. Now if said Henry
Eaves shall be and personally
appear before said Alford when
and where said Alford may
order this bond shall be void
otherwise it shall remain in
full force. Witness our hands &
seals Dec 8 1874.

Henry Eaves
Albert Eaves
Elisha Eaves

E. Elisha Eaves

Ind
State
Henry Davis

Ind Dec 12 1876
H. W. Davis

Ind April 30 1871
H. W. Davis

State of Missouri
against

Henry Eaves } This day personally appeared
before the undersigned Justice of the Peace
within and for said County Frederick Vollmoke
who being sworn states that Henry Eaves of said
County did at the County aforesaid on the
first day of December 1870 maliciously willfully
and feloniously assault and strike at him the
said Frederick Vollmoke with a knife and with
a large stone which he held in his hand
with intent him the said Frederick Vollmoke
then and there to kill and murder or to
do great bodily harm contrary to the
statutes and against the peace and dignity of
the State of Missouri warrant issued directed
to the Sheriff of Jefferson County J. C. Powers J. P.
Sheriff returns the warrant with the body
of Henry Eaves in court and the Defendant
not being ready for trial this cause is
continued until the 8th day of December
next by the Defendant given Bond in the sum
of one hundred Dollars which is done and approved
J. C. Powers J. P. none on the 8th day of December 1870
comes the Defendant Henry Eaves in court and
tenders his affidavit praying for a change
of venue to some other Justice which is
considered by the Justice and the same granted & said

I said Defendant it is there fore considered
by the Justice that the Defendant have a Change
Vince from said Justice J. H. Alford
Justice of the peace and there is a new Bond
required by said Justice which is given and
approved by said Justice J. H. Power Justice of the
peace

State of Missouri
County of Jefferson

I J. H. Power a Justice
of the peace within and for Central Township in the
County of Jefferson aforesaid hereby certify that the
above Manuscript is true and correct as shown upon by my
Book to Judge under my hand this 8th day of
December 1870

J. H. Power
Justice of the peace

State,

by

Henry Zues

Inventor of
Boiler #

Filed Dec-12/86

L. H. Coffin

Att'y

Deco April 3. 1871

Providence etc

The State of Missouri
County of Jefferson

To Thomas M Mullin, C. J. Horner J. C. Power
William Biddle and Heffernan
You are hereby Commanded. That setting
aside all manner of Excuse and Delay
you appear before the undersigned Justice
of the Peace for the County aforesaid on the
6th day of January A D 1871 at my
office in Vienna then and there to
testify and the truth to say in a certain
Matter of Controversy now pending in
~~my~~ said Court wherein the State
of Missouri is plaintiff & Henry
Eures is Defendant on the part
of Plaintiff and that you are in
no wise to fail

Given under my hand this
22nd day of Decr 1870
L. H. Alfred
J. P.

I heard this on. A Hoffman and 67
Merine and.

B. Picmulin and 77. Bridelle not found
in the country

I send the return in James LeRoux to J. Hornie &
 A. Hoffmann on the 3rd day of January 1870
 by Reading the same to them at J. Huskey
 Constable

Joseph Hornie
 Acknowledged 8. Jan. 4. 70

State
 Henry D. once
 Thomas M. Muth
 E. J. Hornie
 William B. Diller &
 A. Hoffmann
 J. J. Lee 3.57
 John Lee 50
 2 men cab 1.00

Given April 30 1871
 W. J. B. once

State of Missouri Before L. H. Aelford
Against Justice of the Peace
Henry Eaves } Change of Venue from
the Docket of J. C. Power

The State of Missouri to Henry Eaves,
Greeting

Whereas there has been filed in
my office a transcript of a change
of Venue in the above Cause
there are therefore to command you
that you appear before the undersigned at
Victoria Jefferson County Mo. on the 6th day
of January A.D. 1890. the day set
for the trial of the above cause.
Witness my hand this 3rd day
of Decr 1890.

L. H. Aelford
L. H.

I serve this on H. Ewer on the 3th
 day of January by leaving a copy at
 his place of a code A. J. Hursey
 Constable

State

Hempstead

Noted

30

Constable 30

Delivered 30 1871
 J. J. Hursey

The State of Missouri
County of Jefferson
J. G. Johnston
Sham Williams. John Williams
& Fred Volmuck

You are hereby
Command that Setting aside
All manner of Excuse and delay
You appear before the undersigned
L. H. Alford Justice of the Peace
within and for said County on the 13th
day of January 1871 at Hillsboro
then and there to testify and to
say in a matter of Controversy now pending
before said Justice. Wherein the State of Missouri
is Plaintiff & Henry Caves is Defendant
on the part of Plaintiff & herein you are
in no wise to fail

Given under my hand this 7th day
of January A.D. 1871
L. H. Alford J.

I served this on Jo Williams and
J Volmac a J Williams and G. J. Johnson
on the 11th day of January 1871

Jo
State
Henry Davis

for
John Williams
John Williams
G. J. Johnson
Shells Volmac R

G. J. Johnson
Korobaka
33
\$136

John Williams
1871
\$136

The State of Missouri
County of Jefferson B To Emr
To H D M Mullin
C. J. Horine

You are hereby Commanded
that setting aside all manner of
Excuse and delay you appear before
the undersigned one of the Justices
of the Peace for Central Township in
said County, on the 13th day of
January 1871 at Keosauqua then
arrive to testify and the truth to say
in a certain matter of controversy now
pending before said Justice wherein the
State of Missouri is Plaintiff and
Henry Eaves is Defendant on part
of Plaintiff and you him receive before
Given under my hand this 7th day
of January A D 1871

L. H. Alford
Justice of the Peace

I sealed this on C. J. Horine and
E. Amore and T. McMullin on the 11th and 12th day of
January 1871

Wm
J. H. and
J. H.

State

Henry Sance

Shawnee for Chautauk

E. Amore

J. H. B. M. McMullin

C. J. Horine

J. J. Lee

Constate

33-

85-

Recd April 30 1871

W. J. Lee

State of Missouri } ss
County of Jefferson }

Be it remembered that on, the 13th
day of January A.D. 1871 at the County
aforesaid

Came before a Justice of the peace within
and for the County aforesaid, and, in their
own proper persons, acknowledged them-
selves indebted to the State of Missouri
in the sum of fifty dollars each,
to be levied of their goods and
chattels, lands and tenements, upon
condition that if they and each of
them shall appear before the circuit court
on the first day ^{of the next term} thereof; to be holden for
the County of Jefferson then and there
to testify and give evidence in behalf
of the said State, against Henry Eaves
on a certain charge of Assault with
intent to kill or do great bodily harm,
where with the said Henry Eaves is charged
and shall not depart the said court without
leave, then this recognizance shall be void

otherwise to remain in full force.

Approved this
13th May 1871
at St. Mary's

Good to know,
Mrs H. M. Mullin
Mrs A. H. M. M. M.
Mrs. H. M. M.

John M. M.
John M. M.
John M. M.
John M. M.

Good to know,
Mrs H. M. Mullin
Mrs A. H. M. M.
Mrs. H. M. M.

Filed April 3. 1871
W. S. Boyce clerk

State of Missouri }
County of Jefferson } ss.

Be it remembered, that, on the 13th day of January 1871, Henry Eaves, Albert Eaves and W. A. Wensley of Jefferson County Missouri personally came before me, Louis H. Alford, a Justice of the Peace within and for said County, and acknowledged themselves to owe to the State of Missouri, that is, to say, Henry Eaves the sum of one hundred ^{dollars}, and the said Albert Eaves and W. A. Wensley each the sum of one hundred dollars, to be levied of their goods and chattels, lands and tenements, if the said Henry Eaves shall fail in the Condition underwritten.

The Condition of this recognizance is such, that if the above bounden Henry Eaves shall ^{appear} personally at the Circuit Court, on the first day of the next Term thereof, to be holden for the County of Jefferson, Missouri, on the first Monday of March next, then and there to answer to an indictment to be preferred to the Grand Jury against the said Henry Eaves for an Assault with intent to Kill, or do great bodily harm, on the person of Frederick Volinack, whereof he stands charged, and shall not depart the same without leave of the Court, then this recognizance to be void, otherwise to remain

in full force. ^{at test} W. A. Wensley }
Taken and certified the day and year
last foregoing. L. H. Alford

Justice of the Peace

Henry Eaves ^{his}
Albert Eaves ^{mark}
W. A. Wensley ^{his} ^{mark}

*Letter to
Henry Jones*

And for all
at Circia Court

Black January 13th 87
L. H. Arnold

21st April 30/1871
W. D. Jones Esq

State of Wisconsin } Changed Venue to the
vs } Court of St Albans N.H.
Henry Eaus }

January 13 1871

This being the day set for trial all parties being
present and the defendant by agreement waived a
formal Examination. The Defendant Henry Eaus
Enters into recognizance for his appearance before
the Circuit Court at March Term 1871
in the sum of One Hundred Dollars and
Henry Eaus Albert Eaus & Waffensly. app
roved July 13 1871. St Albans N.H.

Also Bound for the following Witnesses
Fred. Volmace Thos H B M Maclean,
Wm Bidelle C F Horine John Mellicious
A Hoffman, Jas L Power.

I hereby certify that the foregoing
is a full true & complete transcript
of the docket entries in my office
Witness my hand this 20th day of March
1876.

L. H. A. J. P.

Will

2857

State
Henry (Dancer)

Miss Anne 3/1871
W. M. Dancer

Order Discharging Recognizance
April 3/1871
Vol 16 page 313

State } In the Jefferson
vs } Circuit Court
Henry Eames } March Term 1870

Now at this day comes
the defendant by counsel and
asks the court to discharge
him from the recognisance entered
into, to appear at the March Term
1871 of the Jefferson county
Circuit Court to answer
to an indictment to be
preferred by the Grand jury
for an ~~assault~~, Felony, Assault
on one Fred Volmuth, for
the following Reasons to wit:
1st Because there has been no indictment
found against him for any
offence

Thomas & Thomas
Attys for deft

2857
Strat

Henry Eager

Motion to ~~dismiss~~
release left
from Reafurman

Filed Mar 29 1987
mfb:cc eb

State of Mo } Assault with intent to Kill
 vs } Change of Venue from J C Power I.P.
 Henry Eaves } to L H Axford I.P.

J.E. Bill

James C. Power I.P. Issue warrant ³⁵ affd ³⁵ 70
 Issue 2 xpa^d. 70 Docket & ind ¹⁰ Transcrip^t ^{4.00} words of j. @ ⁵ 60 1.40
 affd for chg ³⁵ Bond ³⁵ 70 2.80

L H Axford I.P. Notice to parties of chg ³⁵ - 3 sp^o ^{for state} 1.05 1.40

3 sp^o for deft 1.05 Bond of Wts. ³⁵ Bond of Deft ³⁵ 1.75

Docket ¹⁰ Transcrip^t ³⁰ 40 \$3.55

A Hensley Constable, Services for ²⁷ Law days.

1st Before J C Power, L H Axford. Sine 12 wits ^{State} @ ²⁵ 3.00

Sine. 6 wits for deft - ^{at two dep^t times} \$3.00

Sine Notice on Co atty ³⁵ Notice to deft ³⁵ 70 6.70

John Williams Sheriff Sine 8 Wits @ ⁵⁰ 4.00 4.00

Witnesses before J C Power, I.P.

C. T. Morine ⁵⁰ J. A. B. McMullin ⁵⁰ John Williams ⁵⁰ 1.50

E. Amor ⁵⁰ John Williams ⁵⁰ G. Johnston ⁵⁰ 1.50

A. Hoffman ⁵⁰ J. Volmack ⁵⁰ 1.00 4.00
 \$21.05

Witness before L. Keefe and J. D. H. 21.05

Thos. Wetmore, 2 days 41.00 7th D. M. Mullins, 2 days 1.00 2.00

W. J. Morris, 1 day 58 John Williams, 1 day 50 1.00

John Williams, 1 day 50 Wm. D. Mullins, 1 day 50 1.00

C. H. Hoffman, 1 day 50 50

Total and \$20.55

State of Missouri, 20

County of Jefferson, I hereby certify that the foregoing

is a true and complete true bill from my best

knowledge and the 3rd day of August 1871

L. H. W. and J. D. H.

State
of
H. Lane

For Deed

Filed April 3^d 1871
W S Boyce
ck