

Jefferson County Circuit Court
Case Files - Criminal

Folder 1 of 2

Box 28 Folder 2

March 1871

State

vs.

Reppy, George

Murder

Killed Hiram E. Reppy with a
knife; depositions

State of Missouri }
County of Jefferson

On this 28th day of Sept-
1870 personally appeared before me a Justice of
The Peace within and for said County B. F. Butler
who being duly sworn on his oath States that
on the 27th day of Sept-1870 at the said County
of Jefferson one Geo Keffy did then and there
unlawfully assault with a Knife with intent
to kill inflicting three severe wounds on his body
in a rude insolent and angry manner upon the
body of the said H. E. Keffy Contrary to the form of
the Statute

B. F. Butler

Subscribed & sworn to before me
this 28th day of Sept 1870

Geo W. Sublett
Justice of the Peace

State of Missouri }
County of Jefferson }

The State of Missouri to the Sheriff or any
Constable of said County greeting

Whereas Complaint has been made before
me a Justice of the Peace within and for the
County aforesaid upon the oath of B. F. Butler
that Geo Rippey late of the County aforesaid
did on the 27th day of Sept 1870 at the said
County of Jefferson on Geo Rippey did then
unlawfully assault with a knife with intent
to kill inflicting three severe wounds on his
body in a rude insolent and angry manner
upon the body of the said H. E. Rippey contrary
to the form of the Statute Now are therefore
Commanded to forthwith take the said
George Rippey and bring him before me to
answer said Complaint and be further
dealt with according to law

Given under my hand this 28th day of Sept 1870

Geo W. Sublett
Justice of the Peace

I recd the within writ by having
the body of the within Names George
Reppy before the Justice at his of
fice in Walla Walla Township in Jefferson
County Mo. this 28 day of Sept
1890

Attest 75th

R. Washburn
Clerk

State
vs
Geo Reppy

This State of Missouri to the Constable of
Vall Township Greeting,

To, W. Bridell, C. L. Foster, Dr W^m Evans
Dr H. Bentley - John Smith -

You are hereby commanded to come before the undersigned
a Justice of the Peace acting as coroner (at the dwelling
of B F Butler in De Soto) in said township on the 29th
day of September 1870, at 2 O'clock P.M., to be examined
and to declare your knowledge concerning the dead body
of a person now lying there - And hereof fail not
under the penalty of the law -

Given under my hand this 29 day of
September 1870.

Car. C. Pamer
Justice of Peace
acting as Coroner

186

De Soto.

Assessor's Office, 2d District, Missouri.

United States Internal Revenue.

State of Michigan }
County of Jefferson } Endorsed Nathaniel, executor of.

Pelle Ironworks, county & State of Michigan, hereby certify that &
second the within summons, at election held, on the 29th of October,
the same to the within named, Mr. Reddell, O. L. Foster,

Dr. Wm. Evans, Dr. Hugh Beards, and John Smith, on the 29th
day of Sept. 1870. witness my hand this 29th Sept. 1870

Geo. H. 1.25.
J. R. Washburn
Notary Public Ironworks

Summons for
Witnesses

W. Bridell

C. L. Foster

W^m Evans m.d.

H Berkley m.d.

John Smith

Filed Oct 14 1870

State of Missouri }
County of Jefferson }

The State of Missouri, to William Bredell,
Saunders Pool, William Clark and Joseph Huff - Greeting

You are hereby commanded to appear forth with, before
me, James C. Power, an acting Justice of the Peace
within and for the county of Jefferson, and an inquest
now sitting at Desoto. in said county, to be examined,
and to declare your knowledge concerning the manner
in which Hiram E. Reppy, there lying dead, came to
his death, and all other matters in which you shall
be examined, ; and hereof fail not at your peril,
Given under my hand this 29th day of September 1880
Justice of the Peace

State of Wisconsin
County of Jefferson J. Rutledge Washburn, constable of Palle,
knoweth, in and for the aforesaid State and county, hereby
certify that I accept the duties of constable at election September
every year on the 29th day of Sept, 1870 by reading the same
to the public named, Saunders and Joseph Stupple and
that the public named Milkewie Clark could not be found
in my territory, I give under my hand this Sept 29th
1870
J. R. Washburn
Jes 5006 Constable of Palle Township

Summons for Witnesses
Inquest on the body of
H. E. Repp

William Brethell
Saunders Pool
William Clark
Joseph Huff

Filed Dec 12 1880

The State of Missouri,
To the Constable of Valle Township in the county of Jefferson
— Greeting,

You are hereby commanded forthwith to
summon a jury of six good and lawful men, householders
of your Township, to appear before me, James C. Power, an
acting Justice of the Peace, within and for the county and
State aforesaid, at Desoto in Valle Township, in the county
aforesaid on this day at 3 O'clock in the afternoon, then and
there to inquire of and do all such things as shall be lawfully
given them in charge, touching the death of Miriam E. Peppy;
and be you then and there with this writ, to certify what you
shall have done in the premises, and further to do what
shall then and there be enjoined upon you, according to
law, Given under my hand this 29th day of September 1880
James C. Power Justice of the Peace

State of Wisconsin }
Jefferson County } Rudolph Mackhane, Constable
of Valle Stansfeld, in the County and State aforesaid
hereby certify that in obedience to the within writ
to me directed and delivered, I have summoned as
persons, for the purpose in the within writ mentioned the
following named persons, good and lawful persons, and
readers of my Spanish aforesaid, in accordance with
the tenor of said within writ = viz, W. J. McCormack,
Thomas C. Kelly, Mary Stansfeld, John J. McMillin, William
Porter, George Buckenridge
J. Mackhane
Constable Valle Stansfeld

7th Dec 1880

Writ to Summon
Juries

Inquest of the body of
H. E. Peppy

W. F. McCormack

Thomas C. Kelley

Kerry Knappe

John J. McMillan

William Parter

George Brakewood

Writ Oct 1st 1876

You solemnly swear that you will diligently
inquire and true presentment make how and
by whom the person ^{who} here lies dead came to
his death and you shall deliver to me
James C Power Justice of the Peace acting as
Coroner a true inquest thereof, according
to such evidence as shall be laid before
you and according to your knowledge -

William J. McCormack

George Breckinridge

John J. McMullin

William Porter

Thos. C. Kelley

Chas. E. Kelley

Sworn to and Subscribed
before me this 29th day
of September 1870

J. C. Power Justice of the Peace

Alfredark made
by James —
on Body
of

Dec. 1st 1870

Testimony of Witness, examined, before the
Coroners Jury on the dead body of H E Reppy
taken at Desoto 29 ~~Sept~~^{September}, 1870.

W. Bridell - on Tuesday evening 29 ~~August~~^{September}, at a few
minutes before the Express train going south arrived
at Desoto - Saw Deceased and George Reppy
in conversation in the Bar Room of Southall Hotel.
They appeared to be quarreling, not talking very loud -
I ~~spoke~~ spoke to H E Reppy the deceased. He turned
round to the Bar - heard deceased tell George Reppy
"If he talks about him again in that way he
would cowhide him" George Reppy replied
"you're not man enough" the deceased replied
"you are a d-d liar" Then both jumped
to their feet, the deceased caught or grabbed
George Reppy by the shoulder, George caught
~~the~~ the deceased under the right arm - Then I
started toward them & saw George strike at the
deceased with his right hand, I got between
them & pulled them apart, In pulling them
apart they were both trying to strike - I took
the deceased to the top of the stairs and
he told me "he was cut" he pulled his vest
open & showed me blood on his shirt - Some
man took hold of deceased, and I went
back and into the Bar Room & arrested
George Reppy, He had a knife in his
hand & said to me "It was a good thing
that I jumped in between them, or he George
would have saved his (the deceased) Back on the
next time I cut him - for He (George Reppy)
could not reach deceased after I got between
them -

Declining

(also)

before becoming
on the way of

W. E. Kellogg

They were both setting down when ~~they~~
 I first went into the Bar Room - The
 Knife ^{George Petty} he had was tolerably large one - the
 blade I think was over three inches long - I
 left deceased at the top of the stairs leading
 into Donthells Bar Room - I saw nothing
 more of the deceased until I saw him in
 this room - when he died - I saw ~~the~~ Dr Berkley
 dress deceased's wounds - ~~But~~ George
 Petty told me that he cut "deceased"
 with this knife" there was blood on the
 knife clear up to the handle - Did not
 see ~~George Petty~~ the knife in George Petty's
 hand at the time they were fussing - George
 did not say how often he cut deceased
 with the knife - George asked me how many
 times he had ~~cut~~ ^{hit} deceased ~~with this~~
 with this. he George Petty had his knife
 in his hand when he asked this question -
 I answered "I did not know" ~~then~~ the
 next place I saw deceased was at Mr Butters
 lying on a Bed on ^{the} floor - This was about
 20 minutes or half an hour after I left
 the deceased at the top of Donthells stairs
~~Don't know~~

Wm A Bridell

attest }
 Mo Craig

Sworn to & Subscribed before
 me this 29 day of ~~August~~ ^{September} 1870

Jas. C. Power
 Justice of Peace
 acting as Coroner

San

~~Samuel~~ ~~Doyle~~

Hugh Berkly M.D.

Was called on Tuesday ^{September} 27th Inst
after train went south, to see the deceased.
H. E. Reppy here lying, and found him
wounded with 3 Stabs - one 4 inches above
the Navel or Umbilicus, one inch to the right
of the Mesial line which penetrated the
cavity passing through the ^{upper} anterior border
of the liver, and the diaphragm
penetrating the lower portion of the right
lung. There was Venous & Arterial blood
& also air all ^{also exhaled some blood}
passing out of this Orifice. This
wound I consider sufficient to produce
death without any other. ~~Another~~
There were two other wounds in the
left groin, one of which I am certain
penetrated the cavity, and probably
would have proved fatal of itself -
The other would did not - I believe
~~was the cause of the death~~ these
wounds caused the deceased's death,
- did not see deceased receive them wounds -
I was attending Physician on deceased
from the time he received these wounds
until his death - Dr Childs & Dr Ashburn
saw deceased at my request, and I am
now examining the Wounds, They were both
of the opinion that the wounds would
prove fatal - the deceased has gradually
sunk from the time I first saw him
until his death - I am satisfied
these wounds were the cause of the

death of deceased. Could be no better satisfied by a further examination of the body of deceased —

The deceased was Ric-cupping at the time I first saw him showing that the Diaphragm had been penetrated —

Hugh Burley M.D.

Sworn to & Subscribed
before me this 29 day
of September 1870

Jas L Power
Justice of Peace
Acting as Coroner.

Wm Evans M.D.

I have examined the body of deceased
H.E. Reppy, have seen the Wound, found
two of them penetrating the Cavity of
the Abdomen, discovered extravasated
blood, air oozing from the upper wound,
and of an opinion deceased
died of Peritonitis, the remote cause
wound in the cavity from some sharp
instrument — Either of them were
sufficient to cause death — There was a
third wound not penetrating the cavity.

W. Evans M.D.

Sworn to & Subscribed
before me this 29 day
of September 1870

Jas L Power
Justice of Peace
Acting as Coroner.

H. E. Hape M.D.

Saw the wounds on deceased
H. E. Reppy. Two of which were
penetrating, mortal. One in the lower
border of right Thorax to the right of
the middle line of the body - penetrating
the Thoracic ^{+ abdominal} Cavity & the other
in the left Groin, also penetrating
the abdominal cavity - one other
wound near the latter, apparently not
penetrating the abdominal cavity -
I believe the death was caused by
Peritonitis produced by the two first
described wounds -

H. E. Hape M.D.

Sworn & Subscribed before
me this 29 day of ^{Sept. (month)} ~~Aug~~ 1870 }

Jas. C. Powers
Justice of Peace
& Acting Coroner.

Saunders Pool.

Was in Donthells Saloon Tuesday evening 27 ~~Aug~~ September, George Reppy & the deceased H E Reppy were both in there - both sitting near a table talking - I heard the deceased call George Reppy a "Condemnable Pub" he also told George "Some one had been talking about him" - and if it was him George Reppy. "He intended to cow hide him" George Reppy told deceased "he did not think he could cow hide him or anybody else" - Deceased told George he "could do it" and if he "wanted any thing out of him he could have it there" - Did not hear George's reply ~~by the way~~ but heard the deceased call George a "d-d liar" then both jumped to their feet, I saw no blow passed with the fist - Saw deceased make a grab for George's throat or shoulder - Then saw Mr Bridell jump in between them - while he Bridell was trying to part them, saw George Reppy make motions with his right hand - When Bridell parted them he took the deceased up stairs - That was the last I saw of deceased until I saw him in Mr Bittens house -

Bridell returning almost immediately into the Bar Room & arrested George Reppy - Bridell told George he had cut the deceased & George

replied he "had done it in self defense", That is all I know about it - did not see any knife in the hands of George Reppy - either before or after the fuss -

Ganders Pool

Sworn & Subscribed Before
me this 29 day of Sept 1870 }
Jas. C. Parker
Justice of Peace
Acting as Coroner.

Q. L. Foster, — I Am Marshall of Desoto,
Did not see the affray, news came to me that the deceased was badly cut - ^{found him} ~~was~~ in Ben Butters house on a bed on the floor - his breast & stomach was naked, I saw the upper wound - I asked deceased who done it - His first answer was "Go to Mr Bridell & he will tell you" then he further said "it was George Reppy done it" and I went you to go and arrest him - I arrested George Reppy in the street near Hamels Drug store - I said George I have orders to arrest you, he replied "Chap. I will go with you anywhere" Went into Hamels Drug Store with George - George took a knife out and said that is the knife I done it with - ~~me~~ George asked me if there was not more than one cut on deceased's body - he also said there ought to be two cuts -

This is the knife that George Reppy pulled out of his pocket at Hamels drug store. The knife now before the Coroner & deposited with him. I know the knife from a fracture in the handle — Sam B. S. Reppy have this knife in his hand in Hamels Drug store apparently rubbing something off the blade — I said to George "this is a mighty ugly scrape you have got into it is a bad piece of business. He replied "Chap if it was to do over again I would not do it", George asked me if I saw any scratch or cut about the neck of deceased, he further said "if I would look close I would find one" — He further stated that when he cut the deceased he was not excited, and was as cool & deliberate as he ever was in his life — Cant help but think these wounds caused the deceased's death.

C. L. Foster

Sworn to & Subscribed
before me this 27 day of September 1870

Jas. C. Pamer
Justice of the Peace
Acting as Coroner.

W Bridell - recalled.

I ~~know~~ saw this knife in possession of George Reppy. It was in his possession Tuesday evening 27 September. The George Reppy ~~got~~ gave it up to me on the road ~~for~~ while going from Hamels Drug Store to Fosters. This is the knife he had open in his hand when I arrested him in Donthells Bar room. I gave this knife to Constable Washburn when I delivered the prisoner George Reppy to him. Believe that George Reppy had a knife in his hand picking his nails when I first saw him in Donthells Bar room before the fracas. I identify the knife by a fracture in the handle, and also saw this knife frequently before this fracas in possession of George Reppy.

Sworn & Subscribed

W. Bridell

before me this 29 day
of September 1870.

Jas. C. Powers
Justice of Peace

Acting Coroner

R. Washburn

This knife ^{now before the Coroner} is the knife given me by W Bridell when he delivered the prisoner Geo D Reppy to me.

Sworn & Subscribed before me
this 27 day of September 1870

R Washburn

Jas. C. Powers
Justice of Peace
Acting as Coroner

Testimony of Witnesses taken
before Coroner Inquest on body of
H. E. Reppy Dead.

Chandler }
Chandler }
Atty of Justice

Filed
Atto Dec 1st 1870

State of Missouri }
County of Jefferson } ss.

An Inquisition taken
at the residence of Benj F Butler in the
Town of De Soto in the County of Jefferson
on this 29 day of September 1870. before
me James C Power a Justice of the Peace
acting as Coroner. upon the View of the
Body of H. E Reppy, then and there lying
dead, W^m F. M McCormack, Thomas C.
Kelly, Carey Knapp John T. M Mullen
William Porter and George Brackenridge
good and lawful men householders of
the Township of Valle in the County aforesaid
who being sworn and charged diligently
to inquire and true presentment make
how and in what manner and by
whom the said Hiram E Reppy came
to his death, upon their Oaths do say,
"That the said Hiram E Reppy, came to his death by wounds,
inflicted on his body. We believe by the hands of George D.
Reppy."

In witness whereof as well the aforesaid
Justice of the Peace acting as Coroner, as the Jurors aforesaid
have to this inquisition put their names at the place and on
the day and year aforesaid.

Jas. C. Power
Justice of the Peace
acting as Coroner

Thos. C. Kelly
William F. McCormack
William Porter
George Brackenridge
Carey Knapp
John T. Mullen,

Verdict
Coroner Jury
on body
of
H E Reppy

Filed Oct. 1st 1870

W^m Hugh Berkley - W^m Evans - C. L. Hoster
W. A. Bridell - Rudolph Washburn - John Smith
W^m ~~Butler~~ Clarke - B. F. Butler - J. H. Hupph,
Sander Pool.

acknowledge ourselves, severally to stand indebted to the
State of Missouri, in the sum of One Hundred Dollars
each, upon the condition, that, if each of the above
named persons shall make his personal appearance
before the circuit court, on the first day of the next term
thereof, to be holden for the county of Jefferson at Hillsboro
on the 1st day of ~~Sept~~ 1871, and then and there to
testify to their knowledge touching the death of
Hiram E. Reppy, and do not depart thence without the
leave of said court, then this Bond shall be void;
otherwise it shall remain in full force. Witness our
signatures and seals this 24th day of Sept. 1870

Hugh Berkley M.D.

Wm Evans M.D.

C. L. Hoster

W. A. Bridell

R. Washburn

John W. Smith

B. F. Butler

Sander Pool

W. H. Clarke

attest J. M. Craig

Bone for the
offensive of m. h. s.

91 Dec 25

Dec. 10, 1870

State of Missouri }
County of Jefferson } Be it remembered that, on the 4th day
of October 1870 at the County aforesaid Hugh
Berkley, John A. Smith, Sanders Pool,

came before me a Justice of the County
Court within & for said County, and
each in his proper person acknowl-
edged himself indebted to the State
of Missouri in the sum of One
Hundred Dollars, to be levied of
his goods and chattels, lands
and tenements; upon condition
that if he shall personally appear
before the Circuit Court of said
County on the first day of the
next term thereof, to be holden
for the County of Jefferson aforesaid,
then and there to testify and
give evidence in behalf of the
said State against a certain
George Rippy on a charge of
murder wherein the said
George Rippy is charged; and
shall not depart the said
Court without leave, then

his recognition to be void;
otherwise of full force -

Hugh Berkeley M.D.

John W. Smith

Ganders Paul

C. L. Foster

W. A. Campbell
#207 South 2nd St

Recognition of
Antiquities

State of Missouri - { Before George W.
 agt { Sublett, Justice
 George F. Rippey of the Peace-Vale
 Township - Jefferson
 County, Mo -
 Sept. 28 - 1870

Fee Bill -

Justice Fees -

1 Affidavit -	-	-	.35 ^c
Docketing -	-	-	10
Warrant -	-	-	35
Transcript -	-	-	1.00
Commitment -	-	-	50
			<u>\$2.30</u>

Constable's Fees -

Serving Warrant -	75 ^c
Taking prisoner to jail	1.00
Mileage - 16 miles - 90 ^c per mile	1.60
Guard to prisoner	1.25
House Hire -	1.00
Board of prisoner -	1.00
	<u>6.60</u>
	<u>\$8.90</u>

I hereby certify that the above
 account of fees and costs
 accrued in the case of the
 State of Missouri vs George F.
 Rippey is correct and just -

George W. Sublett
 Justice of the Peace

State of Maryland

vs

George F. Kelly

for 2000

State of Missouri }
County of Jefferson }

Samuel A. Reppy of
Lawful age on his oath says that
that one George Reppy Late of the
County of Jefferson in the State
of Missouri at and in said
County of Jefferson on the 27th day
of September 1870 did wilfully
~~do~~ deliberately, unlawfully on
purpose and of his malice
aforethought make an assault-
upon the body of one Hiram E.
Reppy in the place of the State then
and there being with a certain knife
of the ~~length~~ of the same being a
Deadly weapon which knife he the
said George Reppy did then and
there in his right hand have and
hold and did then and there with
said knife inflict upon the said
Hiram E. Reppy three mortal
wounds of which said wounds he
the said Hiram E. Reppy did languish
and suffer until the 29th day of September
1870 on which Last said day he the
said Hiram E. Reppy did from the
effect of said at assault so made

upon him in form as aforesaid
with the knife ~~afore~~ aforesaid
die and it were and so this
Affiant says that the said George
Reppy at the time, in the manner
with the knife and by the means
aforesaid him the said Miriam E.
Reppy did unlawfully, feloniously,
on purpose and of his malice
aforethought did kill and murder
against the peace and dignity of the
State of Missouri

Sworn to and
Subscribed
before me this 3rd
day of October 1870

G. J. Johnston

County Court Justice

Samuel A. Reppy

State
vs

George Reppy

affendant

of
S. A. Reppy

The State of Illinois

Do ~~the~~ William Clark
Saunders pool. John Hammell
& William Maybee & Mrs. Brilchitt

You are hereby commanded to be
and appear before the undersigned
County Court Justice, at the Court
House in the County of Jefferson County
on Tuesday the 4th day of October
A.D. 1870 at the hour of ten (10)
o'clock to testify in a certain
Matter of Controversy, wherein the
State of Illinois is Plaintiff and
George Keppey Defendant on
the part of Defendant and
herein fail not

Given under my
hand at the County of Jefferson
this 3^d day of Oct 1870.

E. J. Amstra
County Court
Justice—

I enclose this writ in Jefferson County
me on the 4 day of October 1870
by reading the same in the presence
and hearing of Sanders Peck and
John Hamel the within named
deos & 1.000

Geor. H. H. H. H. H.
Saml. of N. H. H. H. H.

State of Missouri
vs

Geo. Jeffrey

Shas

For

Am Clark

Saunders Pool

John Hamrell

The State of Missouri to the Sheriff of Jefferson County
In the State of Missouri

Whereas Complaint has this day been
made to me the undersigned
Justice of the County Court within
and for the County of Jefferson in
the State of Missouri upon the
oath of Samuel A. Keffy that one
George Keffy late of said County
of Jefferson did at and in said
County of Jefferson on or about
the 25th day of September 1870
unlawfully feloniously on purpose and with malice aforethought
make an assault upon the body
of one Hiram E. Keffy with a
certain knife the same being a
deadly weapon and then and there
did with said knife being a deadly
weapon inflict upon him
the said Hiram E. Keffy three
mortal wounds of which said
three mortal wounds he the said
Hiram E. Keffy did die on the
29th day of September 1870
and that said George Keffy did
by means of such assault and
of the unlawful, felonious,
wilful deliberate and premeditated
assaulting stabbing and cutting
of said Hiram E. Keffy thereby
wilfully, deliberately, premeditatedly

on purpose and his malice
aforethought him the said
Hiram E. Reppy kill and murder
against the peace and dignity
of the State of Missouri

These are therefore to Camm
and you to take the said George
Reppy and him forthwith bring
before me at the Court House in
Hillsboro in said County of
Jefferson to answer to said
Complaint and further to be
dealt with according to Law
given under my hand

This 3rd day of October 1870

J. D. Johnston
County Court
Justice

State vs. G. Reppy
Marshall

Served the within by bringing the Body of
George Reppy before L. J. Johnston a Justice of
The County Court this 3rd day of October 1870
at Jefferson County Mo

Fred Luchtemayer Sheriff

By Fred Vollmack

Squirt

for \$100

COUNTY OF JEFFERSON.

The State of Missouri,

To William Brewster, Esq.

But again
I am also hereby ca

excuse and delay, your affd

Landry absent, on the

not Hakobata; there were

edham mallet of condenser

Justice when the

George S. Phelps

Plantiffs and the

guines. The

with

—

with much

of the first - second

Greeting:

monies, which selling aside all manner of

but one of the drawings are
before me ✓ send for the

South Sea of October 1870

these as designs, and the whole as one in a

Report me that
~~we are sending me our sad family relations~~

State of Missouri

is

Standard in the past

ni again like me was worse do find.

Scent of our own breath

And if the herd is affected, no office and

to Mrs
J. D. 1885

Sept 20

Wm. E. C. 1872

Wm. D. Howland

County Court do

I recd the writ in Johnson County
We on the 4th day of October at 10
1890^{thly} meeting the same in the Pres-
ence and hearing of C. S. Foster and
Dr. H. H. Kelley the within named
Debtors. Dr. H. H. Kelley
Jan 4 1890
I must say Dr. H. H. Kelley
can of make Township

1810

COUNTY OF JEFFERSON.

The State of Missouri,

John M. Fletcher

To David Robertson and David Porter Greeting:

You are hereby commanded, that within sixty days of the date of the service of this writ upon you, you appear before the Court for the

County aforesaid, on the 25th day of October 1850.

at St. Louis, then and there to testify and the truth to say in a certain matter of controversy, now pending ~~in and out of Court~~ before me

the State of Missouri is

Plaintiff and

George A. Raper is

Defendant on the part

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

Witness, THOMAS C. FLETCHER,

Clk of said Court

~~with the Clerk of said Court, at St. Louis, Mo.~~

day of

A. D. 1850

Given under my hand Oct 14th 1850

J. D. Robertson
C. & Justice

I enclose this writ in Jefferson County
pro on the 5th day of October A D 1870
by reading the same in the presence and hear-
ing of David Robertson David Parker
and the within named

then \$ 1.00—

David Robertson
Clerk of said Township

Fees of Witnesses in case of State vs Geo. Reppy,
 Before G. J. Johnston, Justice county court,
 C. L. Foster = 2 days = 1.00
 M. A. Bridell = 1 day = .50
 Sanders Pool (2 days) 1.00
 Dr. Berkely 1 day .50
 John Smith 1 day .50
 A. S. Reppy 1 day .50
 B. S. Reppy 1 day .50
 David Porter 1 day .50
 Wm. Clark 1 day .50
 Chat Tomlin 1 day .50
 David Robertson 1 day .50
 \$ 6.50

G. J. Johnston county court Justice
 Sheriff, Fred Leuchtenmeyer's, fee bill in case of
 State vs, Geo. Reppy, Before G. J. Johnston. Co. court Judge,
 For serving warrant, 1.00
 For subpoenaing 11 witnesses, 5.50
 " calling witnesses in to court, each 5 ct .55
 " attending in court 4 days, 2.00 per day 8.00
 \$ 15.05

Fred Leuchtenmeyer Sheriff
 Fred Vollmark
 Deputy

Transcript of
case of
State

Wm. J. Kelly

Robert H. J. Johnson
or. small Judge

Recd Jan 11 1870
H. J. Johnson

Evidence in case of State vs. George Reppy

Examination before Judge G. J. Johnston, for murder
October 4th 1870,

Wm. Brinkell on part of State, being sworn, deposes and says,

I know George Reppy, I see him in court, I knew Hiram E. Reppy. I saw a difficulty between George Reppy and H.E. Reppy, about 7 o'clock on the 25th of Sept. or some time about then, I don't know exactly. It was about the latter part of September, I went into the Saloon, and George Reppy and H.E. Reppy was in there at the time, they was in conversation together talking when I went in, H.E. Reppy was sitting in a round table, and George Reppy was sitting in a chair by the side of it, I spoke to H.E. Reppy, and asked him if he was going to work in the morning and he said he guessed he was, He was helping me make a horse there in town, it turned around to the bar to take a drink, and about that time I heard H.E. Reppy say to George in about these words, "That if he heard him say that again, or found out that he said it he would kill him," — George made the remark "That he was not man enough" and H.E. Reppy says then "You are a damn liar"

From that they both jumped to the feet, I think the both jumped to their feet about the same time — H.E. Reppy then ~~struck at him~~ ^{grabb'd at him} grabbed at George, but George said he struck him but from what I saw, I should say he grabbed at him, well, when they both raised to their feet as I said before I think George struck at him, he made a lick with his right hand, at that I jumped between them, and

2 pulled them apart. I took H.E. Reppy up to the
 top of the stairs. I got him up to the top of the stairs,
 he told me he was cut, that was H.E. Reppy, then he
 opened ~~and~~ pulled his vest apart and there was
 blood all over ^{the front of} his shirt, and I started back then into
 the cellar and arrested George. When I went back George
 was standing up in the floor, about where I left him
 when I pulled them apart. I walked up to him
 and said "George I'll have to arrest you, you're
 out All," he says to me, "It was a good thing I jumped
 in between them or he'd saved his back the next lick,
 he still had the knife in his hand when I went back,
 I arrested him then and took him before again."
 Hamel. He is mayor of the town of Debit, President of the
 Board of trustees of the town, Mr. Hamel turned him
 loose then on his word and hour that he would
 come back next morning. I had sent for Mr. Foster,
 during the time, He was marshall of the town, and as
 George was going out of the house he met Mr. Foster,
 Mr Foster then arrested George again and fetched him
 back to Mr. Hamel. the second time, Mr Foster
 then asked Mr. Hamel if there was to say of holding a
 man when he had killed another or murdered, I forget
 just how he spoke it now, and Mr. Reppy, George's father
 spoke up and said there was, Mr Foster then took him
 in charge, and guarded him till next morning and
 turned him over to the constable, - after Mr Foster had
 taken up to the state to guard him that night, George said
 he did cut him, in presence of myself Mr Foster and

John Reidner

Mr Short, and ~~Mr Wilson~~, he said that he had cut him once before I got between them, he didn't know how many times he cut him, He asked how many times he had hit him and also if there wasn't a scratch on his neck, He had the knife in my hand, and handed the knife to George and he showed me how he had the knife in his pocket when ~~all~~ ^{all} struck him, he said all struck him, He had it open he said in his hand and his hand in his pocket - when as he said ~~all~~ struck at him, - I don't know as I could state exactly how long this conversation occurred after the ^{my boy was injured,} accident, it was about 3 quarters of an hour, I think, it might have been longer. I don't recollect any thing else George said on that occasion, he was talking every time I was with him, - The knife was a 3 bladed knife a pocket knife, the blade was between 3 & 4 inches long, it might have been only 3 it was that it hurt, it was a knife that you open and shut, what you call a pocket knife, George still had the knife in his hand when I went back in the bar room after taking El. to the top of the stairs, There was blood on the knife, I did not take the knife from him then, but saw that it was bloody, There was blood on it when I did take it from him about 20 minutes after, (The knife being produced in court) This is the knife, I saw the knife before. I saw him have it and had it my self. I took it away from him or rather asked him for it & he gave it to me. There is a piece broke out of the handle, There is blood on the knife yet, I am very sure this is the same knife, I am positive, - He had the knife in

If his hand when I went back in the bar room to
 arrest him, I think he had his coat off. It had
 been torn, = I had stepped only about 20 steps to the top
 of the stairs with Ell, when he told me he was cut and
 showed me and I walked back in the bar room, and
 saw George in the position I have described, it was about
 a half ^{or a minute} ~~minute~~ ^{not only a minute} after, = George asked if there was not a
 mark on his neck, = I did not see him make any distinct
 at ~~George's~~ ^{his} neck, = I did not see any ^{back} ~~back~~ ^{stroke} ~~stroke~~ ^{stroke} George had him under the right arm
 with his left hand and he had hold of George's left shoulder.
 I did not see H. E. Reppy, strike at George after I got between
 them, = I got right between them, I couldn't state whether he
 did or did not. He didn't strike with his right hand I am
 sure, for he kept hold of the coat, and George had him
 under the arm. They never loosened their holds till I
 pulled them apart. If all struck he struck with his left
 hand around behind me, El was pretty full at the time,
 he had plenty, He was sitting on the table I never saw
 him move till they jumped to their feet both of them I
 have been with him a good deal and could tell whether
 he was drinking by looking at him and by his talk.

El was not hurt at all, He had been mashed
 up on the railroad a while before that, and was not able
 to work, to do hard work, = He had been mashed up on
 the railroad a while before that but was getting over it
 slowly, = From what I saw, I saw H. E. Reppy grab at
 George, and he caught him by the shoulder, and didn't let
 go, and from that I would naturally suppose that he
 grabbed at him,

5 when I said I saw but no lick struck I mean the lick I saw George strike with ~~his~~ right hand — It was just when he jumped up or about that time that I saw this lick, +

I believe I had seen H. E. Repp that evening before I saw him, at 7 O'clock, he was on the street, It was before supper that I saw El, I came down from work about 5 O'clock and went on up home and saw him on the street. I think ^{it was about that time} ~~I did~~ I must be positive,

It was along about Millers that I saw El, opposite side from Dauchts, I couldn't tell whether he was right then or not I didn't speak to him, just passed him on the street and went on, I couldn't say how far El lived from the Dauchts Hotel, it is about 4 or 5 blocks I guess, in sight, just about the work shop there, 4 blocks I believe, = George lived with his father at that time across the creek, = I should think that a person coming from B. S. Repps. by the Bridge to the Debito Hotel, could be seen by a person looking out of the door or window of all's house, I guess they could, The Bridge would be the nearest to the Bell's house a person would go, = When I went in the Ballroom at Dauchts that evening at 7 O'clock, there was a trigger tender & the bar, a white kind of a fellow, a porter round the house, and John Hamel, Saunders, Pool, Mr. Clark that lives in Hillbrow, and there was some person, I don't know who he was, he was in company with Clark, I suppose they were sitting together talking near the door, — and George and Al Repp were all the persons that were in the house when I went in, I believe, There were some round tables in the room, 3 I think, I didn't pay particular attention that night. they are allways there, they are

sitting along the wall opposite the bar in a row, Ell
 was sitting on the table next to the steps, In going
 down the steps into the room, the Bar is to left as you
 go down, These Tables were on the right sitting pretty close
 to the wall - In going down into the room that night
 Mr. Clark and his friend was the first persons you would
 come to, they were sitting close to the door, I think the next
 thing I would come to, was a table, and W. E. Repp
 was sitting on the side of the table, I couldnt tell how far
 Mr. Clark was from Mr W. E. Repp, He was sitting right
 close by, it might have been 4 or 5 feet or it might
 have been a good deal more, I couldnt say positively,
 It might have been 4 feet more or less, - Samuel
 was right there next on that side of the house, either standing
 or sitting, I think he was standing up, I cant say positively,
 George was sitting next, on the other side of the table that Ell
 was sitting on, George might have been sitting close by the next
 table, the tables might have been close together I didnt see,
 but they were right close together in 5 feet of each other during
 the conversation, The next on that side, was Saunders
 sitting here, he might have been sitting on the opposite side
 of the next table, I dont know exactly, he was not on the
 other side of the store, the two tables come first, then the
 store and then in the corner another table, The bar tender
 was behind the bar, I think when I first went in I
 spoke to Mr Clark and said 'Good evening Mr Clark, I
 might have shook hands but I dont think I did, I
 am acquainted with him, I then spoke to Ell, he was

sitting right there. I asked Ell. if he was going to work
 in the morning and he said he guessed so, or something
 that way. — I think I spoke to George, — God evening or
 something that way as I generally do when I meet him,
 when I spoke to Ell, I laid my hand on his shoulder.
 I did not speak very loud, El and George was,
 in conversation at that time. They were talking over
 something I don't know what it was. They appeared
 to be joking, — They were talking about something I don't
 know what about, I don't know what they were talking
 about, I just walked right up to Ell when I went in,
 they were talking at the time, and when I laid my
 hand on his shoulder they stopped and then I went right
 on up to the bar, they were not talking unusually loud
 I did not know they were quarrelling when I went up
 and spoke to Ell, they were talking when I stepped in at
 the door, just about the way we are talking now, and
 when I went up and commenced to talk to Ell they
 stopped. I did not think any thing about them being
 quarrelling, then I stepped up to the bar, I went about
 to the middle of the bar, I went to take a drink, Mr
 John Hamel asked me to take a drink, and I stepped
 up to the bar, when me and Hamel stepped to the bar, our
 backs were to Ell and George, we had just got our
 drinks poured out when we heard this remark, then I
 heard the statement 'that if you say that again or I find
 out that you did say it I'll come hide you, I whirled around
 when I heard that, and jumped between them as quick as

I could, it was not more than two steps from
 where I stood, when I heard Ell make this remark
 George said he wasnt man enough and then Ell
 called him a Damn Liar. I did not have
 the drink drunk, it was done mighty quick I tell
 you, when I heard Ell make this remark I turned
 around to see what was the matter. I supposed they were
 getting mad when they began to talk that way. It was all
 done as quick as I could tell it, I think George was
 standing up when Ell grabbed or struck at him he had
 his arm up as if he was going to knock off a lick. I
 couldnt tell how far George was then from the chair he
 had been sitting in, he might have been against it
 for all I know. They were right between the table and the
 chair the two of them = In going to them I would naturally
 run between them, they were standing right side ways
 to me. I think they were standing right-side ways. I
 would not have come to Ell first, Ell had hold of George
 with his right hand and George had hold of Ell with his left
 their arms were not crossed, both on the same side. I didnt
 see but one lick struck, George struck with his right
 hand, like he was trying to hit Ell in the stomach, and
 then I jumped right in between them. George was
 standing with his right side to me and Ell with his left
 and the side from me was clinched but the side next
 me was not. I just jumped right in between them. It was
 all done as quick as wink. I caught hold of one with
 one hand and the other with the other hand, caught

them right around the necks and pushed them back
 I don't think Hamel had hold of either of them, he
 didn't when I went there, I don't think he helped me to
 part them, I did not catch hold of El. and Hamel hold
 of George and both pull, I told you I went right in
 between them, El. and Georges cut with his hand. hold of
 his Georges' shoulder, the rip was down the back, he did not
 take it off with him only ripped it, the rip was half
 way down his back I guess, It was a light kind of a
 coat I believe, for the fall of the year I guess, I have
 saw him wear it several times, I never had hold of
 the coat I couldn't say, after I had separated them
 I don't think George made any attempt to get at Ell,
 I backed Ell right out, right out of the house and
 took him up the steps. I don't think George attempted
 to follow us = I had hold of Ell and had him towards
 the door and just shoved him right ^{out}, that ~~was~~ why I
 took Ell out instead of George = I have told you all I
 heard George and Ell say, I did not hear Ell tell
 George that George and his father had stolen from Ell's
 father = I did not hear that they was quarrelling about
 I did not hear them say any thing about that Bisset had said
 that George had been talking about Ell, I did not hear them
 say any thing about going over to see Bisset and have it cleared
 up, I did not hear Clark tell Ell to hush that he had said
 enough, I don't think I heard Clark say a word, I know
 I didn't, I don't know from my own knowledge that George
 struck more than the one lick, I don't know that George

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struck while I was between them, I think there was a kick struck but couldnt smear to it, I have reason to believe there was a kick struck when I was between them, George said he struck around me, He might have struck him in the abdomen, when I was between them, by reaching a round me, I dont say that he did do it.

When I went back to arrest George, he made no resistance in the least, he said he would go along, George stated at the same time that what he had done was in self defence, I believe he said that, He said Ell struck him first, He did not say that Ell was still sitting in his chair when Ell struck him, Then George and I went right across to Hamels, He made no endeavor to escape, He did not deliver me his knife then, but did after wards, It was after Mr. Foster arrested him and we started from Hamels up to Foster's stable that he gave me the knife.

I asked him for it, he had it all the time, when we went over to Hamels, we were there a little bit I could say how long, when Hamel released him on his parole he started out like he was going home, I went out of the house and met Mr. Foster on the sidewalk, and said to him there goes George now, and He called to George and he stopped, ~~then~~ ^{Loft} we went up to living stable we has some conversation about it, he asked me how all was,

George showed how he done it, I dont believe he told me what they had been quarreling about, I am not positive, I didnt stop with him but a few minutes there, George and Ell had apparantly always been on good terms, I never saw

11 any thing between them, I did not hear Ell make some threats against George in Miller's Bar room the Sunday before, I never heard Ell say any thing about George,

Ell never did tell me that he intended to whip George the first time he saw him. I told George in a conversation that I had with him last Sunday week the Sunday before the difficulty that Ell was hopping or hopping mad. I told him I had heard so, but did not get it from Ell. I never heard Ell say any thing about it

or + George told me that he struck around me, I am sure he told me that,

This conversation took place at the stable. He was showing how he had the knife in his pocket, and ~~said~~ that he struck around me, he said that he could not reach him ~~when~~ I was between them, or something to that effect. I don't think he told me how often he struck around me, ^{he told me} that he struck him once before I jumped between them, Ell had three cuts on him, beside that scratch, I don't know what that was, he had three cuts in the abdomen, there was a scratch on the right side of his neck, I couldn't tell what it was though, I did not hear any thing at the time of the difficulty about George having said something to Bissett or Cady, something of that kind might have taken place before I went in.

Attest, Thomas A. McMullin

W. A. ^{his} Bridell
mark

Shown to & subscribed before me October 4th 1870

G. J. Johnson

county court Judge

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Dr. Hugh Berkely, on part of State being sworn deposes and says, I am a Physician by profession,

I was called on the 27th of Sept. to see Henry E. Reppy, =

= I found that he had been stabbed in three different

places, one was about 4 inches above the navel, one inch to the right of ^{the mesial, or the} middle line of the body, the other two were in the left

groin. The upper wound passed through the ~~diaphragm~~ ^{and the diaphragm} and the upper anterior border of the liver, and into the base of the right

lung, this wound of itself was sufficient to cause death, and was no doubt the cause of it; one of the other wounds penetrated the cavity,

the other one did not, either one of these penetrating wounds, I think would have been sufficient cause of death, the other wound in the

liver that did not penetrate the cavity would not have caused death, either of the other two I think would, He died on the 29th

inst, about 12 o'clock I believe, I was not there at the time, I left there about 11 o'clock, he was dying at the time, I told

the family so, I told him so, I saw him after he was dead and made an examination of his wounds in connection with

Dr. Evans & Dr. Wasse, I was called on the 27th just after the train went south, I guess between 3 & 8 o'clock, to see him,

the wounds had just been inflicted, there were two other Physicians saw him the next day after the wounds were inflicted, either

of the two wounds were sufficient to have caused death, I am positive he died from the effect of those wounds, The Physicians

who saw him previous to his death were Dr. M. Ashborne = of St Francis C, and Dr. Childs, Dr. Evans and Dr. Wasse, saw

him after death. I don't know that either of them saw him before, I had no special conversation with H. E. Reppy

before his death, after I told him he would die, only
 he told me George Reppy had cut him, I don't know
 Sam to & subscribed before me } Hugh Berkeley M.D.
 Oct 4th 1870 } G. J. Winston,
 County Court Justice

John A. Smith on part of State being sworn
 deposes and says, I am acquainted with the deft,
 George Reppy, I knew Herman E. Reppy too, I was not
 present at Lanthett's Bar, room when the difficulty occurred
 between George and H. E. Reppy, I had conversation with
 George Reppy about the 27th inst, after the difficulty,
 The first talk that I heard him have was down at
 Mr Hamel's drug store, They were talking among another,
 and Mr. Foster stepped up and said he believed all
 was cut pretty bad - George then said, how many cuts
 did he have, Mr Foster said I did not see but one,
 and I rubbed my thumb over it & it looked like I could
 have put my thumb in the hole, George then, pulled his knife
 out of his pocket and said this is the knife I done it with,
 (It was a white handle knife, with a blade about 3 inches long
 maybe a little longer than 3 inches, It was a pockett knife,

They went out of there then and went up to the
 stable, I went with them also up to the stable,
 Some one then said to George, that he must have been
 scared, agitated or something of the kind and he said
 no he wasn't, he was perfectly, cool & deliberate, perfectly
 sober, He then showed them how he had his knife in his pocket
 in the right hand side pocket of his coat, he said they were

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both sitting down, Ell Reppy was sitting on the table and he was sitting on a chair, and Ell said that he would come hide him if he talked about him in any such style any more, and that he told Ell, he was not man enough to do it, and that Ell then called him a damn liar, and when Ell called him a damn liar, they both made a motion & got to their feet, and Ell struck at him & he knocked the lick off with his left hand, and popped his knife in to him up to the handle. Then he said that Mr. Bondell ran in between them and caught them both and that he cut around him two or three times, and aimed once to cut his throat, — he said he had the knife in his pocket open. He said that he opened his knife and put it in his pocket just before they commenced their quarrel he said he thought or knew, that that was what Ell wanted, was to raise a fuss with him, He said that he had intended to cut Ell all to pieces if he jumped on him. He said that when he saw Ell come in that he thought he wanted to raise a fuss, and prepared himself for him and intended if he jumped on him to cut him all to pieces, He did not say any thing about self defense then, He said this much, he said he believed Ell was able to whip him a fair fight, Ell had been sick, he had been crippled up with the cars, and was getting over it, he was going about then, but looked mighty slim, he did not look like much of a man to me, I saw him get into a fight there once before and it looked to me like a ten year old boy could have handled him, in speaking of Ell I mean William E. Reppy, I always called him Ell and he

called me John that was all the way we talked to each other, George in telling us about the difficulty, when telling about cutting Ell, ~~said~~ the neck, said that we had missed that, & that if we would look we would see the mark on his neck and I went and looked and did see it. That ~~is~~ all I heard him say, that amounted to anything. I never heard him say anything further in regard to the matter. I heard him repeat the same thing over, I have told all, I believe, that I heard him say,

George said that if ^{had not got beyond} Bridell, him and Ell that the next lick he thought he would have said his back,

I don't recollect, of George saying anything about cutting his heart out. I have stated ~~all~~ just exactly as he said.

+

George Reppy ~~said not tell~~ that the whole start of the difficulty was on account of something old man Brady had said that had got the fuss up between them,

Ell told him, so he said, that if he talked about him any more in such style, he would cut his hair and, that he told him he wasn't man enough and that then Ell told him he was a damned liar, then the thing took place as before detailed, George did not say that when Ell came in first, that he took out his knife and sharpened a pencil and then put ^{it} ~~in~~ his pocket, he did not say anything about a pencil, if he did I didn't hear it and I was standing right by, listening to ~~this~~ ^{the} talk, he seemed to be directing his talk mostly to Bridell the latter part of this conversation occurred at the stable, In the fight that I saw Ell in once before. the other man was not hurt

by Ell, more than he hurt Ell, then was a little
skinned place on the other mens face where he fell
against the pavement, and that was about all the
hurt they both had, he was so drunk he could hardly
stand alone, ^(sworn to & subscribed before) me Oct 4th 1870 John W Smith
October 5th A.D. 1870 E. J. Potomac Bridge

Saunders Pool, on Part of State being sworn
depose and says, I know George Reppy, I knew
H E Reppy, I saw a difficulty between them about the
27th of September, I went down into Mr Dauberts saloon,
on Tuesday evening the 27th of Sept, All and George were
both in there at the time and they were both sitting down
near a table, when I went in, talking, I didnt pay
much attention to their conversation at first, untill all
named over 3 persons he said that there was one of the three
that had been talking about him, He said if he could find
out which one it was he intended to cow hide him, He
~~sworn~~ told George that if it was him, that he intended to cow-
hide him, = George told him that he didnt think he could cow-
hide him or any body else, and All told him that he could
do it and if he wanted any thing out of him he could
have it right there = George then made some reply, I dont
remember, and all called him a contemptible pup and repeated
it the second time = George then told him that, that was enough,
says he "Youre paid enough, I dont remember just what
passed then but all told him, he could knock the face off
him, or something like that, George, then made some reply I
dont remember what it was, but all then called him a damn

lie, know that they both jumped to their feet, they went more
 than straight till they came together. I seen Ell make a grab
 for Georges throat or shoulder, I dont know which it was. I
 thought he was grabbing for his throat, Mr Brdell then
 jumped in between them, and I think John Hamel caught
 George by the shoulders and they parted them, and that is
 all that I know about it. I know that Bill went up the
 steps with all, when Bill Brdell was trying to part them
 I saw George strike with his right hand. I thought he
 was trying to strike all with his fist. Brdell was between
 them at the time I thought George was striking around Brdell,
 right in front of him, Brdell was standing with a side to
 each of them, pushing Ell back, and then was when I saw
 George, strike with his right hand, and thought he was
 trying to strike with his fist. I did not see a knife
 in his hand. I dont know whether he had a knife in
 his hand or not, they both jumped to their feet at the
 same time I think. they were in there when I went in,
 I dont know how long they had been there, or how long
 they had been quarrelling. I did not see all the difficulty,
 they were both sitting down till the same lie was given
 when they both jumped to their feet. Geo. was sitting in a
 chair, and ell was sitting on the side of a table close to him
 they were talking as in a common conversation, ell
 was talking a little louder than a common conversation,
 I did not gather from their conversation what the
 subject was. they were talking about, only ell said
 that one of the three had been talking about him, He
 said that the three were Mr. Cady, Mr. Brissett and George

that had been talking about him, he did not say which of the three it was, but said that if he found out which one it was he would cow, ~~hide~~ him, he did not say what they had said about him, I saw George motion his hand some 2 or 3 times. I didn't know at the time that he was hitting him, I thought he was trying to hit with his fist. I don't know whether he had any thing in his hand or not. I did not see his hand only saw his arm, I seen George motioning his arm some two or three times after Brudell got between them, I never saw him strike till after Brudell got between them,

George told Ell in that conversation that he didn't think he was able to cow hide him or any body else, He did not give any reason why he thought that, Ell had been hurt, but I thought he had got over it, he seemed to be well & hearty, I never heard him make any complaints of his wounds. +

Ell and George were both in the saloon when I went down, all I saw when I went in the Bar room, were these two, and John Hamel was in there and a darky tending the bar, maybe there were two darkies, I don't know of any body else being in there at the time, I don't know of seeing Mar Clark of Hillsboro in there at the time, I don't know of having seen him at all. I would not have known him if I had seen him, as you go into the Bar room, there is some tables to the right hand side, next to the wall, there was two tables, I recollect of seeing two. There were two tables and George was between the two sitting back next to the wall, the tables was I suppose between

2 feet and a half or 3 feet of each other, just a little more than room for a chair between them, I don't think there were more than 3 feet apart. Ell was sitting on the edge of the table from the wall, further out than George was, he was sitting on the edge of the table and facing George, talking to him, I think that Ell was sitting right side ways, on the table, he was higher than George of course, but he was sitting on the edge of the table, I was on the East side from George. I was sitting near the stove, I did not observe that they were quarrelling when I first went in. I didn't pay much attention to their conversation, talking, the first thing that I heard said that I remember, was all naming over the 3 names, Cady, Bisset & George, and he said that the one that had said that about him, he intended to cow-hede, he seemed to think that it was George. I gathered from what he said that he thought it was George. I think George said, I told you I didn't say it, I never take any thing back that I say, I think those are the words that he said, well all told him that he would get the 3 together and he'd find out who said it, I think that is what he said, I don't remember now what George said, what answer he made to that, George told him that he was willing to get the three together, I don't remember that George said he was willing to get the three together and settle the matter, that he didn't want any fuss, I don't know just what Ell said just after that, I don't remember but a very few words more than I've stated before, Mr. Hamel was sitting there and I believe that he told Ell to hush to keep quiet and get the three men together and that that was the best way to

settle it. I think Hamel told him this twice.

+ I think he told him that the best way to settle it was to get the 3 men together, he didn't say any thing about jumping on him. When Hamel said this to Ell, Ell did not make any reply, he didn't seem to notice what Hamel said to him. At one time George told all to hush you said Enough, it was at the time that Ell called him a contemptible pup. George said, "that will ^{hush} you said enough a something like that. In the conversation George said he was no fighting character, and Ell said I ~~am~~ not either but I can protect myself, or something like that.

x as soon as all called George a damn liar, George jumped up, and all slid off the table onto his feet, they were both on their feet about the same time from what I saw, where I was sitting. I was sitting right on the opposite side of the table from George, I was sitting on the opposite side of the table next to the stove, leaning back against the wall. I was not observing closely when I first met in, just before it occurred, I was watching them, I was not watching them expecting a fight, I was not expecting any trouble at all. If Ell struck George, or struck at him before George got up out of the chair, I didn't see him. I didn't see any blow passed, I couldn't see which struck first when they got to their feet. I saw Ell make a grab for Georges throat that was the first motion I saw made towards fighting. I think Hamel took hold of George. Bridell was right between them, he seemed trying to push Ell off, he seemed to be at work at all more

saw at George, I did not interfere, when I saw
 All he was trying to get hold of George. I don't know
 whether it was him or ~~John~~ Samuel that took Georges
 coat, his coat was torn. I don't know which one did it,
 Bradell started up the steps with all, George was standing
 in the floor when they got to the door. All said hold on
 + till I get my hat. ~~Their~~ hats were both lying ~~on~~ the floor,
 they stopped & All came back and picked up his hat &
 then they both went out & that was the last I seen of
 him, George was standing in the floor near the counter
 when Bill went up with All, George did not make
 any efforts to get away, I was there when Bradell arrested
 him, when Bill Bradell came back he went up to George &
 said George I'll have to arrest you, you're cut all, and
 * George said I done it in self defence, & then they went out

During the conversation All told George that ~~his~~ and his
 * father had stole more from his father than either one of
 them would ever be worth, or something like that,

I think Ell. Ruffy, was about 5 ft 10 in or 6 feet high or there
 about, Ell was a tall man, I think he was what you'd
 call a good sized man, He was larger than George, he was
 taller man than George, I don't know the general character
 of the deceased, as to his being a rash, turbulent & violent
 man, I ~~was~~ only saw him around town there, I don't know
 any thing about his character only from what I've heard, I do
 not know whether all was in the habit of carrying
 weapons or not, I don't think he was intoxicated at the
 time, if he was I did not know it, he didn't drink

any while I was down there.

Re E. — I did not see Ell strike George before George got up. I think I could have seen it but, for Hamel. he jumped up right in front of me, and if there was any blow passed I didn't see it. I saw them both at the time they got up. they both got up near about the same time as well as I can recollect. Ell grabbed at George. I thought his throat. He made a grab. I thought it was his throat. I don't know whether he caught him by the hand or shoulder. his coat was torn in the scuffle. I don't know whether Ell. done it or John Hamel. I saw George strike when Bredell was in between them. he made a motion with his arm. I thought he was trying to strike him with his fist. I don't know whether he struck Ell. before Bredell got in between them or not. When Bredell & all went up the steps. Bredell returned almost immediately and arrested George. He didn't make any attempt as I seen to get away. between the time that they were parted & when Bredell returned to arrest him. There was another door that he could have escaped from. beside the one that Bredell had just taken Ell out at. he could have gone out through the Billiard room. Re +

I don't recollect of Ell putting his foot under George's nose and asking him if he didn't want some of that. when George told Ell. that he couldn't cow-hide any body.

this difficulty was in Jefferson county state of Missouri

promised & subscribed before me Oct 5th 1870

Ganders Paul
G. J. DeLoraine

C. L. Foster on Part of State being sworn deponent and says,

I know George Reppy. I saw
knew Hiram E. Reppy - was very well acquainted with
them both. I live in Desoto, Jefferson County, Missouri;
I ~~worked~~ the office of Town Marshall. I saw Hiram E. Reppy
on the evening of the 27th of Sept. last, about 7 o'clock
in the evening. I had seen him through the day, had seen
him & Geo. both through the day, when I saw Al,
in that evening, he was laying on the floor on a bed at
Benj. Batters, that was after he had been stabbed. He sent
for me. When I went in he was lying on the bed on
his back with his shirt open and pulled up his breeches
unbuttoned and his abdomen naked. There were 3 or 4 men
around the bed. I went up to the foot of the bed and observed
a hole cut in him, at that time I did not observe more
than one cut. ~~I asked him what the Reppy had told~~
me what to do he said "This will kill me." ~~In his~~
~~evening~~ After I asked him who done it, he said go see Bill Brulell
he'll tell you who done it. it was George Reppy, and I want
you to go and arrest him, for Bill die. That was all
I stayed to hear him say. I then left Al, and went over
to the statue on to the platform, and went pretty near the
length of the platform looking for Brulell. no one had told
me where it occurred at, and I didn't know whether Brulell &
George were together or not, - I didn't see Brulell ~~and I~~
~~told an other man~~ I then went back across to the
house where Al was, & some one told me that Geo. & Brulell

were down at Hamels & I went down and just as I got there
 X some one said that he is now, and I said who & they said
 my George. I don't know as I would have seen him if I
 hadn't been told that my George was off in the street
 maybe 10 feet from me, when I seen George. I spoke to
 him in I think three words, "George stop" and I told
 him that I had orders to arrest him and keep him, and
 I think his reply was to me, that Bridell had arrested
 him & that Hamel had just turned him loose. and I
 said to George again I have orders to arrest you & keep you
 X then we both - George Reppy & I went back into Mr Hamel
 when I told him that I had orders to arrest him & he said,
 Yes Chape I'll go with you any where. I asked Mr.
 Hamel if there was no law for to hold a person over till
 there could be a warrant got for him. & Mr Hamel &
 Mr Reppy, Georges father both spoke & said there was,

I told them that the hole ^{cut} in all looked like I could
 have put my thumb in it. I did not see any other but one
 cut at the time, I didn't stay to look for them, I think then
 that I said to George that it was a pretty ugly scrape, a pretty
 bad affair they had got into and George said yes it was
 he was sorry he done it and ~~that~~ if it was told over again
 he wouldn't have done it. I think that was his reply, about that
 time, George pulled out the knife in his hand, and said that was
 the knife he done it with, and I think right there, that he said
 he was not excited, that he was as cool and deliberate as he ever
 was in his life and did not get excited at the time of the fuss,
 he said these words during the emergency, but I am not certain of this time or not
 and he was not excited then, he was talking to me,

just at about that time. George took the knife out, and
 had it in his hand, and said that is what I done
 it with, several of us looked at it, when I was telling
 about the place being cut. George asked if there were
 not more than one cut place, he said that there ought to
 X be more than one. I told him I didn't see but one,
 and he asked me if I saw any thing or any mark
 on his neck and I told him I did not, and neither
 did I until after Ell was dead, when I saw a little
 X red mark about an inch or an inch ^{on the right side of the neck} & a half long, but I
 don't know whether his knife done it or not. The words
 that brought it about was George said he was not going to
 stand & let a man abuse him or beat him like that Ell,
 X was able to get away with him in 2 minutes. I believe
 that was the words he said, and he said he was not going
 to stand & let him abuse him. George had his coat
 considerably torn, and we talked about that, he told how Ell
 had caught hold of him to tear his coat, and we
 amongst hands pinned it up. George said before this that
 X Ell struck him, he said Ell hit him maybe as many
 as 2 or 3 licks, I think he said Ell hit him as many as
 2 or 3 times. He said he tore his coat, it was torn, or
 rather ripped I believe, the rip or tear was from the collar
 of the coat to near the tail. I could not say positively
 whether it was a rip or tear. but I had hold of him, and
 I saw the men pinning it up, but whether it was ripped
 or torn I couldn't say for I didn't notice particular, my
 impression, though is, that it was ripped, It looked I think

I don't think there was any thing more said at this time, we then went to the stable, and John Smith, Richard Shute, John Reidner, and Stephen Armstrong, went along with George & me to the stable, and after we were there a while I went to the house, George & Armstrong went in to my stable + office & went to bed, I laid down on the stable floor with 2 or 3 others & we stayed that way all night; they were all talking about the matter while at the stable, but I was passing around busy all the time and don't recollect of any + thing that was said there, ~~after I took George into Harold's I said to him that I was~~

+ George said while at the dung-stem, that at the time of doing the cutting, he was perfectly cool, no ways excited.

+ I don't recollect of hearing any one ask George, at the time he said he was sorry of it; if he was not drinking, it might have been said, but I don't recollect of hearing it. George said he was sorry that he done it, and if it was to do over again he would + not do it, when he was telling me this he seemed to fill up with emotion, his voice changed, as a person would that seemed to be sorry, + I won't be certain whether George said + Ell struck him before he got up out of the chair, or just as he raised up, I won't be certain which George said, and he said as he got up, Ell slid off the table and + just as he got up Ell struck him ~~or struck~~.

I was acquainted with them both, Ell Peppy & I was weighed at the same time not long ago, he weighed a hundred & forty some odd lbs, I don't remember the lbs & I weighed 168 lbs & I remarked at the time that it was less than I had

might since I was 20 years old. I did not know any thing about any difficulty between Ell & George before the time of the fuss, only from hearsay. Ell Reppy never told me any thing about ~~any~~. I have been acquainted with Ell Reppy for 10 or 12 years, ever since before he was grown. And I never saw him in but only one little fight and that was a little while ago, and I went to him & asked him he was fighting with an Armstrong, they were both in a fight, as a general thing I considered him a peaceable man.

Re - Ey, Ell was working on the railroad and he was in a hand car, and got mashed up between it & the hind end of the gravel train,

I think his being hurt made him ^{weigh} ~~may~~ lighter, his general weight might have been 150 ^{lb},

I don't think Ell had recovered his strength from the hurt at the time of the fuss, I know I remember of telling Geo. that night that he could have licked Ell with his fists if he had stood up to him.

C. L. Foster

Amended & signed before me Oct. 5th 1880

G. J. Johnston

David Porter, on part of State, being sworn deposes and says I am acquainted with George Reppy. I was acquainted with Ell Reppy. I saw him & Reppy the time he was killed, I saw him between the time he was cut and the time he died. I had conversation with him during that time I asked him how he felt, he said he felt first rate he said he felt pretty good, he was under the influence

A. S. Reppy being sworn deponent and says, I am Eel Reppy's father. I think I recollect as well as I remember that the day before the affray took place, we were talking and he said he would go down the road to work as soon as he got able. Eel was hurt on the railroad some time before the difficulty took place. I saw him in a crippled condition he was not able to move only as he was lifted. I couldn't say when this occurred positively. as well as my memory serves me it was along about the last of July. I don't think Eel appeared on the 27th of Sept. like he did before he was hurt on the railroad. He appeared to be reduced very much in flesh. a man reduced from 170 lbs down to 145 or 146 lbs would make some difference in his appearance. I think he said when he was at him self he weighed near 170. I think that was his usual weight. It was before he was hurt. that I think I heard him say his weight was from 168 to 170. Before he was hurt by the railroad, I guess he would have weighed on the 27th of Sept. about 146 or 147. I think it was about a week before that time that he was weighed. I saw him weighed about a week before that time. Mr Butler weighed us both, I was some 20 or 30 pounds the heaviest. George's father came in and saw Eel the next morning after he was hurt on the car. I don't remember of her, ever coming in & seeing him. George lived with his father, as to George coming in & seeing Eel I don't know that he did. After Eel got able to be up and around town, he walked with crutches for a while and then he walked with one stick for a while. I don't that I

we saw George & Ell together while Ell was walking in crutches, they both lived in the same town there, and was always passing up & down the streets, I don't know of ever seeing them have any conversation together, I do remember of having seen them together,

+ I heard Ell speaking of George having been reported talking about him, before the difficulty between them took place, I never had any conversation with Ell the evening before the difficulty took place, I saw ^{Ell} that day, I saw him at my store, I live inside the incorporation of the town,

At the time I heard Ell talking about George having been talking about him, he said he had understood that George had talked about him to some parties. He said George had called him a pauper I believe, & he said he had talked to George about it and that George denied it, he said he told George, or said to George that if he had said so or did say it hereafter, why he'd cow-hide him, this might have been a couple of days or such a matter before the difficulty.

I don't know that Ell stated that he intended to see Geo. again, he said he would see the parties about, I don't remember that he said he would see the parties and then see George again about it, he said he told George in person that if he made that statement,

the statement was about Ell & his Uncle running for Justice of the Peace, - I think that Cady & George were the parties, I don't know whether Bisset's name was brought in or not, it was that this party had told Ell that George had called him a pauper, and Ell said that when he talked to George about it he denied saying it, I did not know

from what I heard Ell say, that there was going to be trouble there that night. I met my Brother on the road Tuesday evening, we had some conversation, like this that I saw Ell that morning, and I told him that I had seen George that morning too, and I thought I saw something in Georges countenance that looks as if there were something bad about it. I saw nothing amiss about Ells countenance, he never opened his mouth for or even when I seen him, about this matter. I don't ~~think~~ he did to the best of my knowledge. I did not state to my Brother at that time that I knew as well ^{or} 2, hours before the difficulty took place, as well as I did afterwards that it would take place. I did not make any such statements, I did not ~~tell~~ ^{warn} Ell that day to take no dangerous weapons with him that night from dangerous in the heat of passion, nor did I make any such statements to my Brother, I did not know any thing about this difficulty going to take place, I never warned Ell about taking dangerous weapons with him in regard to this case at all. I had seen George the morning before the difficulty. I spoke to him I said good-morning to him - He spoke to me, I told Ell that I had seen George, and I told him that from the appearance of things he had better keep out of the groceries, I did not see any thing except Georges countenance that led me to such conclusion, I did not think of any such thing from Ells maneuvers. I saw nothing wrong about the boys action at all, Hamels name was not used in that connection, Ell did not say that he was going to buy Hamels head or face, I suppose Ell owned a pistol. He did own a pistol. ~~Regard it~~ I do not think he

was in the habit of carrying it. I do not think I ever saw him carry it only when he was going out on a scout or something. = I thought the appearance of Genghis countenance was unusual. It was not like it usually was.

There is something about it if men are intimately acquainted when they look at ones face, if there is any thing bad in the heart, it makes itself manifest in the countenance, it comes a kind of anxious appearance.

Ell Reppy was something over 6 feet high & blue, I don't know exactly. I never measured him. I think he was over six feet some. ^{But} I don't know that I ever saw Ell carry his pistol with him about town since the war ended. Attest J. H. McMullin

H. S. ^{this} Reppy
mark

Known to & subscribed before me Oct. 6th 1870.

H. S. Reppy ^{ex examined} ^{ex. cont. Judge} ^{subp.}

I the conversation between me and my brother when we met on the road, something about me raising up my children. I told him that it had all ways been my advice to my children to not carry dangerous weapons. I had allways tried to raise my children in that way. I did not tell him that I told Ell so that day though.

Attest J. H. McMullin

H. S. ^{this} Reppy
mark

Known to & subscribed before me Oct 6th 1870

G. J. Johnston
County Court-
Justice

Chas F. Vowinkle on part of Deft, being
 sworn deposeseth and says, I live in St Louis Mo.,
 I am in the wholesale liquor business. I was at Desoh
 on the 27th of September when a difficulty occurred in
 the Bar room in Danstuebs hotel, I do not know the
 Deft. I saw him in the saloon that evening it was
 a basement saloon. I dont know who keeps the saloon. Mr
 Clark of this place was with me. The deft. was in there
 when I went in, when I went in he was sitting in a
 chair, long side of a round table. There was another gentleman
 speaking with him at the time I went in. I did not
 know who he was. I might know now from hearsay,
 he & the deft. had a difficulty before they quit. I was
 between the deft & the other man who was with him and the door
 the entrance. I was about 10 feet from them I guess. I dont
 know. It was a strange place. I never was there before
 & I might not come within 4 or 5 ft of the distance.
 I was sitting talking to Mr. Clark. The gentleman that
 was sitting opposite the deft. made some remarks. The
 other one was sitting right opposite the deft. in a chair.
 I will give you as near as I can remember the remarks.
 the Gentleman said to this gentleman (the deft) that if he
 talked any more about him the way he had been
 talking he would cow hide him. He goes on & said. if
 you will not stop your talking I will cow hide you. and
 reiterated it 4 or 5 times. whereupon, this gentleman, the deft.
 said something like this You must do it, or it aint as easy to
 do as you think or something like that. This gentleman, the deft.
 was cool, and spoke so low that I did not understand him.

plainly, the other gentleman spoke louder he was more excited. There was not much more said, these words were reiterated by them ^{2 or 3 times} both, when the other gentleman got up, when I say the other gentleman, I mean the one I saw, ^{the other gentleman when he got up of to this gentleman} there, he came right over, & that gentleman the deft, me up, when he went he went so fast that I could not tell whether he struck or whether he got hold of the deft, he either struck him or clinched him, while this gentleman ^{the deft} was raising, he laid his hands on him, it was so fast that I can't give an exact account of the movement, according to my judgment it was more of a clutch than striking, then instantly they came out about 4 feet from the wall, were this gentleman the deft, had been sitting, This gentleman the deft, rising and the other gentleman clinching him or striking him as it may have been brought them out about 4 feet from the wall I should judge. Then there was another gentleman came from the back part of the saloon and came right in between them and effected a parting, I think he had some help from some other parties to help part them, but I did not notice them, after they were parted, this gentleman the deft, made ^{to the other one} a remark, that it was not so easy to cut him or not so easy as he thought for, or some such words, that implied the same thing, I don't remember the exact words, I seen either one or the other of them have a torn coat which one it was I do not recollect, after that I did not notice the other man any more I don't know where he went to, then there was a gentleman come up and conducted this gentleman the deft, out or that is to the door that is as far as I could see them, and

this gentleman the deft, said that it was not his fault as ³ the other one struck him first, as if he was not to blame and should not be put out of the saloon. I did not understand what they were quarrelling about. I don't recollect of hearing the lie passed. The manner of the other gentleman in talking was rather insulting, it was loud, boisterous. he seemed to be angry. The other gentleman, might have been sitting on the side of a table. I might have taken the table ~~from~~ a chair,

This gentleman, ^{the deft} was sitting on a chair next to the wall, there was a table to his right & the other gentleman, was rather to his left.

The tall gentleman, the other gentleman that is not here got up first. I am sure he got up first. He got up and started towards this gentleman, the deft, the same time, when they were both sitting down I should judge they were I should judge 5 or 6 ft apart, when they were quarrelling, they might have been 8 feet or not so far. I may not come within 5 or 6 feet of the right distance. I don't remember of Ed Reppy telling the deft he was a liar just as he got up. What induced the fight was this gentleman the deft, told the other one, that it was not so easy, or to try it on, or something that implied the same thing. There might have been a good deal more said than I remember. I do not recollect of Mr Clark interfering at any time and telling the other gentleman the tall gentleman to quit. My impression is that the other man called this man the deft. a liar or using an oath said you lie. I must error positive to this, & I now have an impression that the other man called this one a liar, in speaking of the facts it occurred to my memory, but I must error to it though. The other gentleman raised first, he raised & started at the same time. He raised

I did not
 and started at once. This gentleman, ^{the deft} ~~was sitting perfectly~~
^{get up} ~~until~~, till the other one got very near to him, ~~he might~~
~~have got up at the same time.~~ I ~~didn't see him though,~~
 I ~~might have been~~ ^{was} watching the other gentleman, Edl Repp.
 this gentleman's ^{George's} raising & the other one clinching brought them
 out about 4 feet from the wall. I noted the fact of this
 man, the deft, sitting in his chair after the other one got up
 and put himself in motion. I am positive of this fact.

I don't think Edl Repp, after getting up from the chair or table he was
 sitting on had to go more than 3rd to reach this gentleman,
 hardly that far to my judgment. it was pretty clear.

I think if the other gentleman called the deft a liar, if he
 did at all, it was before either of them got up. It is not a
 fact that both of them jumped to their feet just at that time, not
 if I can see right. The reason I know that it was not then
 that they got up, was because it was this man the deft, saying
 it was not so easy to do, or try it on or some such words, that
 made the other man get up and go for him. I don't recollect
 of George using the words in reply to Edl Repp, that you could
 cow him or any one else. I can't say that he did or did
 not use them. I did not hear the names of Mr. Bisell
 or Mr. Cally mentioned in the conversation in connexion with
 what George had been saying about Edl Repp. it might
 have been mentioned and me not paying attention, I not
 have heard it. I did not see the deft, George Repp, strike or
 strike at the other man. He must have clinched or struck,
 they must have clinched or struck in coming together. I can't
 say that either one struck they both struck or clinched. They both
 struck or clinched as it was both at the same time, this

gentleman did not get up till the other one got may up to him and he raised up & they both struck or clinched about the same time, I couldnt say that either struck or clinched first, in clinching or striking they both got may out from the wall,

The first I seen of the man that got between them, he was right at the end of the bar or counter, I think he only had to take 1 or 2 steps, I think he jumped with kind of a lunge right in between them, After that man parted them, George said covering is not so easy as you suppose, I dont know the exact words, the words might have been much different but I should take that to have been the meaning of them, He seemed to be addressing this remark to the other man Ell, Reppy =

I did not hear Ell say a word, after the struggle, I cant say which grabbed first, I cant say that George was sitting down when the other grabbed him, the way I should say was that his rising brought on the clinching or striking which ever it was, I couldnt say that the man who parted them, took Geo. off, I dont believe I would know him if he was before me, I cant say whether it was the same one or not,

I saw some man conduct this man the diff out, I lost sight of him at the door, the way I come to remember it was, this man said he was not in the fault, I did not hear the other man, the man we are calling Ell Reppy, say any thing after the struggle, I dont remember whether the man that came to conduct the diff, out said George I'll have to arrest you you have cut Ell, I did not hear that man say any thing at all,

I dont pretend to say he did not say it, only I didnt hear him say it, Before this clinching took place Ell Reppy seemed to be some what boisterous, he was talking pretty loud The diff

kept pretty cool, he didnt seem to get excited at all,
 He didnt to my judgment, seem to get under the heat
 of passion, He kept cool up to the time the fighting
 commenced, pretty cool, What conversation I heard the deft.
 have seemed to be cool and deliberate, he seemed to be
 at him self. ~~that~~ was the way I should take it,
 When the man came to conduct the deft. out of the Bar
 room he remarked that it wasnt his fault that the difficulty
 occurred. He didnt seem then to be excited at all. ~~he~~
~~seemed to be cool and deliberate,~~ I would not have taken him
 to be very angry. He did not speak as if he was ~~very~~ angry,
~~he spoke a little louder than a man would ordinarily.~~ I am not
 positive that another man assisted in the separation; beside the
 man that came between them, I believe the man had assistance
 but I am not positive, When I speak of being there in company
 of Mr Clark I mean Wm Clark of Hillsboro, I did not hear
 Mr. Clark say any thing to them in the way of interfering, he
 might have spoken to them and ~~as~~ not heard not noticing,
 I dont know which of us. Mr Clark & I went into the barroom
 first or whether we went together, I dont know whether I
 was in at the commencement of the quarrel or not, they were
 speaking when I came in, I cant remember whether Mr. Clark
 was in there then or not, Mr. Clark and I were sitting
 together we were not talking earnestly, sometimes I would make
 a remark & some times he - we had no current conversation
 together, this state of affairs had been going on some 5, 8 or ten
 minutes I dont know exactly how long, You might ask me
 in the morning & I would say 12 minutes, I dont mean
 by this that my memory is not good, I mean it is all

guess work, when I don't remember a thing I can't swear to it positively. It is possible that Mr. Clark might have spoken to Ell Reppy, while ~~we~~ were talking that way, and we not have heard it, he might have spoken and we not heard it. I can't say whether I would have been likely to have heard it or not. I did not hear Mr. Clark make any remark to either one of those parties. The minute preceding the clinking I had my eyes directed to both those parties so as to note their positions at the time, I took Ell Reppy to be sitting in a chair he might have been sitting on a table and I might have mistaken the table for a chair, my whole and entire attention was not directed to those parties.

If I had saw a chair position or a table position, I could tell. I took him to be sitting in a chair, I can't swear position, whether it was a chair or a table. I can't do it.

I am not certain as to the distance the parties were apart, it could not have been less than 5 feet. I cannot give the correct distance, as I was a stranger, and had never been there before, if I had been in the bar room a good many times, perhaps I could tell better. - I took it to be that the clinking or striking occurred as George was rising. The rising might have been so quick that he might have been on his feet when the clinking took place, but the way I take it to be is that it was when George was rising. They were both standing erect when the man ran in between them, they were some ~~four~~ feet out in the floor. ^{Re. Ex.} Ques You state in your cross examination that the deft. seemed to be cool and deliberate, what do you mean by deliberate I mean by deliberate when a man knows what he is talking about is not under the influence of passion or excitement.

I might have heard things then that I don't know
 any thing about now. I thought it was a very slight affair
 I didn't know there had been even a scratch inflicted till
 yesterday evening, I was astonished to hear that it was as
 serious as it is.

Wm. H. Winkler

Written & subscribed before me Oct. 6th 1870

G. J. Johnston

B. L. Reppy on part of defense being sworn deposes and says. I am the father of the deft; I live in Liberty Jefferson, county Pa. he lives with me. I saw Ell after he was stabbed.

He was lying in a bed in the par in Mrs. Butts' house. I went into the house and walked up to the foot of the bed where he was laying. His eyes were closed when I went in, his wife was kneeling by his side. He opened his eyes and observed me, his eyes soon glared on me rather fiercely and asked for Ben, Butts. His wife asked him what he wanted? - says he I want him to give me my pistol, I want to shoot that old rascal, - pointing me, for he was the cause of all the difficulty. I did not have any further conversation with him or hear any further, I made no reply. The deft, my son, has been with me pretty much all his life.

My son is a boy of strong mental passion and is deep. He does not when occasions present themselves for agitating him. It does not seem to move him until it reaches a high point, and it then bursts forth with great energy. That characteristic I have witnessed in him from boyhood up. This sudden bursting forth lasts but for a moment, it is usually. I would call him a young man very passionate. I was at Harnes drug store the evening of the 27th Sept, the evening the affray took place. I heard the conversation that was had by Smith, Foster & others with my son. I saw George sitting on the counter under a high state of excitement. There were a good many in the house I should say perhaps a dozen

~~The people were all standing~~ The greater portion of them were plying him with questions in regard to the affair. I heard what George said, it would be very difficult to state what he did say - some were asking him how did it occur? & some who struck first and some how did it happen. I couldn't state all that was said for this reason. Dr Beamer was present he said he had been up to see Edlbridge, he was talking to George he said he didn't think him severely hurt at all, that it would all be right again in a few days, with that some began to talk pretty freely and said George had done just as they would have done, that if he had jumped on them they would have cut him too, George seemed to be talking pretty freely with them, and just at that juncture I left the house and went up to see Edlbridge, leaving George sitting on the crutch. I could not make a statement of what George said there, for I was very much excited from Cathy's coming in & attacking George about what George should have said, Leah said him in reply to some body's question as to what caused the fuss, said he George we have plenty of witnesses to prove that you said it, I told Cathy to leave & go home or I would put him under arrest, for I believed he was the immediate cause of the whole affair. When I returned from seeing Edlbridge, I found but few in the house,

when I met my Brother last Tuesday evening on the road to Lebb, we were speaking of our afflictions, and he said that he knew just as well 2 or 3 hours before the difficulty took place, that it would take place as he did afterwards.

and he said he begged and plead with Ell. not to take any weapons with him that would prove dangerous in the heat of passion, the knife produced, is George's knife. he has it is the one he has been carrying, he brought it up with him from Natchez, some 3 or 4 months ago, it is his pocket knife,

+ When my son is under the influence of passion he becomes momentarily violent, when his passion bursts he is liable to extravagant acts, but it works itself off in exaggerated expressions, when I went in the drug store, & saw several persons that George was in an excitement, at that period of the passion after the burst, it was working off as I said before in exaggerated talk, expressions, the indications were that he had recently been highly excited. I don't know whether through fear or anger, I must say anger, the indications were that he had been highly excited, Dr. Beamer, John Smith, Elbert Smith, Gust Hamel, Cady came in at that time, Sam in there then, Chap Foster came in afterwards, I was in there when Chap. came in, Hamel had just released George when Chap. came in, George was walking out, I think he was just on the threshold. I think Chap. arrested him in the house, my opinion is that Geo. didn't step out of the door, it was a rearrest, he had been arrested & Hamel released him, & Chap rearrested him in the drug store, I think Geo. was standing right by the door. George was certainly considerably agitated when Chap. arrested him, I should say he was highly excited that kind of excitement &

spoke of. I don't recollect definitely what any one person said to George, I do not recollect Chap. saying to George in the drug store, "This is a pretty bad scrape you've got into, I have no recollection of his saying that at all, I did not see George take the knife out of his pocket and say to Foster this is what I done it with. George gave the knife to me though, I couldn't say as to hearing Chap say to George that he had noticed a wound on Ell, that he could put his thumb in, the only individual conversation that I remember was Chap talking to Hamel. Hamel had released George & George was starting out when Foster joined in like & began talking to Hamel, there were few in there at the time, He said that Ell was wounded pretty badly, I forget now as to how he said he was wounded, He suggested the propriety of holding George,

I am not sure that when Foster arrested George in the drug store, there were any body in there but Hamel & myself & Foster & George I am inclined to think there was not, George was not saying any thing at that time, Chap. said to George when he arrested him, I'll have to arrest you George, & I think Geo. said I'll go with you Chap. He seemed to be moved. He had thought it seemed that there was nothing serious & when he said that Ell was seriously wounded, it made him feel solemn, about it, He did not seem to be excited so much as solemn he felt moved about it, I have no recollection of hearing Mr. Foster say to George I'll have to arrest you. This is a pretty bad scrape you've got into, I have no recollection of

arrest you, Mr. Foster did not arrest George till
 after he came in the store & spoke to Hamel about it,
 & then he arrested him, I know Mr. Foster did
 not arrest George in the street and bring him
 in with him and then ask Hamel about it,
 I am positive of that for I had my eye on
 George all the time, I am positive of this and am
 positive that when I met Hamillie Sheffy he told
 me that he ~~knew~~ the fight was going to come off before
 it did come off as ^{well} as he did after wards, I am
 positive of both, I am as positive of one as of the
 other, I don't know of any thing to have prevented me
 from hearing any conversation between Geo. & Foster at the
 time when he was in the store & only my self, Hamel, Geo & Foster
 were in there, I didn't see George show the knife
 to Foster, He gave it to me, I don't know of him
 showing it to Foster, Foster might have seen it, but I
 don't know of his showing it to Foster, I heard George
 say that was the knife he done it with the question was
 asked where is the knife or what kind of a knife was it
 done with, George pulled the knife out & I took hold
 of it, I don't know that the question was answered, I
 don't know whether Foster was there or not, That was
 before Foster arrested George, after Foster came in
 & re-arrested my son, if he had taken the knife out
 & showed it to Foster & said this is the knife I done it with
 I certainly should have observed it for there was nothing
 else to attract my attention at the time, I don't think
 there was a word said about the knife then, Foster

took him off in about 5 minutes, and there was not much time for any thing like that to have taken place. I don't recollect of Geo. asking Mr. Foster if there was not more than one cut on Ellis today = I can't say that I heard Geo. remark to Mr. Foster that there ought to be two cuts. I don't know whether I had the knife in my hand when Mr. Foster was in there or not. He might have been in there and we not have known it. I did not have the knife in my hands when Mr. Foster came in and re-arrested George. I don't not hear Chap say to George in the drug store, This is a pretty ugly scrape you have got into & George replied yes, if it was to do over again I would not do it, I was in hearing distance of them if it had been spoken any thing like kind. I have no recollection of hearing any thing of the kind, it was all quiet inside the drug store after Foster came in.

I don't recollect of hearing George say to Mr. Foster there that he was as cool & deliberate as ever he was in his life. I don't recollect of hearing such language used at any time, either that or language of the same purport.

~~The~~ I do not recollect any thing definitely that George said, while in the drug store, in regard to the cutting, I do not recollect any thing he said in regard to the cutting.

When my son took the knife out in the drug store, I examined it & handed it back to him. I didn't see it taken out any more. I didn't see it any more until I saw it here. The question was asked what kind of a knife was it, & he took it out. I can't state who

asked that question, it was during the general questioning & talk - John W. Smith & Albert Smith, & a number of others were asking questions, they too were asking questions, and I am quite sure there were others but I don't remember now who they were, I couldn't tell who asked any particular questions, I couldn't tell who it was that said if Ell had jumped on him he would have done just as George did, It was one of some 12 doz. individuals, I am certain the remark was made, I am certain that a good many questions were asked but I could not say who asked any particular questions, I think it was on Tuesday evening last, that I had this conversation with my Brother that I have related, as I was going home from Millburn, on the hill just this side of Dugan's, He said that he knew just as well 2 or 3 hours before it did occur, as he did afterwards, and that he begged & pleaded with Ell, not to take any thing about him that he would do damage with in the heat of passion, these were just about the exact expressions, just about restatement, We were talking about this affair that is now being tried, we were talking in particular about the difficulty between Geo. & Ellbridge, He said just these words, He didn't say anything more, He did not say that he knew any body was going to be slatted, He didn't give any reason why he didn't want his son to have any arms with him, I do not know when it was that George went in to the Bar room at Southeth, it was not more than 30 minutes from the time he left home, till the cutting was done.

George & I had been chopping wood during the day.

I think George was down in town after the mail about 9 or 10 o'clock, that is my impression, He had not been down in town any other time that day to my knowledge, my opinion is that he went down after the mail in the morning and did not go down any more till after supper, that is my impression. When myself & wife came down it was about dark, Geo came in advice of us, It must have been about dark when he got down in town, it was twilight, it was between sun down & dark. It could not have been quite dark, for we eat supper with out a light, it was between sun down & dark, it might have been more than 30 minutes from the time he left home till the thing was reported to me, it might have been three quarters of an hour. George was usually at home at 8 o'clock, he would frequently go down after supper but he was usually in bed at about 8 o'clock except he was out at a little party or something, It was not an invariable custom of Georges to go down in town after supper only occasionally.

B S Rappap

Known to & subscribed before me Oct, 6th 1870

G J. [Signature]

October 7th 1870,

William Clark, on part of defense, being sworn
deponent and says, I claim here in Hill, Co.,
Jefferson county, I was at Desoto on the 27th of Sept.,
when a difficulty took place between Andrew E. Reppy,
and George Reppy. I went in to the bar-room Ell
Reppy was sitting at a table, and I walked in passed
him and turned around & saw that it was him, & then
I said good evening and shook hands with him,
shook hands with Ell, and I claim I passed the time
of day with George. I didn't hardly know his name. I
had seen him there in Desoto a few times, Ell Reppy
asked me if I would play a game of screw-up, and I
told him no, that I didn't come there for that business, that
I had just come down from Victoria, and he asked me
if I fetched my revolver along. I told him no, I didn't
& carry any revolver, and he said when you come to
Desoto you ought to fetch something of that kind, a knife or
a revolver. I told him I didn't think it was necessary
I never carried any such thing myself. He turned his
attention to George Reppy then and went to talking to
him. George was about 5 feet from us during the conversation
between me & Ell that I have detailed. He was sitting with
his back to the wall and his right hand on a table. There
was not to my knowledge, a table on George's left close to
him, there was some chairs. During this conversation Ell
Reppy was sitting on a chair, with his feet ^{under} a table on
the same table that George was at, after this conversation
took place I went & set down in a chair, some 4 or 5 feet
from Ell & probably some 6 or 7 feet from George, and

rather to the back of Ell, I probably could have touched him on the back. After I set down, Ell commenced talking to George, the way he commenced, ~~talking~~ to George was this he said "if you have said so & so about me, I intend to horse whip you till you his like a puppy. The only remark George said to that was he said that was business. I think that was the remark he said at that time, well I think Ell said Yes, God-damn it & can do it you know I can = George told him that was easier said than done = well they talked about the same thing & he talked of cow hiding him & Ell said that Cady & him, & three of them were concerned in it. I don't remember the other name at all. He went on & talked about the same thing for some time. The run of the conversation was about his cow hiding him he said it was some 2 or 3 times, that he would cow-hide him till he paid like a puppy. The quarrel was to have been about George & these men, George should have said something about him, Ell charged him with saying something about him, I did not find out who it was George should have been talking to, Cady's name was mentioned some how & some other man, Russell I think was the name, George told him that he hadn't said any such thing, that, that they were talking about, what he had accused him of saying I don't know, George told him that he didn't want no difficulty, that he didn't come there to fight, he said he was no pugilistical man, he didn't come there to fight, he said he was willing to go to the parties that Ell had heard that he had talked to, and satisfy him, that what Ell had heard that he said, was

not so, the conversation then stopped for a moment and then it seemed to commence again about the same thing I have told before about being whipped - He seemed to insist on punishing George, the conversation stopped for maybe 2 or 3 minutes, and then commenced about the same thing over again, after this momentary stoppage. Ell Reppy commenced talking to ^{George} ~~Ell~~ about the same thing, he repeated it over 2 or 3 times. He said he was going to whip him, & says he God damn you, you know I can do it, George didn't say any thing only when Ell would say he was going to whip him, that it was easier said than done, he didn't say any thing only make some such answer or stunt. He told him twice that he didn't want any difficulty, He says - God damn you, You and your father, (meaning Geo. & his father) have stole enough off my father, & God damn you I intend to whip you. He says I intend to whip you. He says You are a God damn son of a Bitch and I intend to whip you = George told him that, this was just as good time as any, if he was going to do it, and Ell Reppy raised up on his feet, and as he raised he struck George, George was just about half raised up when he struck him, I raised up and when I raised up Ell Reppy had George right over the head, he held his right hand a hold of his coat, Mr. Bondell was at the Bar he had been drinking a glass of Beer, he rushed in & caught George around both of his arms, and some one I don't know who it was, a justice around the hotel, I don't know his name, caught Ell Reppy, He caught over Ell's left arm and under his right and pulled, and Ell still had hold of Georges coat, over his shoulder and

Bredell, pulling one way & the other man pulling the other way, & Ell having hold of Georges coat, pulled his coat into ~~with the~~ ^{with the} exception of a piece at the collar. They got then a part, and this ^{I call him a punk,} ~~part~~ took Ell off up the steps and told him to go away. Ell went off up the steps and was gone a short time and came back down the steps again. He comes within about 2 steps of the bottom of the stairs. I was standing there. I told Ell he had better go back, and not to have any more difficulty. Ell went off up the stairs, and in a short time, Bredell came down into the saloon and told George, that he would have to arrest him. He says, Ell is cut, and George made the remark, that all he done was in self defence. George said that he had struck him three times, and George went with Bredell out of the saloon and went off. During the quarrel, I told Ell Reppy this, when George told him that he didn't want any trouble about what had been said, & Ell had said about whipping him ~~as I have stated~~ I said to Ell this, that he had said enough, that George had ^{that he had not said other things} said enough to satisfy him, and that he ought to go with George to the ~~part~~ ^{part}. I don't think Ell made any reply to me. I told him that George had offered every thing reasonable & fair, about it, & that he ought to hush. That he had abused George enough this was before the fight. He says to George this, any one of you three I don't care which one it is I intend to cowhide till you hit like puppies, any one of you three, and I don't care where it is, where ever I meet you I intend to cowhide you till you hit like puppies. When I said what I have

stated, one of the Barnes, I forget his first name, said, Yes that ought to satisfy Ell, & I wouldn't say any thing more. I don't say as I saw Ell strike George more than once, Ell raised up & as he raised he struck George and then he was between me & George. Ell grabbed him with his right hand. He did not have hold of him where he struck him. George's chair was right against the wall, and after Ell struck him & took hold of him, there is a lamp stands against the wall, he jammed George against the wall & knocked the lamp down. I don't know as they knocked the lamp down, they knocked it around, it is a smelly lamp. I guess they knocked part of it down I didn't pay much notice to the lamp I know it swings. - ~~When~~ ^{When} Brackell came into the saloon Ell Reppy was sitting in a chair. I think if I am not mistaken he stood ~~there~~ a while with his back towards the counter facing Ell Reppy & George. He stood there a short time & heard the conversation & started around & whispered in Ell Reppy's ear, and after he whispered to him a short time he raised up, and turned around to the bar and called for a glass of Beer. He drank it of course. ~~When~~ Brackell's back was to Ell Reppy & George the time when the first blow was struck, drinking his beer. The time that Ell told George that him & his father had stole enough off of him, and that he was a God damn ~~son~~ of a Bitch & he could whip him. He struck his fist across the table nearly in to George's face. He struck the table with his hand several times, a man from St Louis by the name of Fowille was with me at the time, he sat to my left. George sat at an angle to my left with his back to the wall & ~~his~~ right arm on the table. Ell was sitting with his

right side towards George. I did pay particular attention to the difficulty, because I was well acquainted with Ell, Reppy and not with George at all. I was expecting a fuss from what Ell, Reppy, was saying and I therefore watched it with particular attention. I don't know what Ell Reppy came back for, whether he came back for his hat or not I couldn't say, then Breddel went out with him. Ell, Reppy's talking was pretty rough. he spoke in a pretty high tone I thought he was angry, men don't usually talk that way unless they are.

+ I say that Mr Fowmble was with me during that time. I saw him here the other day. I understood his business was to testify in this case. He might have about 2 or 3 feet apart while this difficulty was going on. Me & Mr Fowmble was not conversing a great deal while this difficulty was going on. we might have spoke some together I recollect, of making 2 or 3 remarks to him, my self. Ell struck his hand down on the table several times. Ell was still sitting down when he motioned his feet towards George's face. - George was sitting with his back to the south wall of the Bar room, & Ell was sitting to the same table, facing George like, his body was towards the bar. he sat with his feet under the table. he was sitting in a chair, one edge of the table was near the wall. I don't know whether any of the table was between them or not, they were both sitting at the same table, ^{Ell was in arms reach of George} Ell when he motioned his feet, still kept his seat. I am positive that when Ell left the Bar room after the difficulty - that he came back down the steps, within 2 or 3 steps of the bottom. I was within about 3 or 4 feet of Ell, when Ell struck George the first blow. I don't know whether I could have reached him or not. his back was

towards me, I might have been perhaps more to his right side than to his back. The Bar room at that time was lighted with lamp light, it was after dark,

I did not see George Reppy strike Ell, ~~any~~ time.

I am positive that George & Ell was no such distance as 47 feet apart, at ~~any~~ times during the quarrel, I am positive that when they were separated that the Porter took Ell to the steps and started him up. I am positive that Bordell did not at that time go out with Ell, he had hold of George Reppy at that time, I am also positive that it was Mr Bordell that arrested George, I am positive that the man who arrested George, did not go out of the Bar room, between the time the difficulty occurred & the time Ell Reppy, after he went out of the house, came back down onto the steps, I am as positive that it was the Porter who took Ell Reppy to the steps the first time, as I am that Ell Reppy struck the first blow, I am as positive of one as of the other facts, I am positive of this fact, that it was Mr. Bordell who arrested George, who told George that he had cut Ell, and that he must arrest him. It might have been perhaps 10 or 15 minutes from the time Ell was first taken out of the Bar room until Bordell arrested George, It was about 5 minutes more or less from the time Ell Reppy first left the Bar room after the difficulty, until he came back upon the steps, as I have stated, Ell went up the steps and Bordell followed him shortly afterwards. They might have met out together I could not say, Ell came down on the steps and I spoke to him, he might have stood there a minute before he went out, Ell did not at that time come entirely into the

Bar room, he stopped before he got to the foot of the stairs. It might have been 10 minutes I should judge, I won't say positively from the time Bredell left the Bar room, till he came back to arrest George. It might have been longer. I won't say positively, it was a very short time, I should judge it was about 15 minutes from the time Ell was first taken out of the Bar room till Bredell came back & arrested George. I won't be positive, I won't say 15 minutes or I won't say 20 minutes. George was in the act of raising when Ell struck him. I am positive that he was not entirely erect, but partly so. Ell struck George & then grabbed him over the shoulder. I couldn't see George for Ell was between us. I could only see a portion of his legs. They were both to their feet at that time. I don't mean by that that Ell had his arm around George's neck. I don't mean any such act. I couldn't tell how many blows had been struck when Bredell rushed in between them. I had seen but one. I think when Bredell rushed in there, he threw his arms around George's arms. When Bredell rushed in, he caught both arms around George's body, above his arms. George could not have used his arms to strike Ell, in that position much of a hit. I don't know but that he might have struck him, he couldn't raise his arms up. He might have struck Ell, a light blow. I don't know whether he done it or not. I don't think that when Bredell had his arms around George, that George while in that condition could have struck Ell Reppy, so as to have hurt him. I think Bredell when he grabbed him raised the body just pressed his arms down to his body, this is my judgment about it. Bredell had George & the other man had Reppy.

When Bordell turned around & then jumped between them, they were together when he jumped between them they had not been together long, when Ell was talking about shipping George, George said that was as good time as any, the fight commenced right away after that, when they were parted. I don't remember hearing George say that cow hiding is not as easy as you suppose or words to that import, all I heard him say afterwards, was when Bordell came to arrest him & told him that he had cut all, ^{and talking} ^{rough} he said that all he done was done in self defense = " Ell was talking pretty ~~to~~ ^{rough} when Bordell ~~came~~ stood there in front of the table, after he first came in,

Re, Ex. = When Ell jumped to his feet George was sitting in his chair, he was about half raised up when Ell struck him = Re + ~~if~~ I can't state whether George got up quick or slowly, when Ell struck George George was about half raised up and then after he struck him he caught him with both hands, I could not tell you any thing about how long he held him with both hands he had hold of Geo. with one hand when Bordell had hold of Geo. & the Porter had hold of Ell Repp, he kept hold of George till they was pulled apart, and it pulled George's coat most into, I have stated that from the time they were parted till Bordell arrested George was perhaps 15 mins, I could not say exactly, some where in that neighborhood during that time I don't remember of hearing George make any remark about the difficulty, only what I have before stated, about when Bordell arrested him, I could not say whether Mr. Morable stood in the Bar room till George was arrested or not

I cant tell whether he stood in the Bar room or not, I think that during the difficulty Eel told him he was a God-damned liar, George didnt call him any names at all, Eel Reppy called Geo. a God-damned little puppy several times,

Wm Clark
Sworn to & subscribed before me Oct 7th 1870

E. J. Gottrich

on part of defense
A. M. Tyler, being sworn ~~being~~
deposeth & says

I am acquainted with Geo. Reppy, I have known him nearly a year, I know George generally character for peace & quietude in the community in which he lives, It is good as far as my knowledge extends, from the reputation he has, from the speech of people + I dont know how many people I have heard speak about it, I never heard his character for peace, discussed before this difficulty came up, I havent heard his character discussed previous to this time,

I have heard several persons say he was a peaceable by since this difficulty occurred,

A. M. Tyler

Sworn to & subscribed before me Oct. 7th 1870

E. J. Gottrich

James C. Power on part of defense being sworn
deposeth and says, I am acquainted with Geo. Reppy, I have known him for some 4 or 5 years or more, His general conduct has allways been quiet, respectable as far as I know & as far as I have heard, I allways looked on him as a

quiet young man, + I don't know as I ever heard
his character for peace & quietude spoken of in the
neighborhood in which he lives, I don't know of any
instance in which his character came up

Wm. C. Parker
I have to & subscribed before me Oct 7 1870
J. J. Johnson

State:

vs

Geo. Repp

in the Circuit Court of Jefferson
County Missouri

Where John Williams was

Sheriff of Jeff. Co. Mo.

by J B Mop & Deputy

Recd Oct 11th 1870
L. F. Henry, Clerk

Recd Oct 11th 1870

State

9866

State of Missouri, } 15th Judicial
County of Jefferson. } Circuit.

In the Circuit Court of Jefferson County,
Missouri. March, 1871, Term.

The Grand Jurors of the State of Missouri,
duly empanelled, sworn and charged to
enquire within and for the body of the County of
Jefferson aforesaid, upon their oath do present:
That one George Reppy, late of the said County,
on the twenty-seventh day of September, in the year
of our Lord one thousand eight hundred and
seventy, with force and arms, at Jefferson County
^{in the State of Missouri} aforesaid, in and upon one William E. Reppy, in
the peace of God and of the said state then and
there being, feloniously, willfully and deliberately
with premeditation and of his malice aforethought,
did make an assault, and that he the said George
Reppy, with a certain Knife of the value of
sixpence, and of the length of nine inches and
of the breadth of one inch, which said Knife
was then and there a deadly weapon, which he
the said George Reppy in his right hand
then and there had and held, the said William
E. Reppy, in and upon the body, four inches above
the naval, ~~on~~ one inch to the right of the middle
line of the body of him the said William E. Reppy,
then and there feloniously, willfully and deliberately,
with premeditation and of his malice afore-

thought, did strike and thrust, giving to the said Horace E. Peppy, there and there, with the Knife aforesaid, being a deadly weapon as aforesaid, in and upon the aforesaid body, four inches above the naval, one inch to the right of the middle line of the body of him the said Horace E. Peppy, one mortal wound of the breadth of two inches and of the depth of six inches, of which said mortal wound the said Horace E. Peppy, from the said twenty-seventh day of September in the year aforesaid, until the twenty-ninth day of September in the same year, at the County of Jefferson, in the State of Missouri aforesaid, did languish, and languishing did live; on which said 29th day of September in the year aforesaid, the said Horace E. Peppy, at the County of Jefferson aforesaid, of the said mortal wound died. And so the jurors aforesaid, upon their oath aforesaid, do say, that the said George Peppy, him the said Horace E. Peppy in the manner and by the means aforesaid, feloniously, willfully, and deliberately, with premeditation and of his ~~be~~ malice aforesaid, did kill and murder: against the peace and dignity of the State.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present:

That George Peppy, late of the County of Jefferson in the State of Missouri, on the 27th day of September in the year 1870, with force and arms, at the County aforesaid, in and upon one Hiram E. Peppy, in the peace of God and of the said State then and there being, feloniously, willfully, and deliberately, with premeditation and of his malice aforethought did make an assault, and that he the said George Peppy, with a certain Knife of the value of fifty cents, of the length of seven inches and of the breadth of one inch, which he the said George Peppy in his right hand then and there had and held, the said Hiram E. Peppy, in and upon the left groin of him the said Hiram E. Peppy, then and there feloniously, willfully and deliberately, with premeditation and of his malice aforethought did strike and thrust, giving to the said Hiram E. Peppy, then and there, with the Knife aforesaid, in and upon the aforesaid left groin of him the said Hiram E. Peppy, one mortal wound of the breadth of one inch and of the depth of four inches, of which said mortal wound the said Hiram E. Peppy, from the said 27th day of September in the year aforesaid, until the 29th day of September in the same year, at Jefferson County aforesaid, did languish, and languishing did live; on which said 29th day of September in the year aforesaid, the said Hiram E. Peppy at the County of Jefferson aforesaid, of the said mortal wound died. And so the jurors aforesaid, upon their oath aforesaid do say, that the said George Peppy killed him the said Hiram E. Peppy in the manner and by the means aforesaid, feloniously, willfully and

deliberately, with premeditation and of his malice a-
forethought, did kill and murder, contrary to the
form of the Statute in such case made and provided,
and against the peace and dignity of the State,
Geo. J. Heywood,
Circuit Attorney.

versus $\left\{ \begin{array}{l} \text{Murder} \\ 1^{\text{st}} \text{ Degree.} \end{array} \right.$

George Peppes

Witupes.

William Bondell

Hough Berkley

John A. Smith

Sanders Pool. + ✓

B. F. Butler

Paul Robertson

Chas Hornicle

H. B. Rippy + ✓

C. L. Foster

Geo. Bammel

James Davis

Locust Hyems * (partes at Dec 10.)

A. true bill

D A Sullivan

Foreman

Fareman
 Tulsa Mar 23rd 1871
 to S. H. Myers & Co
 104 E. Third Street Lph

A true copy of this
indictment send on the
defendant George Reppel,
and delivered to him this
25th day of March 1871, at ~~7~~

~~At 1 o'clock A.M.~~ 9 o'clock 045
minutes, on the 1st of Nov.

John Williams

Sherriff of Jefferson
County Missouri.

State of Missouri } 15th Judicial
County of Jefferson } Sp. Circuit

To March Term 1871.

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 oath do present:
That George Reppus, late of the said County
of Jefferson, on the twenty-seventh day of
September, in the year of our Lord eighteen
hundred and seventy, with force and arms
at the County of Jefferson, in the State of
Missouri, in and upon one William E.
Reppus, in the peace of the State then and
there being, feloniously, wilfully, deliber-
ately and premeditatedly and of his
malice aforethought did make an assault,
and that he the said George Reppus with
a certain Knife, of the length of seven
inches, of the breadth of one inch, and of
the value of fifty cents, which he the said
George Reppus in his right hand then
and there had and held, the said William
E. Reppus in and upon the left side of
the body of him the said William E. Reppus
then and there feloniously, wilfully,
and deliberately, with premeditation and
of his malice aforethought did strike
and thrust, giving to the said William
E. Reppus then and there, with the

Knife aforesaid, in and upon the left side of the body of him the said Wiram E. Peppy one mortal wound, of the breadth of one fourth of an inch, and of the width of one inch and of the depth of five inches, of which said mortal wound the said Wiram E. Peppy, from the said 27th day of September in the year aforesaid, until the 29th day of September in the same year, at Jefferson County aforesaid, did languish, and languishing did live; on which said 29th day of September in the year aforesaid, the said Wiram E. Peppy at the County of Jefferson aforesaid, of the said mortal wound died. And so the Grand Jurors aforesaid, upon their oath aforesaid do say, that the said George Peppy, with the said Wiram E. Peppy, in the manner and by the means aforesaid, feloniously, wilfully, deliberately, premeditatedly and of his malice aforesaid aforesaid, did kill and murder, against the peace and dignity of the State.

Geo. D. Reynolds.

11025

State

vs } Murder

George Repply.

Witnesses.

William Arnold

Henry Bentley

George John St. Smith

Sandro Paul.

B. J. Butler

Paul Robinson

Chas L. ~~Smith~~

W. S. Rappley.

~~W. S. Rappley~~

C. H. Walter

E. H. Arnold

a copy of this indictment
delivered to Dept Geo Repply
Mar 21st 1871 at one o'clock PM
Jas Boyce clerk

Attest Hil.

D. M. Jenkins

Attorney

Filed Mar 21st 1871
Jas. Boyce cl

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We Command you to take *George R. Pepp*
if he be found in your County, and *him* safely keep, so that you have *his* body before
the Honorable Judge of our Circuit Court *Northwith*
at Hillsboro, within and for the County of Jefferson, then and there to answer unto an
Indictment found against *him* by the Grand Inquest for the body of the County of
Jefferson, for *Murder in the first degree*

contrary to the form of the Statute in such case made and provided, and against the
peace and dignity of the State.

Witness, *M. J. Boyce*
E. F. HONEY, Clerk of our said Circuit Court,
with the Seal thereof hereto affixed, at Office this
25th day of *March*

A. D. 1871

M. J. Boyce
Clerk Circuit Court.
By The Hon. Judge

State
vs
Geo Rappaport
Capias

John Williams
Sheriff fee \$1.00

To the Sheriff of the County of Jefferson, Missouri:

THE STATE OF MISSOURI

to send the within copies in Jefferson County Missouri
on the 25th day of March 1877 by arresting George H. Hays
and having him in custody and by treating the copies
to George H. Hays

John Williams Sheriff

In Circuit Court
Jefferson County

State
vs
Geo Ryspy

Indicted
for murder
1st degree

Now at this day comes the defendant
by his Attorneys and moves the
Court to let the said defendant
to ~~trial~~ bail for the following reasons,
1st Because the evidence taken upon
the examination in said case
and the same that was used in
procuring the indictment herein does
not show that the proof is evident
or the presumption great as to the
guilt of defendant for the crime
alleged -

Thomas Williams & Leonard
Depts Attys

State
by
Rippy

—//—
Motion for bail

Filed Mar 27 1881
W. L. Boyce Cl

The State of Missouri,
COUNTY OF JEFFERSON.

To

Geo. Charles & Geo. Chas. Chas. Chas.

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *10th*

, 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 *Geo. Chas. Chas.*

Defendant, on the part of *Geo. Chas. Chas.*; 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 *3d*

April A. D. 1871

W. D. Boyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Reppy

Gus Hamel

John Williams
Sheriff fee \$1.00

The State of Missouri,
COUNTY OF JEFFERSON.

To

Geo. Franklin

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 2nd

, 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

Plaintiff, and George McKay

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 3d day of

April A. D. 1871

E. F. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March

Term, 1871

State

vs

Geo Depp

For Debt

Due From Holdr

Turned at 4 o'clock

April 3, 1871

J. G.

Sherriff fee 50

284.35
999.00
999.00
951.85

The State of Missouri,

COUNTY OF JEFFERSON.

To

J. W. Mullin Jr.

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

, 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 *George DeLong is*

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 *20th* day of

April A. D. 1871

E. F. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Term, 18

State
vs
George Peppy

John Williams
Sheriff fee

50

Arrested the within in Jefferson County, Mo on the
third day of April 1881 in J. D. Mcmurtre
by leaving the same to him.
John Williams
Sheriff

The State of Missouri,
COUNTY OF JEFFERSON.

To

John H. Merrill

You are Herby 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

The State of Missouri

Plaintiff, and *George Ashby* is

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

W. Dwyer
Witness, **ELIAS F. HOMER**, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this

March A. D. 1871

W. Dwyer

day of

W. Dwyer Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Term, 18

*State
Geo. R. R. R.*

*John Williams
Sheriff Geo 50*

*I certify the within is a Jefferson County Mo. on
the 30th day of March 1871 on Charles D. Bellin the
by meeting the same to him*

John Williams Sheriff

The State of Missouri,
COUNTY OF JEFFERSON.

To

Wm. Cady & Chas. Bissett

You are Herby 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

the State of Missouri
Plaintiff, and *Geo. Reilly* is

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

Wm. Cady
Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this *29th* day of *March* A. D. 1871

E. F. Honey
Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Term, 18

State
vs
Reppy

State of Missouri }
County of Jefferson }
Be it remembered that on the 30th day
of March 1891. Dr W Berkley
appeared before me the undersigned
a Notary Public within and for
said County, and being duly sworn
upon his oath states that he executed
the within subpoena by reading the
same to D K Gady & C H Bissett
where my hand is.
Wm H Bissett
Notary Public

John Williams
Sheriff 1.00

The State of Missouri,
COUNTY OF JEFFERSON.

To

W. D. Kelly

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

, 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

Plaintiff, and *Geo. Buckley is*

Defendant, on the part of *Defendant*; and herein you are

in no wise to fail.

W. D. Kelly

Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this *4th* day of

April A. D. 1871

W. D. Kelly Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Term, 18

State
vs

Geo Reppy

For Debt
R

W S Reppy

John Williams
Sheriff fee

50

I served the within in Jefferson County on
on the first day of October 1871 on W S Reppy
by reaching the same to him

John Williams Sheriff

The State of Missouri,
COUNTY OF JEFFERSON.

To *Wm. McDonald, George M. McDonald and*
Levi Steinhilber

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *2nd* of *March*

, 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 *Geo. Steinhilber*

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

Witness *W. H. Hoxey*
Witness, **ELIAS F. HOXEY**, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this *3^d* day of

April A. D. 1871

W. H. Hoxey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

Man

Term, 1877

State
vs
Reppy

For Debt,

John L. Boyce \$1,50

I served the within Subpoena on Hardy
McGinneth, do, Geo M McGinneth &
James W. Linnac Smith by reading the
same in their presence & hearing
this third day of April A.D. 1877,
Deborahs return to
before me this 4th
day of April A.D. 1877.

— McInnes clerk

John L. Boyce

The State of Missouri,
COUNTY OF JEFFERSON. }

To *Isaac Lloyd John Lloyd James McLaumack.*

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, ~~on the~~ *20th March*, 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 *George Ripley*

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

W. D. Boyce
~~Clerk~~, ~~ELIAS F. HONEY~~, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this *Thurs* day of *March* A. D. 1871

W. D. Boyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Reppy

J^r Deft

John S. Boyce of 150

I served the within subpoena on John Boyce & James McCormack by reading
the same in their presence & hearing, this 14th
day of April A.D. 1871
I do hereby certify
before me this 14th
day of April A.D. 1871
John S. Boyce clerk

The State of Missouri,
COUNTY OF JEFFERSON. }

Do Mellman Maclee

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 28th day of March 1871, 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 Geo. B. Reising is

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 23rd day of March A. D. 1871

W. B. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 18*77*

State
vs
Reppy

Wm Mabey

Surrey

John Williams

Sheriff Fee 50

The State of Missouri,
COUNTY OF JEFFERSON.

To

James D. Davis

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *first of March*, 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 said of Jefferson is* Plaintiff, and *Geo. Deft.* Defendant, on the part of *State*; and herein you are in no wise to fail.

Witness, **ELIAS T. HONEY**, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *31st* day of *March* A. D. 18*71*

E. T. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Geo. Peppy

Don't State
James Davis

John. Williams
Sheriff Fee 50

Papers
To be
Returned

The State of Missouri,
COUNTY OF JEFFERSON. }

To William Bruce Hough Doctery
John A Smith Sanders Deel

You are Herby Commaned, That setting aside all manner of excuse and delay, you
appear before our Circuit Court, for the County aforesaid, on the 29th day
of March 1871, 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 George Reaphy is

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

W. Bruce
Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this 28th day of
March A. D. 1871

W. Bruce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1877

State
vs
Geo Reppy

Wm Bridell
H Berkley
J A Smith
J Pool

Sheriff fee 200

The State of Missouri,
COUNTY OF JEFFERSON.

To *Asa Butler David Robinson*
Charles Lemire H. J. Reppuy

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *29th* day of *March 1871*, 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 *George Reppuy is*

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

W. J. Boyce
Witness, ~~ELIAS F. HONEY~~, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this *28th* day of *March* A. D. 1871

W. J. Boyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Geo Reppy

B J Butler
Daul Robertson
Chas Vermelle
H S Reppy

Sherriff fee \$2.00

The State of Missouri,
COUNTY OF JEFFERSON.

To *John Hanning* *Shupie* *in Detach*
De At Leaty

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, ~~on the~~ *Prothonot*
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 *George R. Rhy is*

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

W. J. Boyce
Witness, **ELIAS F. HONEY**, Clerk of our said Court, with the seal thereof
hereto affixed, at office, this *29th* day of
March A. D. 1871

W. J. Boyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Reppy

J Harrison

P Hupp

J W Fletcher

S Keady

John William
Sheriff fee \$2.00

I swear the within

The State of Missouri,
COUNTY OF JEFFERSON.

To *Wm. Dwyer George Hannum*
James Davis Henry Dugan

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *29th* day of *March 1871*, 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
Plaintiff, and *George Rehn* is

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

Wm. Dwyer
Witness, *ELIAS F. HONEY*, Clerk of our said Court, with the seal thereof
hereto affixed, at office, this *28th* day of
March A. D. 1871

Wm. Dwyer Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Geo. Rippy

C. S. Foster

G. Hammel

J. Davis

H. Lyons

Sheriff fee \$200

State of Missouri } Indictment for
 (vs) George Reppy } Murder.
 In the Jefferson
 Circuit Court.
 March Term 1871.

Now at this day comes the Defendant
 in the above entitled cause and
 moves the Court to require the Circuit
 Attorney who prosecutes for the State
 in this behalf to elect which Count
 in said indictment he will ask a
 verdict on ~~for the following~~ and
 to dismiss as to the other for the
 following reasons.

1. Because the two Counts in said
 indictment do not set out the
 same offense.
2. Because different wounds are
 charged to have been inflicted
 by Defendant on De Cloud, each
 wound being charged as mortal.
3. Because the two Counts in said
 indictment are conflicting & charge
 two separate offenses.
4. Because ^{suff} is entitled to know specific-
 ally the charge against him.

William, Thomas & Thomas &
 Leonard for Defendant

Wale

^{on}
George Killy

Indictment for
Murder.

Motion to require
~~the~~ Circuit Court
may select or
with leave the
Court will ask a
Verdict.

Filed April 4. 1879
In presence of

Partial civility is no excuse, but
~~Refused~~ ^{there} must be an entire absence
of power over the mind.

The Court instructs the jury that ~~in this country~~ no man is bound to retreat when attacked but may stand his ground and defend himself using such force as may be necessary to repel the attack that if Hiram E. Reppy provoked a difficulty with Defendant assaulting him in a violent manner and with more force than Defendant was able to repel without the use of a weapon or was in the act of inflicting personal injury on the Defendant which he was not in a situation to prevent without the use of a weapon and if under such circumstances the Defendant used a knife as a weapon of defence for the purpose of repelling such attack and preventing injury to himself and inflicted a wound or wounds on said Hiram E. Reppy of which he afterwards died then in that event the Defendant was justified under the Law of self defence in so doing and if the jury so find their verdict should be for the Defendant

Defendant
Refused

5.

Refused

If the Jury believe from the evidence that the defendant killed the deceased, without a design to effect death, in a heat of passion, but in a cruel and unusual manner, they will find him guilty of manslaughter in the second degree, unless they further find that the killing was done under such circumstances as to constitute excusable or justifiable homicide as ~~above~~ ^{herein} defined ⁱⁿ ~~this case~~ ^{xx}; - and so finding the Jury will assess this punishment at imprisonment in the penitentiary not less than three (3) years nor more than five (5) years. -

Refused Instructions
State
vs
Rebby

Filed April 4th 1871

W S Boyce Cl

R

If the jury believe from the evidence that the defendant George Rippy had reasonable cause to apprehend a design on the part of the deceased to commit a felony or to do some great personal injury to the defendant and that there was reasonable cause to apprehend immediate danger of such design being accomplished and that ~~the wounds inflicted subsequently caused the~~ ~~death of Herman E. Rippy~~

Refused

The defendant struck the fatal blow that caused the death of Herman E. Rippy in order to prevent the accomplishment of ~~such~~ such design then you should acquit the accused on the ground that such homicide is justifiable in the law because committed in self defense. And the Court further instructs the jury that it is not necessary that in order to acquit on the ground of self defense, the danger should have been real or actual or that such danger should have been impending and about to fall on him; it is only necessary that the jury shall believe that the defendant had reasonable cause to apprehend there was immediate danger of a design to commit a felony or to do great bodily harm to the defendant to be about to be accomplished

Defendant

Refused

The Court instructs the Jury that the admissions of the defendant as detailed by the witnesses should be weighed with great caution as such admissions are liable to be misinterpreted, or not properly reported by the witnesses and as is frequently the case the witnesses substitute their own language for that used by the accused thus conveying a meaning entirely different from that intended; the witnesses sometimes not reporting all that was said & sometimes giving more than was heard. Hence such admissions are entitled to only such weight as ~~they~~ the circumstances surrounding the whole transaction will warrant.

refused

9
The Court instructed the Jury
that General Character of any witness
who has testified before them has
been proven to be bad in the
neighborhood where he resides or has
recently resided for truth and veracit-
ten in that event the testimony of
such witness is impeached and if the
jury so find they are at liberty to
disregard the whole testimony of such
witness

Wichita Falls Tex. 10/11/11

Steele

to

Betty

Defts. instructions

If the Jury believe from the evidence that Herman E. Reppy on the 27th day of September 1878 provoked a difficulty with Defendant and assaulted him in violent manner and ~~that~~ ^{giving} the manner of the assault, and from threats made at the time of the difficulty and previous thereto, by H. E. Reppy towards Defendant that Defendant had reasonable ~~cause~~ grounds to apprehend that Deceoré would inflict some great personal injury upon Defendant and he stabbed Deceoré under such circumstances, then it is self defence and the Jury should acquit.

Reppy

Defendant

B

If the jury believe from the evidence that Deceoud assaulted Defendant in a violent manner and from the surrounding circumstances the Defendant had reasonable grounds to apprehend that Deceoud was about to commit ~~some~~ a felony upon him or to inflict upon him some great personal injury upon him, then Defendant was not bound to wait till such felony ~~was~~ actually committed or such personal injury ~~was~~ actually inflicted before he could strike in his own defence but he had a right to kill the Deceoud to prevent such apprehended design though there might have been no real or actual danger at the time yet in such case the jury should find from the evidence that Defendants grounds of apprehension were reasonable, before they can acquit

Reasonably apprehended

6.

~~therefore~~
If the jury believe from the evidence
that the deceased threatened the
prisoner George Rippy, a few days
before, that he would knock his
head off, that they met in a bar-
room ~~lighted up~~, when they could
see each other, that the deceased
pressed for a fight, but the
prisoner retreated a short dis-
tance, that when the deceased
got within reach of him, the
prisoner George Rippy stabbed
him with some sharp instrument
which caused his death, and that
at the time of the meeting the
deceased William E. Rippy had
no deadly weapon, then the
jury will find the defendant
George Rippy guilty of murder
in the first degree, provided they
also find that the killing was done
willfully, deliberately and premedi-
tatedly.

of

Winston

Rippy

+

+

8

an act
Where ~~an act~~ killing is committed deliberately, with a deadly weapon, and is likely to be attended with dangerous consequences, the malice requisite to murder will be presumed; for the law infers that the natural or probable effect of any act deliberately done, is intended by its actor.

9

Repealed

If one seek another, and enter into a fight with him, with the purpose, under pretence of fighting, to stab him, if a homicide ensue, it will be murder in the first degree, no matter what provocation was apparently given, or how high the assailant's passion rose during the combat, ~~for the malice is express~~. If therefore the jury believe from the evidence that the defendant George Rippy sought the deceased, or voluntarily entered into a fight or altercation with him, with the purpose under pretence of fighting to stab him, and that he under such circumstances struck the fatal blow, then it was murder in the first degree no matter what provocation was apparently given, or how high the ~~assailant~~ deceased's passion rose during the ~~combat~~ ^{quarrel}, and notwithstanding the deceased may have struck the first blow.

11

Jury
are
not
bound
to
believe
because
said
in
a
Conversation
proved
by
the
state,
they
may
believe
or
disbelieve
it
as
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shown
to
be
true
or
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by
the
evidence
in
the
case.

~~In considering~~ What the defendant
said, after the fatal act, against
himself the law presumes to be
true, because against himself;
but what he said for himself the
Jury ~~are~~ not bound to believe because
said in a Conversation proved
by the state, they may believe or
disbelieve it as it is shown
to be true or false by the evidence
in the case.

Refused
by
decidedly

A party calling a witness is bound
by the statements of that witness.
Therefore the defendant having in-
troduced the dying declarations
of Miriam E. Rappaport as evidence
in the case as explanatory of his
action in the difficulty is by those
declarations

given

1.
If the jury believe from the evidence in the case, that the defendant George Reppus, in Jefferson County, ^{St.} Missouri, in the month of September, 1890, willfully, deliberately and premeditatedly killed William C. Reppus with a knife, the jury will find him guilty of murder in the first degree.

10.

~~Second~~ of the Jury should believe from
the evidence that Herman E. Reilly
made the assault upon the defendant
and that the defendant stabbed the
deceased with a knife, from which
deceased afterwards died, yet if
the Jury further find from the ev-
idence that the fatal blow was struck
~~after~~ ^{by the prisoner} after one William
Burdell ^{or others} had interfered, and after
all immediate danger of an at-
tack or of personal violence to the
~~the~~ prisoner from the said Herman E.
Reilly had ceased, ^{by reason of said interference} then and in that
case there is no real defense in the
case and the Jury will not acquit
for that cause.

18,
15-

If the Jury believe from the
evidence in the case or from
any other source, that any
witness has willfully sworn
falsely as to any material
fact in the case, they are
at liberty to disregard
the whole of ~~that witness's~~ testimony

14 The jury are instructed that - in
Considering what the defendant said after
the fatal act; the jury must consider it
all together. He is entitled to the benefit of
what he said for himself, if true, as the
State is of any thing he said against
himself in any conversation proved
by the State. What he said against
himself the law presumes to be
true, because against himself; but
what he said for himself, the jury
are not bound to believe, because
said in a conversation proved
by the State; They may believe
or disbelieve it; as it is shown to
be true or false by the evidence
in the case.

11 If the jury find that the deceased struck defendant or rendered him any other personal violence, such violence in the law is a provocation, which extenuates the homicide; but if you find that such violence was brought upon defendant by any unlawful act on his part, then said violence constitutes no lawful provocation, and does not extenuate the homicide.

12 If you find that defendant received such violence at the hands of the deceased, without having brought it upon himself by any unlawful act of his, and thereupon, while in a heat of passion caused thereby, he ~~slays~~ and killed deceased without a design to effect death, but in a cruel and unusual manner, the offence is manslaughter in the second degree.

If the killing was committed under the circumstances last above stated, ^{and with a dangerous weapon} but not done in a cruel or unusual manner, then the offence is

13
Manslaughter in the third degree
If you find ^{the} Defendant
guilty of ~~murder~~ Manslaughter
in the second degree, you will assess
his punishment by imprisonment
in the penitentiary not less than
three nor more than five years;
and if of manslaughter in the
third degree, by ~~life imprisonment~~
imprisonment in the penitentiary
not less than two nor more
than three years; or in jail not
less than six months, or by
fine not less than five hundred
dollars or by both a fine of not
less than one hundred dollars
and imprisonment in jail
not less than three months.

44
If the Jury believe from the evidence
that the ~~prisoner~~ accused did
not intend to kill, but assaulted
and killed with malice, as this
term is known to the law, then the
offense is murder in the second
degree. ~~Malice as known to the
law, does not mean mere spite,
ill-will, or dislike, as it is ordi-
narily understood, but as appli-
cable to this case, it means the in-
tentional doing of a wrongful
act without just cause or excuse.~~

9
If therefore, you believe from the evidence,
that the said Miriam E. Peppy was
killed by the means, and in the man-
ner specified in the indictment;
that he came to his death by violence
thus inflicted upon him by the
defendant, and that such violence
was so inflicted upon him by the
defendant willfully - that is to say
not by accident - and with malice
as ^{fact} ~~above~~ ^{by the Court} defined, if you will find him
guilty of murder in the second
degree, and so finding, you will
assess his punishment at the
imprisonment in the penitentiary for a term
not less than ten (10) years.

6
If the jury find that the defendant did
wilfully use a knife and stab ^{and kill} Hiram E.
Reppy simply, because Hiram E. Reppy
used words of reproach towards him
and that he thought of the killing
any length of time, however short before
he stabbed said Hiram E. Reppy
the offence is murder in the first
degree, and so you should find.

7
If the jury find that the defendant
wilfully cut or stabbed, with a knife,
deceased and killed him on account
of any old grudge, as a matter of
revenge or retaliation therefor, then the
offence is murder in the first degree
and so you should find.

8
If you find the defendant guilty of
Murder in the first ^{degree}, you will simply
return a verdict stating the fact.

24.

(4)

867

If George Reppis killed Hiram E. Reppis with a knife, the law presumes it is murder in the absence of proof to the contrary, and it devolves upon the defendant to show, from the evidence in the cause, to the 'reasonable satisfaction' of the jury, that he is guilty of a less crime, or acted in self defense.

25.

(5)

868

The deliberation and premeditation necessary to constitute murder in the first degree, may be inferred from the ^{facts} ^{in proof} circumstances connected with the killing, ~~and if they existed for a moment, as well as an hour or a day before the killing, it is sufficient.~~

3 (3)

~~to 7~~

25 Nov

Provocation to be sufficient to mitigate or extenuate homicide, as applicable to this case, should amount to personal violence or injury to defendant: mere words of reproach, harsh abuse or gross abuse, though they may be, are no provocative sufficient to free a party killing from the guilt of murder.

2 Wilfully as here used means intentional, not accidental, Deliberately, means a cool state of the blood, that is not in a heat of passion caused by lawful provocation; and premeditation, means thought of beforehand, any length of time however short.

Malice, as known to the law and as applicable to this case, does not ~~mean~~ mean mere spite, illwill or dislike, but it means the intentional doing of a wrongful act without just cause or excuse, a state of disposition as shows a heart regardless of ~~said~~ social duty and fatally bent on mischief; and passion sufficient to extenuate homicide, is a heated state of the blood, caused by lawful provocation.

The Court further instructs the Jury
 that- the Law of self defence is emphatically
 the Law of necessity- to which a party
 may have recourse under certain
 Circumstances to prevent any reasonably
 apprehended great personal injury to
 himself which he may have reasonable
 grounds to believe is about to fall
 upon him, if you believe that Defendant
 had reasonable Cause to apprehend a design
 on the part of Deceased to commit- a
 felony upon Defendant or to do him some
 great personal injury and that there was
 reasonable Cause to apprehend immediate
 danger of such design being carried out
 and he stabbed ^{and killed} the deceased to prevent
~~to prevent~~ the accomplishment of such
 apprehended design then the ^{killing} ~~stabbing~~
 is justified upon the ground of self
 defence and you should acquit

3

It is not necessary to this defence that the
 danger should have been real or actual
 or that the danger should have been
 impending and about to fall, if you
 believe the Defendant had reasonable
 Cause to believe these facts and he
 stabbed the deceased under such
 Circumstances as he believed to prevent
 such expected harm ~~then you should acquit~~

and if you further believe that the
Defendants Cause of apprehension was
reasonable then you should acquit.

8 - The Court instructs the Jury that
if they have a reasonable doubt of
the Defendant's guilt - they should
give him the benefit of such doubt
and acquit, this doubt however
should be a substantial doubt of the
Defendant's guilt and not a mere
possibility of his innocence

Objected

objectionable.

given

debt question

We may have the right to take into consideration the acts & deeds of the decedent at the time of the difficulty, in showing the state of the mind of the decedent towards the dependant.

7
The Court instructs the jury that ~~they~~
~~are~~ if it is their province to judge of
the weight of the testimony introduced
before them and if they believe that any
witness in this cause has wilfully sworn
falsely as to any material point ~~in fact~~
~~testimony~~ they are at liberty to disregard
the whole testimony of such witness

The Court instructs the Jury
that it is their province to weigh
such declarations as they may
believe the Defendant made in
regard to his difficulty with the
Deceased and to give to such declarations
such credit as under all the
circumstances of the case they may
believe them entitled

Jefferson Co Mo. Apr the 3rd 1870

Will the Jury find the Defendant
George Jeffery not guilty

Yours &c Perry. Freeman

Wm. Dace

My. Moss

B. Becker

Wm. Graham

Sam. Meadley

Deodrick. Meyer

Wash. Stephens

~~Charles. Stephens~~

Charles. Stephens

Levick. Gomoss

Thomas. Mackenny

John. Tillison

John. Harwood

Anna. Burgon

Christin. Lages

Isaac. Hickle

Joseph. Royce

J. C. Royce

John. Raimy

Thomas. Byned

Frank. Weaver

James. Royce

Samuel. Perry

Samuel. Perry

Philip. Mease

William. Lee

Nelson. Shonltz

George. Kidd

~~George~~ Berdee. Kidd

W. A. Biddick

His am. Biddick

Adolph. Weaver

W. Yatt

John. Garry

Sebastian Kohler
Philip Meyer
Sopar Arnold
Adam Bush
Louis Beigler
Jesse White
George Southland
Frank Fredensie
Louis Fredensie
Frank Lindler
Jasper Simin
Christ Grimm
Christ Gaeger
Hritz Meug
Edward Rogers
Deadruck Decker

State of Missouri
County of Jefferson
To the circuit court of
Jefferson County Mo, The following is proceedings
in case of State vs George Reppy, charged with murder,
The affidavit herewith filed of Saml. A. Reppy, was sworn out before
me Oct. 3^d 1870. upon which I issued a warrant for his
arrest, which warrant is also herewith filed, The said George
Reppy, was by me, after hearing the evidence for the
prosecution and defense, held to appear at circuit
Court in Bond of Two Thousand Dollars which Bond,
together with the Testimony written in the case, & the dying
statement of the deceased man H. E. Reppy & the recognizance
of witnesses to appear at circuit court are all here-
with filed,

Fee Bill of G. J. Johnston co. court Judge,	
For certificate to affidavit	15
" issuing warrant	35
" Taking recognizance of 7 witnesses	2.45
" writing testimony 18,500 words @ 10 ^{cts} per 100 words	18.50
" swearing 10 witnesses, at 5 ^{cts} each	50
" subpoenaing 11 witnesses	3.55
" Recognizance of deft,	35
	<u>26.15</u>

For this transcript —

25
\$ 26.40
6.50

Amount of Witnesses fee Bill

" " Sheriff's fee Bill

15.05
\$47.95

I certify the above to be correct according to
the Bills claimed & fee Bill filed by sheriff

G. J. Johnston county court Judge

Indictment No 2

State } In the Jefferson Circuit Court.
Geo Reppy } March Term 1871.

Indictment for murder in the
first degree.

Nolle Pros. entered and Defendant
discharged.

~ Fee Bill ~

W S Boyce Clerk Circuit Court.

Indictment ⁵⁰ & arraignment ¹⁵ & Entpleat ¹⁵ 80

Continued from Mar 23rd to Mar 28th 25 25

Nolle Pros as to 2nd count in indictment 50

Nolle Pros as to whole of said " 50

order discharging prisoner 15

Copy of Indictment Cert & seal for Defendant. 1.50

Copy of Fee Bill Cert of Judge & Cir atty 75

Copy of same after allowance, Howard & Co. 26 / 4, 71

We the Judge & circuit attorney of the 15th Judicial circuit of the
state of Jefferson do hereby certify that we have strictly
examined the foregoing Bill of costs during the sitting of the circuit
court at the March Term A.D. 1871 and find the same amounting
to ^{Drops 2 7/1000 Dollars} ~~two hundred and twelve~~ to be correct and that the State
of Jefferson is liable for the payment thereof, We further certify
that a Nolle Pros was entered and said defendant discharged
that the offence charged is a capital one, and that services
were rendered for which charges are made, and that compensation
is given ~~for~~ ^{for} the services for which charges are made.

J. H. Hall Judge
Geo D. Reynolds, Cir atty.

Copies

State
vs
George Reppy
Fee Bill,

State \$ 4.70
65
4.05

Copies

Indictment No 16

State of Missouri } p. In the Jefferson Circuit Court.
George Reppy } March Term 1871.

Indictment for Murder in the
first degree. Tried by jury and acquitted,
Dec 1866.

Geo W Sublett Justice.

aff³⁵ doc¹² warrant³⁵ Transcript^{1.00} Commitment⁵⁰ / 2.30

R Washburn Constable.

warrant²⁵ Taking prisoner to jail^{1.00} 16 miles @ 10 per mile^{1.60} / 3.35

Guard pris¹²⁵ Board of Pris^{1.00} horse hire^{1.00} 3.25 / 6.60

Costs accrued on re-hearing of case
before J. Johnston County Court Justice, (Habeas Corpus)
J. Johnston County Court Justice

Cert to aff¹⁵ warrant³⁵ 7 recognizances of witnesses^{2.45} / 2.95

writing evidence \$18,500 words of fig 10 per 100 18.50

100 each⁵⁰ 11 Subpoenas^{3.85} Recog of pris³⁵ Transcript²⁵ 4.95 / 26.40

J. Luchtmeyer Sheriff Before C. Ct. Justice.

warrant^{1.00} 11 Subpoenas @ 50^{5.50} Call 11 witnesses⁵⁵ / 7.05

For attending Court 4 days @ 2.00 per day 8.00 / 15.05

Witnesses Before Justice.

C L Foster 2 days 1.00 W W Bredell 1 day⁵⁰ / 1.50

Sanders Pool 2 " 1.00 Hugh Burkley 1 day⁵⁰ / 1.50

Jno Smith 1 " 50 H S Reppy 1 " 50 / 1.00

B S Reppy 1 " 50 David Peter 1 " 50 / 1.00

Wm Clark 1 " 50 Cha Winkle 1 " 50 / 1.00

David Robinson 1 day 50 / 6.50

Amount Carried forward / 56.85

Amount Bro't forward	\$ 56 85
W S Boyce Clerk, Circuit Court.	
Ent & filing Indict. ⁵⁰ Capias ^{1.00}	\$ 1.50
Special Verdict actually ordered ⁷⁵ Ord for venire ¹⁵	90
Arraignment ¹⁵ Ent plea ¹⁵ Cante	30
Summing & ent jury & delivering copy to parties	50
Cont till Mar 30 th ²⁵ Ord to remand prisoners ¹⁵	40
Order on witnesses to remain out of courtroom (not provided for)	15
Cont till Mar 31 st ²⁵ Order to remand pris ¹⁵	40
" " April 1 st ²⁵ " " " " ¹⁵	40
Motion to require Circuit atty to elect on Count ¹⁵ rule ¹⁵	30
Order on Clerk to produce papers.	15
Cont till April 3 rd ²⁵ Ord to remand pris ¹⁵	40
" " " 4 th ²⁵ " " " " ¹⁵	40
" " " 5 th ²⁵ " " " " ¹⁵	40
Taking and Ent Verdict ²⁵ Judgment ⁵⁰	75
Issuing 17 Subpoenas for State	4.25
" 15 " " Defendant.	3.75
Copy of Indictment cert & seal for Defendant.	1.50
Filing 25 papers @ ⁵ ¢	1.25
Order on Sheriff (not provided for)	15
Copy of Dec Bill Certificate of Judge & Clk atty	75
Copy of D.B. after allowance 1412 words & fig @ 10¢ per 100	1.41 20 01

John Williams Sheriff	\$ 8.50
Capias ^{1.00} 17 Subpoenas for State	\$ 9.50
15 Subpoenas for Defendant	7.50
Summoning Jury under Special Verdict Capias	2.00

Serv copy of Indict in Deft. hand of Court.	50
Calling 32 witnesses @ ^s	1.60
Committing prisoner to jail	1.00
Trial of case	3.00
Executing order of Court.	50
	<u>\$25.60</u>

Witnesses March Term 1871.

D K Gady	2 days	28 miles	\$ 4.24
John Harmony	1 "	14 "	2.12
Hugh Berkley	3 "	14 "	4.12
Henry Lyons	3 "	14 "	4.12
J J Davis	5 "	14 "	6.12
H. S. Reppy	6 "	16 "	7.28
G Hamel	3 "	14 "	4.12
Geo N Smith	7 "	14 "	8.12
S Pool	10 "	14 "	11.12
B F Butler	6 "	14 "	7.12
C F Vowinkel	6 "	80 " out County	13.90
C L Proster	8 "	14 "	9.12
			<u>\$81.50</u>

Witnesses For Defendant,

Geo B McMullin	2 days	28 miles	\$ 4.24
C H Bissett	2 "	14 "	3.12
Wm Mabee	6 "	14 "	7.12
L Klein Schmidt	1 "	30 "	3.40
J S McCormack	1 "	28 "	3.24
Geo D Byrd	1 "	32 "	3.36
Geo McCormack	1 "	30 "	3.40
			<u>\$28.08</u>
Total,			<u>\$212.04</u>

State of Missouri }
County of Jefferson } So In the Circuit Court,

We the Judge and Circuit attorney of
the 15th Judicial Circuit of the State of Missouri
do hereby certify that we have strictly examined
the foregoing Bill of Costs during the sitting of
the Circuit Court at the March Term ad 1871
and find the same amounting to Two hundred
and Twelve & ⁰⁴/₁₀₀ dollars to be correct and
the State of Missouri is liable therefor, we
further certify that the Defendant was
tried by a jury and acquitted, that the
offence charged is ^{a capital one} punishable by death
and that services were rendered for which
charges are made, and that compensation
is given by law for the services for which
charges are made.

J. H. Gail Judge
Geo. D. Reynolds, Circuit atty

March Term 1871.

Copies

State
vs
Geo Rapp

Acc Bill

State #212, 04

Copies

344

State

848

575

1223