

Jefferson County Circuit Court
Case Files - Criminal

August 1874

State

vs.

Elkin, Samuel

Larceny

Stole horse belonging to
Robert E. Kenney; testimony
before JP J. Ed. Walker

Box 33 Folder 2

Robert E Keeney

Being duly sworn on
his oath says about The 26 day of
August 1874 Emanuel Metts and my
self left my house to go to Home
Station while there at the Station
a man there with others by the name
of Samuel Elkin as I after lunch
was there in conversation with
some other men after I said Mr
Boughton what I owe him he
looked me in the face and
observed let us go and play for
the drinks I answered him I have
quit that practice of words to that
amount he then turn off and was
speaking to a black man and
observed to him I believe I will
go Desoto and see Mr Crawford
I observed Mr Crawford did not live
at Desoto but Mr Bailey's Station
The Blacks said as he moved to
Desoto he remained there a short
time after that he finally got up
and started to ~~were~~ Desoto he
disappeared from my view after
he got on the road behind some
corn wood I think a few minutes

2
before 10 o'clock I step out to see if
my mare was hitched she being hid
from my view by the Station house
I found she was not hitched where
I left her being in the habit of
breaking away I look around for
her some thinking she was feeding
the brush being very thick could
not find her I returned to the
Station and told Mr Metts about
her being gone I still remain at
the Station until the Train came
which was a few minutes after ten
o'clock I then got a horse from Mr
Boughton and then rode around
some and could not find her
I then started home when I got
within half a mile of home
I met my oldest son coming out foot
I ask him if Liza got him that is
the name of my mare he said
Jack saw a man on her he pass
Jack in a pretty fast gait and
as he passed him he turned his
face one side I hurried then over
him I was convince then the mare
was stolen it immediately occurred to
me that this man Elkin had stolen

her as he was the only suspicious looking
 person there when I got home I got
 another horse out of my team as
 my boy had a team hitched to have
 worn to Elk Road I saw my son
 started back to see if we could get
 on the track and when we came to
 the road that leaves the old State
 Road to go to Home Station about
 one hundred and fifty yards from
 the old State Road I found ~~there~~^{where}
 my mare had turned off to the left of the
 road and taking down an old
 worn road towards what is called
 the old Bebler River and the we
 lost the track of him there
 being a great deal of wood hauling
 and loose horses I was in the
 impressing he and when we caught
 him he went and found the Saddle
 & Bridle and Blanket hid in
 the woods and had two the
 horse out which was shown by Elkins
 and he acknowledged to have taken them
 Signed

Robert E. Henry

State of Missouri } ss.
County of Jefferson }

This day came personally before me, J. Ed. Walker, a Justice of the Peace within and for the County of Jefferson in the State of Missouri, Robert E. Keney, who being by me duly sworn, deposes and says that on the 26th day of August 1874, in the County of Jefferson aforesaid, a dark Bay Mare belonging to him, said Keney, was stolen from him, and he has good reason to believe, and does believe that one Samuel Elkin, did then and there feloniously steal, take and lead away the said Dark Bay Mare, the property of said Robert E. Keney, contrary to the Statute in such cases made & provided,

Subscribed and sworn
to before me this 26
day of August 1874

Robert E. Keney,

J. Ed. Walker,
Justice

97

State of Mo

vs

Samuel Elkin

Filed Aug 26/74
Geo Walling J.O.

STATE WARRANT:---{J.P.}

State of Missouri, } ss.

County of *Jefferson*

The State of Missouri to the Sheriff or any Constable of said County--Greeting:

Whereas, Complaint has been made before me, one of the Justices of the Peace in and for the County aforesaid, upon the oath of *Robert E Kenney*

that *Samuel Etkin*, late of the County aforesaid, did on or about the *26th* day of *August*, A. D. 187*4*, at the County of *Jefferson* then and there feloniously steal, take and lead away a certain dark bay mare belonging to him the said *Robert E Kenney*

These are therefore to command you to take the said *Samuel Etkin* if *he* be found in your County, and *him* safely keep, so that you have *his* body forthwith before me, or some other Justice of the Peace, to answer said complaint, and be further dealt with according to law.

Given under my hand this

26th

day of

*August*A. D. 187*4*.*J. Ed. Walker*

Justice of the Peace.

STATE WARRANT.

STATE OF MISSOURI,

vs.

Samuel Elkin

Charged with

Stealing a horse

On Information of

Robert E. Kenney

Before me

J. Ed. Walker

J. P.

Received the within Warrant on the *26th*

day of *August* 187*4*.

T. B. Wops. Sheriff

Constable.

Shff for arresting prisoner	1.00
" " guarding prisoner 2 days	3.00
1 guard.	1.25
1 day board for prisoner	.60
committing pris to jail	1.00

RETURN.

Fee, \$

By Wm. T. Woodlee Det-

I hereby certify that I executed the within Writ, in the County of *Leflore*
on the *26th* day of *August* 187*4*, by *Arresting Samuel*
Elkin and *bringing his body before J. Ed. Walker*
Justice of the Peace within and for Clinton
Parish in Jefferson County, Mo.

SUBRUENA.

THE STATE OF MISSOURI,

To Mrs Peter Houp - John Burgess

Greeting:

You are hereby commanded to be and appear personally before me,
J Ed Walker, one of the Justices of the Peace within
and for Central Township, in the County of Jefferson, on
the 27th day of August, 1874, at the hour of 10
of the clock in the forenoon of that day at my office, in the township
and county aforesaid, to testify on the trial of a cause wherein *the State*
of Missouri is plaintiff, and Samuel Elkin is de-
fendant, in behalf of Plaintiff and hereof fail not at
your peril. Witness my signature this 27 day of August 1874.

J. Ed. Walker

Justice of the Peace.

State of Mo

=vs=

Samuel Elkin

Before J. Ed. Walker Jr.

Witnesses for Def
Mrs Peter Stroup
John Burgess.

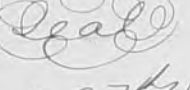
It served because
risoner waived an
examination

State of Missouri } ss.
County of Jefferson } We Robert E. Kenney &
Jackson Kenney.

Severally acknowledge ourselves to owe and be indebted to the State of Missouri in the sum of Fifty dollars each, to be void on this condition. That if the said Robert E. Kenney Jackson Kenney shall each personally be and appear before the Circuit Court of the County of Jefferson on the first day of the next term thereof, then and there to give evidence and the truth to say, on behalf of the State in relation to a charge against Samuel Elkin for feloniously stealing taking and loading away a certain dark bay mare the property of Robert E. Kenney, on the 26th day of August 1874, and such matters as shall then and there be inquired of them and not depart the court without leave, then this recognizance to be void; otherwise, to be in force.

Witness our hands and seals, this 27th day of August 1874

Robert E. Kenney 
Jackson Kenney 



Taken and acknowledged this August 27th 1874
J. Ed. Walker
Justice

State of Missouri

Robert E Keuey prosecuting
witness

= W =

Samuel Elkin Defendant

} Charged with stealing
a horse —

Before J. Ed. Walker
Justice

August 26th 1874 - Robert E Keuey filed his affidavit stating that he has good reason to believe and does believe that the defendant Samuel Elkin did on the 26th day of August 1874 feloniously steal, take and lead away a certain dark bay mare belonging to him the said Robert E Keuey. - Issued a warrant for defendant and delivered it to J. B. Moss Sheriff. -

J. Ed. Walker J.P.

August 27th 1874 Warrant returned executed, by having the body of the defendant before me as commanded.

J. Ed. Walker J.P.

August 27th 1874. And now comes the defendant Samuel Elkin and waives an examination on the charge against him. -

Thereupon the Court fixed his recognizance at Two hundred dollars with sufficient sureties for his appearance before the Circuit Court of said County on the first day of the next term thereof, which requirement he failed to comply with. Thereupon I issued a mittimus to the Jailor of said

Jefferson County Mo = Robert E Keuey
 & Jackson Keuey entered into a recognizance
 of fifty dollars each, as witnesses to appear
 on the first day of next term of Circuit Court
 of Jeff. Co. Mo. and not depart the court with-
 out leave J. Ed. Walker Justice

State of Missouri }
 County of Jeffersons } J. Ed. Walker, a Justice
 of the Peace within and for said County, do
 certify that the foregoing is a true and com-
 plete transcript of the entries on my docket
 in the case of the State of Missouri - vs -
 Samuel Elkin on a charge of horse stealing

And all the papers before me relating to
 the same, are attached hereto, and are here-
 with returned.

Given under my hand, this 27th day of
 August 1874 J. Ed. Walker
 Justice of the Peace.

Fee Bill

J. Ed. Walker J. P. = Index ¹⁰ Docket ¹⁰ Warrant ³⁵
 oath & afft. ²⁰ 1 Subp ³⁵ Commitment ³⁵
 recog of witnesses ³⁵ making & certify transcript ^{1.00} \$2.80

J B Moss Shff. = arresting prisoner ^{1.00} guarding 2 days ^{3.00}
 1 guard ^{1.25} 1 days board of prisoner ⁶⁰
 commitment ^{1.00} \$6.85
 Total \$9.65

3961
State of Missouri

=VS=

Samuel Colkin

Robt E Kenney prosecuting
witness

Transcript from
Justice docket

Dismissed

G. G. Johnson
Foreman

Filed Aug 27 1874
W. S. Boyce
Clerk