

Jefferson County Circuit Court
Case files - Criminal
May 1875

State

vs

Blumenberg, Charles

Larceny

Stole corn from Henry Kyle;
testimony

Box

34 Folder 18

Affidavit for a State Warrant.

(Wag. Stat. Page 1072, Sec. 2. Page 1074, Sec. 2)

STATE OF MISSOURI,

County of *Jefferson*

} SS.

Before me, *John Dunigan* a Justice of the Peace within
 and for the County aforesaid, personally came *Fredrick Sulord*
 who, being duly sworn according to law, deposes
 and says, that on or about the *15th* day of *November*, A. D. 1874
 in the County of *Jefferson* and State of Missouri *

*That one Charles Blumungburg did
 feloniously steal Take and carry away
 one armfull of Corn the same being
 the personal property of Henry Kyle
 of the County of Jefferson*

and further this deponent saith not.

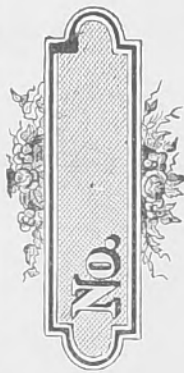
Sworn and subscribed before me, this the

15th day of *February*A. D. 1875th*John Dunigan*

Justice of the Peace.

Fred Goulard

*Describe the offence charged to have been committed, as nearly as possible, and state who is guilty of the fact charged, or who accessory to it—as the case may be.



AFFIDAVIT.
FOR A STATE WARRANT.

State Frederick Suland
Complainant.

VS.

Charles Blummingberg

CHARGED WITH

Stealing Corn

MADE BEFORE

John Dunningan

J. P.

On the *16th* day of *February*

A. D. 187 *5*

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 *Fredrick Aenland*

that *Charles Blanningburg*, late of the County aforesaid, did, on or about the *15th* day of *November*, A. D., 187*7*, at the County of *Jefferson* did feloniously steal to the and carry away one *manfull* of corn the same being the personal property of *Henry Kyle* of the County of *Jefferson*

These are therefore to command you to take the said *Charles Blanningburg* 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 *15th* day of *February* A. D., 187*5*

John Dunningan

Justice of the Peace.

Van Beek, Barnard & Tinsley, Prs. & Stationers, St. Louis.

STATE WARRANT.

STATE OF MISSOURI,
VS.

Charles Blummingburg

CHARGED WITH

Stealing Corn

ON INFORMATION OF

Fredrick Sulord

BEFORE ME

John Dunningan

J. P.

Received the within Warrant on the

19

day of

February

1875

Constable.

RETURN.

I hereby certify that I executed the within Writ, in the County of

on the

20

day of

February

1875

at

St. Louis

County of

St. Louis

State of

Missouri

by

John Dunningan

the within Return of the Sheriff of the County of St. Louis before John Dunningan J. P. of the said County of St. Louis

FEE, \$

75

Constable Fee

75

mileage

25

100

175

100

100

100

100

100

100

100

100

100

100

100

100

SUBPÆNA.

THE STATE OF MISSOURI

Greeting:

To Frederick Soutor & Son, Hilo

You are hereby commanded to be and appear personally before me, John Dunning, one of the Justices of the Peace within and for Menard Township, in the County of Jefferson, ~~on the~~ day of *fourth* month, 187, 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 *Charles Blumminghous* defendant, in behalf of *Plaintiff* and hereof fail not at your peril. Witness my signature this *15th* day of *January* 187*5*.

John Dunning

Justice of the Peace.

Executed this writ in Jefferson County this 20 day of
February 1845 by reading the same to the within
named Frederick Sealand & Henry Kyle

Andrew Amos Constable

Subpoena for Witness
State of Missouri
vs
Charles Blumungburg
Witness for Plaintiff
Frederick Sealand
Henry Kyle

Justice fee 35
Court fee 50

SUBPÆNA.

THE STATE OF MISSOURI

John W. Guider

To *Martha Smith and J. E. Guider* Greeting:

You are hereby commanded to be and appear personally before me,
John Dunningan, one of the Justices of the Peace within and
for *Meramec* Township, in the County of Jefferson, on the
day of *forthwith*, 187*7*, 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 *Charles Blummingburg* is defend-
ant, in behalf of *Plaintiff* and hereof fail not at your
peril. Witness my signature this *15* day of *February* 187*5*.

John Dunningan

Justice of the Peace.

Subpoena for witness

State of Missouri

vs
Charles Blumungburg

Witness for Plaintiff

Martha Smith

F. C. Guber

consable fees \$1.25

Justice fee 3.50

Court fee 5.00

Served by Becking
to witness this 20 day
of July 1894

A. C. Guber
Constable

SUBPOENA FOR WITNESS.---J. P.

[Wagner's Statutes, Page 827, Sections 1 and 2.]

The State of Missouri, La Henry Guider

YOU ARE HEREBY COMMANDED to be and appear personally

before me, John Dungan, a Justice of the Peace within and

for the Township of Stearns in the County of Jefferson

on the fourteenth day of April A.D. 1878, at the hour of ten o'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

Plaintiff, and Charles Plummingburg

Defendant, on behalf of the Defendant

And hereof fail not at your peril. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my signature, this 20 day of February 1878

John Dungan

Justice of the Peace.

RETURN.

I hereby Certify That I served the within Writ in the County of

the 20 day of

1877 by

Robert H. Coe

on

Richard H. Coe, Sheriff of the County of St. Louis

FEE, \$ 25

Andrew Coe
Constable

Van Beck, Barnard & Tinsley, Printers, St. Louis.

Subpoena for Witness.

State of Missouri, Pl'tt.

vs.

Charles Blumhardt

Def't.

BEFORE

J. P.

WITNESSES.

State of Missouri }
County of Jefferson }

Be it remembered that on the 30 day of February
1875 Frederick Sulord & J. E. Guiber personally came before
me one of the Justices of the peace for said
County and acknowledged himself to owe
the State of Missouri the sum of fifty
dollars to be levied on his goods and chattels
lands and Tenements to the use of the State
if default be made in the condition following
which condition is that if he the said Frederick
Sulord shall personally appear at the next
circuit court to be holden in and for said
County on the first day of the term to give
Testimony on behalf of the State and the truth
to say touching such matters as may be then and
there required of him and not depart the
court without leave then this recognizance
shall be void and of no effect otherwise to
remain in full force and virtue in law
Taken and acknowledged } Fred Sulord
before me at my office } J. E. Guiber M.D.
John Dunningan
Justice of the Peace

State of Missouri

1870

Charles Blumingsburg

Recognition of

Frederick Sulzner

State of Missouri
County of Jefferson }

Be it remembered that on the 20 day of February
1875 Henry Kyle & F. Weber personally came before me
one of the Justices of the peace for said County
and acknowledged himself to owe the state of
Missouri the sum of fifty dollars to be
levied on his goods and chattels lands and
tenements to the use of the state if default be
made in the conditions following which condition
is that if he the said Henry Kyle shall
personally appear at the next circuit court to be
holden in and for said County on the first
day of the term to give testimony on behalf
of the state and the truth to say touching such
matters as may be then and there required
of him and not depart the court without
leave then this recognizance shall be void
and of no effect otherwise to remain in full
force and virtue in law

Taken and acknowledged } Henry ^{his} Kyle
before me at my office } mark

John Durigan

} Ferdinand Weber
Justice of the Peace

State of Missouri

1875

Charles Blumenshug
Recognition of

Henry Kyle

RECOGNIZANCE OF PRISONER, To Appear for Trial Before the Circuit Court.

[Wsg. Stat. pg. 1075, sec. 4; pg. 1078, sec. 30.]

STATE OF MISSOURI, }
County of *Jefferson* } ss.

BE IT REMEMBERED, That on this *20* day of *February*
A. D. 187*5*, before the undersigned, *John Demigan*
Justice of the Peace for said County of *Jefferson* came *Charles*
Blummingburg and *Daniel Bonacker*

and severally acknowledged themselves to owe the State of Missouri, the sum of
One Hundred Dollars,
to be levied of their goods and chattels, lands and tenements, if default be made
in the condition following to-wit:

THE CONDITION of this Recognizance is such, that if the above bound
Charles Blummingburg
shall personally be and appear before the Circuit Court on the first day of the
next term thereof, next to be holden in and for the County aforesaid,* then and
there to answer a charge of *feloniously stealing taking*
and carrying away one earful of corn the
same being the personally personal
property of Henry Kyle of the County of
Jefferson

and abide the judgment of the Court, and not depart without leave; then this
Recognizance shall be void; otherwise it shall remain in full force and virtue in law.

Taken and acknowledged before
me, on the day and year first above
written.

John Demigan
Justice of the Peace.

Charles Blummingburg SEAL
Daniel Bonacker SEAL
SEAL
SEAL

*If taken in term time, the party should be required to appear forthwith before the Court.
†Name the crime or offense charged.



RECOGNIZANCE of PRISONER

TO APPEAR FOR TRIAL BEFORE

CIRCUIT COURT.

at ~~the first~~ May Term, 1875.

GIVEN BY

Charles Blummingburg

Acknowledged before

John Dargatzian
Justice of the Peace.

State of Missouri }
County of Jefferson }

The information of Frederick Sulard Taken
before me John Dmizian one of the Justices
of the peace within and for the County
aforesaid on the 20 day of February 1875
the said Frederick Sulard Says on
or about the 15th of November 1874.

I went up Bear Creek three or four
Hundred yards from the Road I
heard something in Henry Kyles
Field I looked up to see what
it was it was Charles Blumen-
berg in Henry Kyles Field, then

I saw him jump over the fence
with an arm full of corn,
then he (Blumenberg) went on
down the Creek, and when he
got to the Road I did not see
any more of him, I saw him pull off
one ear of corn and when he
jumped the fence he had an arm
full of corn.

Cross Examination.

This happened on or about the 15th
of November. The Field is bounded
by the Creek and Road, that Blum-
enberg was about four or five hundred
yards from me. Because I saw him.

I am certain that it was Charles
Blumenberg, I knew him when he
jumped over the fence, I did not see
his face when he jumped over the fence.
There was no one in the field but Cha's
Blumenberg, I saw no one else but him
(Cha's Blumenberg,) it was moon light,
I think I can recognize a man thru or
I can't see did go out by moon light.
The last place I saw him (Cha's Blum
enberg) was on the Road,

Fred Soelard

Sworn to and subscribed before me

This 20th day of February 1875

Wm. Dunning

Justice of the Peace

State of Missouri
County of Jefferson

The information of Henry Kyle Taken
before me John Dungan one of the Justices
of the peace within and for the County aforesaid
on the 24th of February 1875 the said
Henry Kyle. There is a garden
of corn stolen, I do not know who
stole it (Corn), Not the southeast
corner of the field, Sixty or Seventy
yards, about One Hundred yards
wide.

Cross Examination
along in the Fall of the year
before I pulled my Corn, I com-
pletely pulling my corn after
the County Election, I am sure
it was less than two weeks after the
Election when I finished gathering
my Corn, I missed some corn a few
days before I commenced gathering
The corn in that part of the field
was last gathered, I missed between
four and Five Bushels of Corn, The
first planted and the driest corn,
I don't know who took my corn,
Now about the time the Corn was taken
I am not sure I saw him Chas. Blum
entire

sworn to and { Henry X Kyle
subscribed before { his
me this 20th day of { mark
February 1874

John Dunigan.

Juror of the Peace

State of Missouri
County of Jefferson

The examination of Charles Blummingburg
of Jefferson County taken before me
John Dunningan one of the Justices of the
peace within and for the County of Jefferson
and State aforesaid on the 20 day of February
1875 the said Charles Blummingburg charged
before me with feloniously stealing
and carrying away one ear of corn the
same being the personal property of
Henry Kyle he the said Charles
Blummingburg upon his examination
now taken before me says I did
not steal any corn from Henry Kyle
and further he saith not

I certify the above to be the statement
made by the said Charles Blummingburg
in my presence all witnesses on both
sides being absent on this 20 day of
February 1875

John Dunningan
Justice of the Peace

State of Missouri
County of Jefferson

I John Durrigan one of the Justices of the peace within and for the County aforesaid do certify that the said Charles Blummingburg was brought before me and charged before me with feloniously stealing taking and carry away one armfull of Corn the same Being the personal property of Henry Kyle of the County of Jefferson and that the said Charles Blummingburg was distinctly informed by me of the Charge made against him and that he was at liberty to refuse to answer any questions put to him and the examination of the said Charles Blummingburg as also the information of the said Frederick Souland and Henry Kyle witnesses were by me taken and reduced to writing the day and year aforesaid

Given under my hand this 20 day of February 1875

John Durrigan
Justice of the Peace

State of Missouri

vs

Charles Blummingburg

Warrant issued the 15th day of February 1875 upon the
and oath of Frederick Souland That one Charles
Blummingburg did feloniously steal take
and carry away one arm full of corn the
same being the personal property of Henry
Kyle of the county of Jefferson and directed
to constable Andrew Owens of Meramec Township
Subpoenas issued at the same time to said constable
for Henry Kyle and Frederick Souland and
Martha Smith and F. C. Guiber & Henry Guiber
& Ferdinand Weber for the State Warrants
returned the 20th day of February 1875 executed
by having the body of the said Charles Blum-
mingburg before the Justice The Justice having
heard the evidence adjudges that said
defendant give bail in the Sum of one
Hundred Dollars to appear on the first
day of the next Term of the Circuit Court
for the county of Jefferson then and there
to abide until discharged by due course
of law and the defendant Charles Blummingburg
entering in to a Recognizance with Daniel
Bonacker as security and released by the
Justice

John Demigun Justice of the Peace

State of Missouri

vs

Charles Blumungburg

Bill of Costs

Justice fees affidavit	35'
J Demigan warrant	35'
docket & indexing	20
Three subpoenas	1 05'
Judgment	50
depositions	1 00
Three recognizance	1 05'
scribing to depositions	35'
transcript from docket	50
	<u>\$5:35'</u>

Constable fees A Owens

warrant	75'
mileage	25'
five subpoenas	12 5'
Guarding prisoner	1 00
	<u>\$3:25'</u>

Witness fee Frederick Sulard 5'0

Henry Kyle	5'0
	<u>1:00</u>

Totle

\$9:60

I do certify the above bill of costs
is correct Given under my hand this 20th
day of February 1875 John Demigan
Justice of the Peace

State of Missouri

County of Jefferson

I John Dmigan Justice of the peace
do certify the foregoing to be a true and
complete Transcript from the entire on
my docket in the case of the State of
Missouri vs Charles Blummingburg on
a charge of feloniously steal take and
carry away one arm full of corn the
same Being the personal property
of Henry Kyle of the County of Jefferson
and the examinations of witnesses and of the
prison and all the papers before me are
attached hereto and herewith returned
Given under my hand this 20 day of
February 1875

John Dmigan

Justice of the peace

3929

State of Missouri

vs
Charles Blumberg

State

vs
Charles Blumberg

Filed May 3rd 1890

Attest: Notaries

Not a true bill
~~Blumberg~~

J. F. Garvie

Foreman