

Jefferson County Circuit Court
Case Files - Criminal
January 1876

Box 35 Folder 18

State

vs.

Meyer, Henry

Assault with intent to kill

Assaulted James Boly with
a knife

State of Missouri } Twenty sixth
County of Jefferson } Judicial Circuit
In the Circuit Court
January Term 1876

The Grand Jurors of the State of Missouri, duly impaneled, sworn, and charged to inquire within and for the body of the County of Jefferson in the State of Missouri, upon their oath do present, that Henry ~~W~~ Meyer, late of the County aforesaid, on the 23rd day of November, in the year 1875, with force and arms, at and in the County of Jefferson in the State of Missouri, in and upon James Boly, then and there being, feloniously, wilfully and maliciously did make an assault; and him, the said James Boly, with a certain knife, which the said Henry ~~W~~ Meyer in his right hand then and there had and held, (the said knife being a deadly weapon) feloniously, wilfully, and maliciously did beat, strike, cut, and wound, with intent him the said James Boly, then and there, feloniously, wilfully, and maliciously to 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,

Abner Green
Prosecuting Attorney

The State of Missouri,
To John Shelton Greeting

You are hereby commanded
to have the body of Henry Meyer detained
under your custody as it is said
in the County Jail of Jefferson County
at Hillsboro in said County, before
the Judge of the Probate Court, imme-
diately at Hillsboro in said Jeff. Co. Mo.
together with the time and cause
of his imprisonment and detention,
and without ^{delay} then and there
to do and receive what the said
Judge of Probate shall then and
there consider concerning the said
Henry Meyer.

Witness my hand and seal
this 14th Apr 1876.

Jos. J. Williams
Judge of Probate

In obedience to the within writ of Habeas Corpus
 I have here before the Hon Jos J. Williams Judge of Probate
 the body of the within named Henry Meyer and
 returned further that the body of the said Henry
 Meyer is by me detained for the reasons following.
 I am jailer in and for the County of Jefferson
 hold the said Henry Meyer by virtue of a
 Capias issued out of the office of the
 Clerk of the Circuit Court for Jefferson
 County Mo. on an indictment found
 at the term of the Circuit Court
 by the Grand jury for said term for
 an assault with intent to kill
 attest
 Saml Byrns. J. P. John H. Skilton
 West Respondent

"By the Honorable
 Corpus ad"

State)
 Henry Meyer

Filed April 10th 1876
 O. H. Merriam
 Clerk

STATE OF MISSOURI,

County of *Jefferson*

The State of Missouri,

To the Sheriff of

Jefferson County—Greeting:

WE COMMAND you to take

if he be found in your

County, and him safely keep, so that you have his body before the Judge of our Circuit Court, at the Court House in

St. Louis

within and for the said county of

Jefferson

on the *second*

Monday in *May*

next, then and there before our said Judge, to

answer an indictment preferred against him by the Grand Jurors of the State of Missouri, empaneled, sworn and charged to

inquire into and for the body of the County of

Jefferson

aforesaid, for

An assault with intent to kill

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

GIVEN under my hand and the Seal of our said Court.

Wellsboro

in the County aforesaid, on this

10th

day of *March* A. D. 1876

L. M. O'Donnell CLERK.

CAPIAS.

CIRCUIT COURT.

Returnable Term, *May* 187*6*.

STATE OF MISSOURI,

VS.

Henry Meyer
Assault with intent
to kill

Sheriff will take Bond in Penalty of

Dollars.

ATTEST:

Clerk.

Sheriff fee

\$2.00

I Executed this writ at the County of Jefferson in the State of Missouri this 13th day of April A.D. 1876 by arresting the within named Henry Meyer and putting him in the County Jail at St. Louis Jefferson County Missouri

W.B. Wood Sheriff
By J.H. Wood Sec. Deft

State of Missouri
County of Jefferson

To the Hon. Jos. J.
Williams, Judge of Probate for
the County and State aforesaid

Your petitioner Henry
Meys would represent that
he is restrained of his personal
liberty in the jail of Jeff. Co. - by
John Shelton Jailer, under a copy
issued out of the office of the Clerk
of the Circuit Court for Jeff Co.,
issued on an indictment for
an assault with intent to kill

Your petitioner would further
state that he has not been permitted
the privilege of giving bond but
thrust into jail with an opportunity
to secure his personal liberty;

and further represent that
no application for the relief sought
has been made to, or refused by
any court officer or officers
superior to the one to whom the
petition is now presented.

Seen to and subscribed } Henry Meys
before me this 14th April 1876.

C. H. Norrie

Clerk Cir. Ct.

Filed April 15 1896,

Chas. W. Wainwright

Clerk

Know all Men by these Presents:

That Henry Meyer as principal,
and Wm Flannigan as securities, are held
and firmly bound unto the State of Missouri, in the full and just sum of Two Hundred
Dollars, for the true payment whereof, well and truly to be made, we bind ourselves,
jointly and severally, firmly by these presents. Sealed with our seals and dated this
14th day of April A. D. 1876

The Condition of this Obligation is Such, That if the above bounden
Henry Meyer shall personall be and
appear before the Circuit Court of Jefferson County, on the first day of the next term
thereof, to be begun and held at the Court House, in the town of Hillsboro, within and
for the County of Jefferson, on the 8th day of May next, to
answer an indictment preferred against him for

Assault with intent to Kill

and from day to day and from term to term, and not depart said Court without leave
thereof, then this bond to be void; otherwise to remain in full force and effect.

Henry Meyer Seal.
William Flannigan Seal.
Seal.

Taken and approved by me this 14th day of April 1876
on Back

The within Bond
is taken and
approved before
me this 14th day
of April 1876
The within names

Henry Meyer &
having been this
day brought before
me on writ of
Habeas corpus &
having paid
the Bond at the
sum of Two Thousand
and Dollars and
the having given
the within Bond
thereon by me did
=charged from custody
of the Sheriff & Jailor

Wm. L. May
Judge of Probate

Attest
The Notary
Filed April 15 1876

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *C. F. Christian Jaeger, James Bergen & Isaac Bergen*

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *2nd* day of *May*, 187*6*, 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 *Mary Meyer* is Defendant, on the part of *State*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *22* day of *April* A. D. 187*6*.

C. Tho' Horine, CLERK.

No 41

State
to
Henry Meier

S.

Christian Jaeger ^{Leut.}
James Burgan ^{Leut.}
Isaac Burgan

Filed May 12th 1876.
C. M. Horine clerk
B. C. Marsden ^{Deft.}
Shuffe & Co

I executed this writ at the County of Jefferson in the
State of Missouri: this 24th day of May A.D. 1876. E. Readdy
Justice of the Peace for the County of Jefferson in and for the State of Missouri

Burgan

P.B. Neop Smith
J.H. Mendenhall

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

Do

Chris Jaeger, James Burgran
Isaac Burgran

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the 14th day of May, 1877, 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 is Plaintiff, and Henry Meyers is Defendant, on the part of State; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 24th day of April, A. D., 1877.

C. Tho' Horine
CLERK.

May 77

State
to
Henry Meyer

Q

Chris Jaeger
James Burgan
Isaac Burgan

Filed May 14th 1877
C. The Horner
Clerk

May 4th

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To

J. C. Wilson v Allen Scott

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *5th* day of *May*, 1876, at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *The State of Missouri* is Plaintiff, and *Henry Meyer* is Defendant, on the part of *Sept.*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereunto affixed, at office, this *20* day of *May* *A. D.*, 1876.

C. Thos Horine, CLERK.

State
vs
Henry Meyer

assault

Defendant

J. E. to Wilson³
Allen Scott¹

Filed May 8th 1876
By the Hon. Clerk
By the Marshal D. L.
Shuffe & Co 100

I Examine the master of the County of Nassau
in the State of Nassau that 4144
valued 1876 regarding the same to J. E. to
William & Allen Scott

J. E. to Wilson
Allen Scott

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

Co. *L. M. A. Elders Herman Tubbsburg. Pat Byrne*

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *14th* day of *May*, 187*4*, at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *the State of Missouri* is Plaintiff, and *Henry Meyer* is Defendant, on the part of *Defendant*; and herein you are in no wise to fail.

Witness, C. THO' HORINE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *14th* day of *May*, A. D., 187*4*.

C. Tho' Horine
CLERK.

State
of
Henry Meyer

D

G. W. Elders
Herman Tubbing
Pat Byrne

May 77

John McNamee
Sheriff per \$150

7
If the Jury believe from the evidence
in this case that the defendant
at the County of Jefferson State
of Missouri within three years
next before the 18th day of January
1870 did feloniously willfully
and maliciously make an
assault on one James ^{a deadly weapon} Boley
with a certain knife, as charged
in the indictment with intent
him the said Boley to kill
You will find him (the deft)
guilty and assess his punish-
ment - by imprisonment
in the penitentiary not ex-
ceeding five nor less than two
years or in the County Jail
not less than six months or
by fine not less than one
hundred dollars and impris-
onment in the County Jail
not less than three months
or by a fine not less than
one hundred dollars.

Filed May 14 1897

Thos. V. McNamee

clear

✓
- Willfully as used in instruction
- tion - means intentional
not accidental and the
word maliciously used
in said instruction ~~may~~
signifies such a disposition
as shows a heart-
regardless of social duty -
and brutally beat on his
- chief

Filed May 14 1897

Chas. H. Stone

Deeds

3
- If the jury have a reason-
- able doubt of defendant's guilt
They will give him the benefit
thereof and acquit but
a doubt to authorize an
acquittal ought to be a
substantial doubt touch-
- ing defendant's guilt
and not a mere possi-
- bility of his innocence

Given

X
Guilty

Good character of defendant
when established may tend
to lessen any probability of
guilt - which may have been
raised against him by the
evidence in the case but
if you are satisfied of defend-
ant's guilt - you should not
acquit even though you may
be satisfied that previously
to the alleged assault he was
true & a good character

5

Given

The Court instructs the
jury that it is their duty
to take into consideration
the declarations of the
defendant as detailed in
evidence before them
but that they are at
liberty to believe that
part of such declarations
as in the opinion of the
jury ~~as~~ may tend to
criminate him and may
disbelieve such part of
them as may be in his
favor

Q. 1

If the jury believe from the evidence in the case that James Bohy attacked the defendant with intent to rob him and the defendant cut and wounded the said Bohy in his own defence and to prevent the said Bohy from robbing the defendant then and that the defendant used no more force than was necessary to prevent the said Bohy from robbing him then and for that want you will acquit

Filed May 14 1879

The Marine

Clerk

1
We the Jury find the-
defendant not-guilty-in-
manner and form as he
stands charged in the in-
dictment

Peter Shaw Foreman