

Jefferson County Circuit Court
Case file - Criminal
May 1876

Box

35 Folder 45

State

VS

Hinson, Benjamin T.

Grand larceny

Stole \$31 from Willis Rogers

Willis Rogers of lawful age being produced
sworn and examined on the part of the State
deposeth and saith

Willis Rogers swears That on or about the
9th or 10th day of March 1876 one Benjamin J
Henson was at my house in Jefferson County State
of Missouri That on the night of the 11th of March
1876 on examination of a certain Box containing his
money it was found that money had been stolen
therefrom to the amount of Twenty two Dollars
and Fifty cents Circumstances led me to believe
that Benjamin J. Henson was guilty I pursued
him in company with John Gillman, Edward
Rodgers Wm Rodgers, Fidelo Rodgers and
John Rodgers, and came up with him at
the house of Joseph Yeager who also went with
us to the room where the said Henson was in
bed upon examination we found the Handker-
chief that the money was rapied with, also six dol-
lars still on his person besides other several
amounts paid out to different parties I asked
him where he got this money. He said he got it
from Wm Beckerleg & Russell Johnston. after
being told that those men had paid him nuther
money nor lead and that one of them had been to
see Beckerleg who had said so, He then said no
more in regard to where he got the money
we then told him he must go with us Took him
in the waggon and brought him to Wm Mockbees
we also found in his possession the following
articles one Pocket Book one Pocket Knife one

Bowie Knife and Oil Box of Steam Engine
Subscribed and sworn to before me
this 11th day of March 1876

Wm. Rockbee

Justice of the Peace

Wm. Rogers

Deposition
of
Wm. Rogers

Filed Mar 13 1876

Attest

Clerk

SUBPOENA FOR WITNESS.--J. P.

The State of Missouri, To *Wm H. Laday John*

Adman

YOU ARE HEREBY COMMANDED to be and appear personally before me,

Wm. McEachree, one of the Justices of the Peace with-

in and for the Township of *Jefferies* in the County of *Jefferson* State aforesaid, on the *fourth* day of *March*

A. D. 1876, 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

State of Missouri

and *Berk W. Keenerson*

on behalf of the *Plaintiff*

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 *11* day of *March*, 1876.

Wm. McEachree

Justice of the Peace.

Missouri, on

I hereby certify that I served the within Writ in the County of

the 11 day of March 1876, by reading the same

to the within named Jm Haddock
S. C. Adams
It is made

FEE, \$

SUBPENA FOR WITNESS.

State

Plff.

VS.

B. J. Henson Def't.

BEFORE

J. P.

WITNESSES:

Wm Holladay
John Gilman

Just fees	35
Constable fees	29

Filed Mar 13th 1876
O. H. H. H. H.
Clerk

The State of Missouri to L E Adams constable
of Joachim Township and the Keeper of the
Jail of said County greeting
Whereas to command you the said Constable
forthwith to convey and deliver into the
custody of the Keeper of the Jail of the County
of Jefferson aforesaid the body of Benjamin
Henson of Jefferson County taken and brought
before me a Justice of the Peace within
and for the County aforesaid and charged
before me upon the oath of Welles Rogers
Jefferson County with Stealing twenty two
dollars and fifty ⁵⁰ and you the said Keeper
of the said Jail are hereby required to receive
the said Benjamin Henson into your
custody into the said Jail and him there
safely keep until he shall thence be discharged
by due course of law

Given under my hand this 11
day of March 1876 Wm Mockbee
Justice of the Peace

Warrant
of
Commitment

Filed May 13 1876
C. H. H. H.
Clerk

The State of Missouri To any Constable of
Said County Greeting

Whereas Willis Rodgers
of Jefferson County Mo, hath this day given
information upon oath to me Wm. Mockbee a
Justice of the Peace within and for said County
of Jefferson that on the 9th or 10th day of March
last past at the County aforesaid that Benjⁿ
Henson did steal Twenty two Dollars and ⁵⁰/₁₀₀
Fifty cents from him the said ^{in the County & State aforesaid} Willis Rodgers.

These are therefore to Command you forthwith
to apprehend the said Benjamin J. Henson
and bring him before me to answer the
premises and further to be dealt with
according to law

Given under my hand at
the County of Jefferson aforesaid

This 11th day of March A D 1876

Wm. Mockbee
Justice of the Peace

State
Warrant
By
B W Benson

Filed Mar 13 1876
C. H. McNamee
Clerk

I have executed the within writ by having the
body of the within named Benjamin W. Benson
this 11th day of March 1876 before the within Justice
J. E. Adams
Constable

I Wm Mockbee one of the justices of the
peace within and for the county aforesaid
do certify that the said Benjamin Henson
was brought before me and charged
before me with Stealing from Willis Rogers
the sum of twenty two dollars and fifty
cent and that the said Benjamin Henson
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 Benjamin
Henson as also the information of
the said Willis Rogers Witness were by
me taken and reduced to writing
the day and year aforesaid
Given under my hand this 11 day
of March AD 1876

Wm Mockbee
Justice of the Peace

Certificate of
Examination
and
Information

Filed Mar 13 1876
O. H. M. (H. M. M.)
Clerk

State of Missouri

County of Jefferson

Before me Wm Mockbee a justice
of the Peace for said county personally
came Miles Rogers ~~with~~ being duly
sworn according to law deposed and
saith that on or about the ninth or
tenth day of March 1876 in the
County of Jefferson in the State of
Missouri Benjamin J. Henson
did steal the sum of Twenty
Two dollar and fifty cents
from ^{him} the said Miles Rogers in the
and ^{County of Jefferson and} the deponent says that on
Benjamin J. Henson is guilty of the
facts charged and further the deponent
saith not

Sworn to and Miles Rogers
Subscribed before
me this 11 day
of March 1876

Wm Mockbee

~~Miles Rogers~~

State

B. J. Henson

affidavit

101

Wm. Rogers

Filed Mar 13 78/6

C. H. H. H. H.

Clerk

State of Missouri
County of Jefferson

J ss

The examination of Benjamin T Henson
Taken before me William Mockba one of the justices
of the Peace within and for the County of Jefferson
afore said, on the 11th day of March 1876. The said

Benjamin T Henson upon his examination now
taken before me says That - on the 9th day of March
1876 he the said Benjamin T Henson opened a certain
Tin Box containing money and other effects at the
House of Willis Rodgers and took therefrom
a Handkerchief containing Fourteen Dollars and
Fifty cents That he paid Wm Kendrick \$1.50
Reiley Rodgers \$1.85 Joseph Yeager \$2.15 Dr Sappur
.50 cents the balance except \$6.00 still on hand
he traded out with Joseph Yeager all being
a part of the money he took from Willis
Rodgers and further he sayeth not

I hereby certify that the above statement of
Benjamin T Henson in ~~presence~~ Wm Mockba
all witnesses on both sides being absent Justice of the Peace
on this 11 day of March 1876

Examination
of

Prisoner

Filed Mar. 13 1876

Chas. H. Stone

Clerk

State of Missour }
County of Jefferson }

Be it remembered that on the 11 day
of March 1876 at the County aforesaid and
Wm. Rogers John Gilman & Wm. Mockbee
came before me a Justice of the Peace within & for the County of Jefferson
in their proper person acknowledged
them selves indebted to the State of
Missouri in the sum of fifty dollars
Each to be lired of our goods and chattel
lands and tenements upon condition
that if we shall personally appear before
the Circuit Court on the first day of the
next term thereof to be holden for the
County of Jefferson then and thereto
testify and give evidence in behalf of
the said State against Benjamin J
Henson on a certain charge of Stealing
of Twenty two dollars & fifty cent from
Wm. Rogers Wherewith the said
Benjamin J Henson is charged and
shall not depart the said Court without
leave then this recognizance to be void
otherwise of full force Wm. Rogers
Approved this 11 day John Gilman
of March 1876 Wilhelm Heilig
Wm. Mockbee
Justices of the Peace

Bona
Slate

W
B J Harrison

Filed Mar 13 1876
C. H. & W. H. (mine)

Recd

State by Willis Rogers as prosecutor Willis Rogers
against Makes oath on the 11 day of
Benjamin T Henson March 1876 and say that
one or about the 10 or 11 day of March 1876
one Benjamin T Henson of Jefferson County
did steal from him the said Willis
Rogers the sum of twenty two dollars
and fifty cent in the County of Jefferson
State of Missouri

Where upon a Warrant was issued
Placed in the hand of L E Adams
Constable Subpoens issued on the part
of the State for William Holida and
John Gilman Wm Mockbee

The Warrant Returned executed by
having the body of the said Benjamin
T Henson before the justice

The Justice having heard the evidence
adjudges that said defendant give
bail in the sum of \$300 ~~or~~ 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 refusing
to give the bail required the Justice

doath order. the said Benjamin J
Henson be committed to the common
Jail of said County until he give
said security or be discharged by
due cours of law

Whereupon all Witness on both sides
absent the defendant makes his
statement Pleades guilty of stealing
\$14 50 from the said Willis Rogers
which taken down

Wm Mockbee

Justice of the Peace

Justice fees			
docting car	10	Constable fee	
offendant	35	for serving Warrant	75
Warrant	35	for Summoning Witness	30
1 Subpen	35	for Conveying Prison to Jail	300
for 3 recognizances	105	for guarding Prisoner & Bond	100
for Writing dep	50		25
for Commitment	35		7 25
Judgment	50	Witness	
<u>\$3 55</u>		Willis Rogers	80
		John Gilman	80
		William Holaday	100
			<u>280</u>

I hereby certify that the above fees
are correct

Wm Mockbee

Justice of the Peace

State

18

B. F. Henson

transcript

Dec. Mar. 13 1876

C. H. Morine

Clerk

State

vs.

B. F. Benson } John. D. J. Gillman
sworn and testifies as follows. —

On ~~the~~ Sunday the 5th day of March 1876 at the house of Willis Rogers in Jefferson Co State of Missouri I saw the said Rogers put money in a red cotton handkerchief to the amount of twenty-two dollars and fifty cents, and that said handkerchief was put in a small trunk and on the night of Friday the tenth of March 1876. I was informed that said money was stolen, and myself and ^(and found) others pursued B. F. Benson and overtook him at Joseph Rogers Saloon, and examined him and found the identical handkerchief that contained the said money on the 5th of March 1876. in his possession and that he acknowledge to have taken sixteen dollars and fifty cents from Willis Rogers.

sworn to & subscribed } John D. J. Gillman
before the Grand Jury
the 9th May 1876

H. J. Eaglebarger
Foreman

State
vs
D. F. Hanson } }

Lucy P. Metts, sworn and
testifies as follows - on Sunday the
8th of March 1876. I saw my father
Willis Rogers put money to the amount
(red cotton)
of about twenty dollars in a han-
kerchief, and put the hankerchief
in a small trunk, and on Friday
evening March 10th ¹⁸⁷⁶ the money was
not found in the trunk, and on
the 9th of March 1876 there was
no person in the house of my fa-
ther but Benjamin F. Hanson,
sworn to and } Lucy P. Metts,
subscribed to before } her
the Grand Jury. } mark
May. 9th 1876. J. G. Eaglebarger
Foreman.

Before the Grand Jury May 9th 1876

State Charged with stealing
vs ^{from Willis Rogers} \$22⁵⁰ on 9th of March 1876
B. F. Henson in Jefferson Co. Mo.

Willis Rogers, sworn &
says. — on March 9th 1876 Benjamin
F. Henson, was at my house in
Jefferson Co. Mo. and that on the
11th of March 1876 on examination
of a trunk containing his money
it was found that money, ^(the amount of \$22⁵⁰) wrapped
up in a handkerchief was stolen,
and ~~therefore~~ as Henson had
been there on the 9th of March 1876

I suspected he stole it, and at
once pursued and overtaken him and
found the identical handkerchief
(that the money was in on the 9th of March 1876.)
in his possession, and had him
arrested and taken before a Justice
of the Peace when he acknowledge
to have taken ~~forty~~ sixteen
dollars and fifty cents.

Sworn to and subscribed W. R. Rogers
before the Grand Jury
May 9th 1876 J. H. Eaglebarger
Foreman

State

no.

B. F. Benson.

A. True Bill.

Wm. Engelbarger

Foreman.

No. 1

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

The Grand Jurors of the State of Missouri, now here in Court, duly impaneled, sworn, and charged to inquire and true presentments make, within and for the body of the County of Jefferson in the State of Missouri, upon their oath do present, that Benoni T. Hinson, late of said County, on the 9th day of March in the year 1876, at the County of Jefferson in the State of Missouri, ten one-dollar United States Treasury Notes, made and issued by virtue of the laws of the United States, of the value of one dollar each, eight two-dollar United States Treasury Notes, made and issued by virtue of the Laws of the United States, of the value of two dollars each, ten United States Treasury Notes, made and issued by virtue of the laws of the United States, of the value of fifty cents each, and ten United States Treasury Notes, made and issued by virtue of the laws of the United States, of the denomination and

value of twenty five cents each, - all, of
the moneys and Personal Property of
Willis Rogers, then and there being
found, then and there feloniously did
steal, take, and carry, 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

no 14

4/6.5

3243, 3247

State

vs.

Benoni Y. Hanson

Grand Juror

Witnesses,

Willis Rogers

John D. Gilman

William Holliday

Lucy D. Nettles

Wm. P.

Willis P.

John D. G.

Lucy P. N.

5-24

4-16

4-16

4-16

A true Bill

H. J. Eaglesberger

Foreman.

Filed May 12 1876

C. H. H. H.

Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *Wm Moeckel & A S Smith*

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 *17th* 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* is Plaintiff, and *B G Johnson* is Defendant, on the part of *Peff*; 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 *12* day of *May* A. D., 187*6*.

C. Tho. Horine, CLERK.

State
v

B. Henson

Wm. Mockbee

D. S. Smith

County the above named
Henson the 13 May 1878
Wm. Mockbee
D. S. Smith

Shuf. Feb 1878
Filed May 1878
C. Tho. Horine clerk
By C. Marsden Dep.

~~two will~~

4166

State

no

Benjamin F. Henson

Filed