

Jefferson County Circuit Court
Case Files - Criminal
January 1877

Box

36

Folder

51

State

vs.

Fink, Christian

Altering mark of a hog

Hog belonging to John Zahner

State of Missouri
County of Jefferson J. P.

Before me the undersigned Justice of the Peace in for said County personally appeared John Garner of lawful age who being by me sworn according to law states that he has been informed and believes that one Christian Link, in the County of Jefferson aforesaid, on or about the 20th day of August A.D. 1876, ^{unlawfully and feloniously} did alter the mark or brand of two white ~~male~~ hogs about two years old the property of John Garner, this affiant, each of said hogs of the value of Ten Dollars, or more and did so alter the mark or brand of said hogs with the intent feloniously to steal and convert the same to his own use, to the use of him the said Christian Link and to feloniously deprive the owner of the same,

John Garner
sworn to and subscribed
before me this 24th day of Nov-
Nov. 1876

A. M. Tyler
Justice of the Peace

State of Missouri
as

Christine Fork
Affidavit

Filed Dec. 6 1876
Chas. H. H. H.
Clerk

Filed Nov 24-76
and Wm. H. H. H.
Clerk

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

that *Christian Fork*, late of the County aforesaid, did onor about the *20* day of *Aug.*, A. D. 187*6*, at the County of *Jefferson* unlawfully and feloniously enter the market tract of two white hogs about two years old, the property of applicant with the intent feloniously to steal and convert the same to the use of me the said Christian Fork.

These are therefore to command you to take the said

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

24th day ofA. D. 187*6**H. M. Taylor*
Justice of the Peace.

STATE WARRANT.

STATE OF MISSOURI,

vs.

Christian Lichte

Charged with

*Attorney Marks & Brands
ap two rings*

On Information of

John Zahner

Before me

A. M. Cyler

J. P.

Received the within Warrant on the *24th*
day of *November* 187*6*

R. Washburn

Constable.

*Filed Dec. 6 1876
The Warden
Clerk*

RETURN.

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

1876, by

*Jefferson
the back of Christian Lichte before
the Judge at his office in
Hannibal in 1876*

Fee, \$

*nil - - 75 - 3
400 - 3*

*R. Washburn
Clerk*

SUBPOENA FOR WITNESS--J. P.

The State of Missouri, To *L. Co. Pleasant Ann E. Pleasant,*
James Neider, Otto Young Mrs. Buckhornell

A. M. Tyler
 You are, **Hereby Commanded** to be and appear personally before me,

the Peace within and for the Township of *Saline*, in the County of
Jefferson State aforesaid, on the *25th* day of *Nov-* A. D.

187*6*, 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 on*
Complainant of James Neider's Plaintiff, and *Christian Buckhornell*

Defendant, on behalf of the *Plaintiffs*
 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 *24th* day of *Nov*, 187*6*
A. M. Tyler
 Justice of the Peace.

RETURN.

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

on the 25th day of Mar 1876, by

Same in the presence and hearing of L.C. Pleasant Am E Pleasant Mrs. Frederick Otto Young Mrs. Buckholdt and Frank Fager the within named

FEES, \$

150 3
43 3
193 3
mis

R. Washburn
Cans

The Winchell & Ebert Printing and Lithographing Company, Hannibal, Mo.

SUBPOENA FOR WITNESS.

The State of Missouri
Complaint of John Zehner Pl't

VS.

Christian Fieber

, Def't

BEFORE

A. M. Tyler, J. P.

WITNESSES:

L. C. Pleasant
Am E. Pleasant
Jame Heider
Otto Young
Mrs. Buckholdt
Frank Fager

Clark

Chas. Hume

Alb. No. 6 7876

State of Missouri }
Christian Fruits } Before A. M.
Lyster } Justice of the Peace

Christian Fruits the above
named defendant being
sworn on his oath says
that he cannot safely
proceed to the examination
in the above entitled
cause for the reason
that he cannot have
a fair ~~trial~~ ^{examination} before A. M.
Lyster Justice of the Peace
before he knows the same
is pending.

Subscribed & sworn
before me this
25th day of May Christian Fruits
1876
A. M. Lyster
Justice of the Peace

The State of Mass.
as
Christianity

Motion for Change
of venue

Filed Dec. 6 1876

@ The Name
cents

Filed too. 25-76
Am. Tyler
Justice of the
Peace

Recognizance for Appearance Before Justice of the Peace for Trial.

(Wagner's Statutes, Page 853, Section 6.)

STATE OF MISSOURI,
County of Jefferson } ss.

Be It Remembered, That on the 25th day of Nov
A. D. 1876, personally came before me, A. M. Tyler a Justice of
the Peace within and for the County of Jefferson aforesaid, Christian
Link, of said County; Frost H.
Hasse, of said County; and John
Knopp, of said County, and acknowledged themselves
to owe the State of Missouri, that is to say, the said Christian Link
the sum of Three Hundred Dollars; the said Frost H.
Hasse the sum of Three Hundred Dollars; and the said
John Knopp the sum of One Hundred
Dollars; to be levied of their respective goods and chattels, lands and tenements:

Upon Condition, That if the above bound Christian Link
shall personally appear before Samuel E. W. Mallon, a Justice of the
Peace within and for the County aforesaid, on the 2nd day of December
A. D. 1876, in the County aforesaid, then and there to answer a charge against the said
Christian Link for* wrongfully and feloniously
stealing the mules & funds of his shop, and shall not thence depart without leave, then
this Recognizance to be void, otherwise to remain in full force.

Taken and certified the day and year first aforesaid.

A. M. Tyler

Justice of the Peace.

* "Assault,"—"Assault and Battery," or as the case may be.

Christian Link SEAL
Frost H. Hass SEAL
John Knopp SEAL

No. 116

RECOGNIZANCE FOR APPEARANCE FOR TRIAL.

GIVEN BY

Frederick Fork

Frederick Fork

John Knapp

Trial Day 187

Am't Bond, ... \$

clear
at the Marine
filed Dec. 6 1876

State of Missouri
vs
Christian Fitch } Grand Larceny

Examination Taken on the
2nd day of summer 1876 before
me Samuel E. Mc Mullin a
Justice of the peace of Jefferson
County Mo on complaint
of John Bohner against
Christian Fitch on a charge
of grand Larceny for uttering
the brand of two dogs with
intent to steal the same.
The case called and the
defendant being present
waived examination
and bail being fixed by
me at ~~thirteen~~ hundred
dollars the defendant
entered into same with
three good and sufficient
sureties for his appearance
at the next term of the
Circuit Court of said county
on the first day thereof.
Recognized the following return
as on behalf of the State in
the sum of fifty dollars each

ing, Otto Gamm, Frederick
Johnson and Michael, & C
Kearney Ellen Buckholz

State of Missouri }
County of Jefferson } ss

I Samuel E. Mc Mullin a
Justice of the peace within and
for said County do certify
that the foregoing is a true and
complete transcript of the
entries on my docket in
the case of the State of Missouri
vs Charles Smith on a
charge of Altering the hand
of two bags with intent to
steal the same, and his
accusation of examination and
recognition of prisoner
and witnesses and all the
papers before me relating
to the same are attached
hereto and are ~~thereby~~ returned

Given under my hand
this 2nd day of December 1876
Samuel E. Mc Mullin

Filed Dec. 6, 1876

Otho W. W. W.

Clark

State of Missouri }
vs. } Alving brand
Christian Link } with intent to steal,

Examination taken this
second day of December 1874, before
me, Samuel E. Mc Mullin a Justice
of the peace of Jefferson County, on the
complaint of John Gahner, on oath,
against Christian Link, on a charge
of altering the brand or mark of two hogs
the property of John Gahner, with intent
to convert the same to his own use

of lawful age, being
sworn, on his oath states

On the 2 Day of December 1876 The Ct bore
Entitled cos been called for trial the Defendant
It heard & waived the Examination
of witness Entered in to Recognize
for his appearance 1 Day of the
Next term of the Court cost
with in Jefferson Co Mo

Samuel E. Mc Mullin

Filed Dec. 6 1876
@ The Home
Receipts

Recognizance of Witness.

[IN CASE OF PERSON FOUND DEAD.]

(Whittlesey's Form, No. 267.)

State of Missouri, }
County of *Jefferson* } ss.

Be it Remembered, That on the *2nd* day of *December*
A. D. 18*76* before the subscriber *Samuel E. McMullen*
Justice of the Peace
of said County, personally appeared *Otto Young Friedrich*
Johann Louis Meidinger L. C. Pleasant and
Ellen Buchholz

who *personally* acknowledged *themselves* to owe the people of the
State of Missouri, the sum of *fifty* dollars, *each* to be levied
upon *their* goods and chattels, lands and tenements, in case default be made
in the condition following, to-wit:

The Condition of this recognizance is, that the above named *Otto Young*
Friedrich Johann Louis Meidinger L. C.
Pleasant and Ellen Buchholz

shall appear before the *Circuit* Court of *Jefferson*
County, on the first day of the next term thereof, then and there to testify and give evidence
as to *their* knowledge of the circumstances *in the case of* connected with the death of
Christian, wife who is charged with whose body was lately
the obtaining of the breast of two boys
found at *into which & steal the same*

and then and there abide the order of the Court, and not depart the Court without leave.

Taken and acknowledged before me, the day
and year first aforesaid.

Samuel E. McMullen

Otto Young (SEAL)
Friedrich Johann (SEAL)
Meidinger (SEAL)
L. C. Pleasant (SEAL)
Ellen Buchholz (SEAL)

Recognizance of Witness •

To Appear Before *Circuit* Court,

To Testify in Case of ~~Dead Body~~
Christine Smith

Printed

on

to

TAKEN BEFORE

Samuel E. McWhorter

GIVEN BY

*Alto Lawrence
James A. Johnston
James A. Johnston
L. C. Mason
Ellen Buchanan*

Filed Dec. 6th 1876

Thos. W. Wain

Clerk

RECOGNIZANCE OF PRISONER.

TO APPEAR FOR TRIAL BEFORE THE CIRCUIT COURT.

WHITTLESEY'S FORM, No. 387.

State of Missouri, }
COUNTY OF *Jefferson* } SS.

Be it Remembered, that on this *24* day of *December*,
A. D. 18*76*, before the undersigned *Samuel E. McCallin*
Justice of the Peace for said County of *Jefferson*, came *Christian*
Frank Charles Knorff John Knorff

and severally acknowledged themselves to owe the State of Missouri the sum of *Three*
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
Christian Frank
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 *stealing band of boys*
worth in value to steal the
same

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.

Samuel E. McCallin
Justice of the Peace.

Christian Frank SEAL
Charles Knorff SEAL
John Knorff SEAL
J. H. Hesse SEAL

* If taken in term time, the party should be required to appear *forthwith* before the Court.

† Name the crime or offense charged.

No.

Recognizance of Prisoner.

TO APPEAR FOR TRIAL BEFORE

In Secourt Court,

at term 1877.

GIVEN BY

*John Lee Stender
Charles Brooks
John Brooks
J. H. Keattle*

ACKNOWLEDGED BEFORE

Samuel J. M. Mullin
Justice of the Peace.

Charles

Nov 9 1877

Certs due Samuel E. Mc Mullin
Justice

For docketing case	10
For indexing case	10
For writing & filing the answer	35-
For writing & filing & return of answers	1.15

For copy of docket to certify to return	25-
For certificate to return	25-
	\$2.80

Witness fees

L & Pleasant	1 day	50	
Mileage 7 mi	10	70	1.20

Same Person	1 day	50	
Mileage 7 mi	10	70	1.20

Otto Young	1 day	50	
Mileage 7 mi	10	70	1.20

Mrs Buchholz	1 day	50	
Mileage 5 mi	10	50	1.00

Fredricka John	1 day	50	
Mileage 5 mi	10	50	1.00
			\$5.00

State of Maine

vs
Christian Furbush

Testificate
and bill of
costs

Filed Dec. 6th 1876,
O. Thos. Maine
Clerk

The State of Missouri } Complaint
on Complaint of John Zahner } for wrongfully
vs } and feloniously
Christian Smith } altering Marks &
} Brands of two Hogs

Nov. 24-'76. Now comes John Johnson and files his complaint under oath against Christian Fink, alleging that on or about the 30th day of August 1876. at the County of Jefferson in the State of Missouri, he the said Christian Fink did wrongfully and feloniously alter the marks and brands of two white hogs, each about 2 years old, the property of him the said John Johnson, and of the value of ten dollars each, with the intent to steal and convert to his own use. & the use of him the said Christian Fink.

Nov. 24-76 - Manuscript issued for
said Christian Fruta.

No. 24-76 - Subpoena issued for
L. C. Pleasant. Ann E. Pleasant.

James Miller, Otto Young,
Mrs. Buckholts & Frank Legu
witnesses for State.

Nov. 25-76 - Marant returned
executed by having the body
of Christian Fink before me
as commanded -

Nov. 25-76 - Subpoena returned
served.

Nov. 25-76 - The Parties appear.
On application and affidavit
of defendant showing that he
cannot have a fair examination
before the undersigned justice
it is ordered that a change of
venue be granted in this cause
and that the examination
be had before Samuel E. McMullin
a justice of the Peace in Valley
Township Jefferson County
Missouri.

Nov. 25-76 - Sept Christian Fink
enters into a recognizance in
the sum of Ten Hundred Dollars

with Trust H. Saxe & John Thorkp
as surdies, for his appearance
for examination before the
Said Samuel E. M. Mullin
Justice of the Peace on the 2^d day
of Dec. - 1876

A. M. Lyh
Justice of the Peace

Costs due A. M. Lyh, Justice
Affidavit, 35. - Book 9. 10. Index 9-10- , 55
Hearout, 35. - Sefony 35. ————— 70
Affidavit for Change of Name , 35
Transcript & Certificate ————— 50
Recognizance ————— 35
\$ 2.45

See R. Washburn, Constable
Serving Warrant - \$1.10 - Served Sub. 1.95 \$ 3.05

Notary fees
L. C. Pleasant - 1 day .50
Milage 7. m. @ 10 - 70 1.20
Jesse Veiter - 1 day - .50
Milage - 7. m. @ 10 - 70 1.20
Otto Young - 1 day - .50
Milage 5. m. @ 10 - 50 1.00
Mrs. Buckholdt - 1 day .50
Milage 6. m. @ 10 - 60 1.10
Frank Feger 1 day .50
Milage 5. m. @ 10 - 50 1.00

State of Missouri
vs
Christian Fulk

State
vs
Christian Fulk

To draw

Filed Dec. 6 1876
C. Thos. Morris
Clerk

CERTIFICATE OF JUSTICE TO TRANSCRIPT.

(Wagner's Statutes page 840, Section 12.)

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

I, *A. M. Tyler*,
 a Justice of the Peace within and for the County of *Jefferson* and State of

Missouri, do certify the foregoing to be a full true and complete Transcript of the Entries and Proceedings in the
 case of *The State of Missouri* versus *Christian Smith*

as the same are of record on my Docket, and that the papers thereto attached

are all the original papers appertaining to said cause on file in my office.

WITNESS my hand, this

27 day of

A. D. 187*6*

A. M. Tyler
 Justice of the Peace.

Filed Dec. 6 1876
@ Tho. Morine
Clerk

State of Missouri } In the Circuit
County of Jefferson } Court of Jefferson
County Missouri
January Term 1877

The Grand Jurors of the State of
Missouri summoned from the
body of Jefferson County impan-
-elled sworn and charged to
inquire within and for said
County of Jefferson upon their
oaths present that ~~that~~ one
Christian Fink late of said
County of Jefferson on the 30th
of August 1876 at and in the
County of Jefferson ~~and in~~
the State of Missouri
wilfully and feloniously
then and there did change
and alter the mark of one
hog the said hog being then and
there the property of one John
Zahner and the same being then
and there and prior thereto
marked in the lawful mark
of said John Zahner in this
~~County whereas the said hog~~
~~was then and there marked in~~
~~two slits in the left ear the said~~
~~Christian Fink then and there~~

that is to say with two slits in
the left ear with the intent to
steal and convert said hog to
his own use by cutting the
right ear of said hog squarely
off near the middle thereof and
by also cutting off ^{a portion of} the end of the
left ear of said Hog

Contrary to the form of the
Statute in such cases made
and provided and against
the peace and dignity of the
State

Joseph Williams
Prosecuting Attorney

State

Christian Trust

Indicement for
altering mark of
Hog

witnesses

Otto Young
Frederica Zahner
Jane Weidacher
L. C. Pleasant
Ellen Buchholz

a True Bill

D. L. Janner

Foreman

Filed January 16th 1877

C. Ho. Morris Clerk

By J. H. Green Deput.

CAPIAS.

CIRCUIT COURT.

Returnable Term, *may* 1877.

STATE OF MISSOURI,

vs.
Christian Pink
Altering mark of a hog.

Sheriff will take Bond in Penalty of
Dollars.

ATTEST:

Clerk.

John Williams
Sheriff fee \$1.50

*I Executed this Writ in Jefferson County Mo. on
the 14th Day of April 1877 by arresting Christian
Pink and taking him before the Probate Judge
and the Judge taking his Bond for his
appearance at Court
*John Williams Sheriff**

To R H McMullin Judge of Probate within
and for Jefferson County Missouri

Your petitioner Christian Fick would
respectfully state that he is imprisoned and detained
and restrained of his liberty at the County and State
aforesaid by John Williams Sheriff of Jefferson
County Mo. That he is thus restrained by
virtue of a capias issued from the office of
the clerk of the Circuit Court of Jeff Co Mo
upon an indictment found against him
by the Grand Jury of said County for altering
mark of a hog

That the relief herein sought has not
been applied for to, or refused by any court or
officer whatever. He therefore prays your Honor
to issue a writ of Habeas Corpus to said John
Williams, and upon a hearing of the return
thereto, to admit petitioner to bail, in a reasonable
sum for his appearance at the Circuit Court
of said County at its next term and for such
other orders as may be necessary & proper

Christian Fick

Christian Fick ~~the~~ deposes that the matters and things set forth in
the above petition are true and correct.

Subscribed and sworn to before me April 11th 1877 . Christian Fick

R H McMullin
Judge of Probate

(By the Halawa Corpse Act)
Return of Christina Fink
for Wit of Halawa Corpse

Filed April 13 1877
Chas. H. H. H.
Clerk

State of Missouri } By the Habeas Corpus Act,
County of Jefferson }

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

You are hereby commanded that the
body of Christian Fink under your custody detained
as it is said under safe and secure custody, together
with the day and cause of his being imprisoned and
detained, by whatever name the said Christian Fink
may be known you have before me, R. W. McMullin
Judge of Probate within and for said County forthwith
to do and consider receive what shall then
and there be considered concerning the said Christian
Fink, so detained as aforesaid, and be of full not
at your peril.

Witness my signature and official seal
here to attached this 11th day of April
A.D. 1877 *R. W. McMullin*
Judge of Probate

I John Williams, Sheriff of Jefferson County Mo. in return to
the annexed writ of Habeas Corpus, state that I have in my custody as
such Sheriff the petitioner Christian Fink, that I do have him in
my custody and am detaining him by virtue and authority of a writ of Habeas
issued from the office of the Clerk of the Grand Court of Jefferson County Mo. upon
an indictment preferred against him for, a being master of a log, which is hereto annexed
and made a part of the return

John Williams Sheriff

State of Wisconsin
Christian Fork

Writ of Habeas Corpus

By ~~the~~ Habeas Corpus Act.

Filed April 13 1877

Chas. H. Stone

Clerk

Mr Christian Fink as principal and
Henry Stelbrink as security each acknowledge
ourselves to owe and stand indebted to the State
of Missouri in the full and just sum of Two
Hundred Dollars to be levied of our respective goods
and chattels, lands and tenements; yet upon
this condition: If the said Christian Fink shall
personally be and appear before the Circuit Court to be
begun and held at Hillsboro, within and for the County
of Jefferson and State of Missouri on the second Monday
of May 1877, and from day to day during said term,
and upon the first day of, and from day to day du-
ring any regular, special, or adjourned term of
said Court to which said cause may be continued
then and there to answer an indictment preferred
against him by the grand Jury of said Jefferson
County, Missouri for altering mark of a hog, and
not depart said Court without leave, then this
recognizance to be void else to remain in full
force and effect, Dated Hillsboro Mo, and
sealed with our seals this 11th day of April 1877

Christian Fink

Henry Stelbrink

The above is approved by me this 11th day of February
1877

Wm. M. M. M.
Judge of Probate

State of Missouri

Christian Fork

(By the Hales Empire Co.)

Bar of Dept.

Filed April 13 1877

@ Tho. Haines

Clerk

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To *Alto Young, Frederick Jahner, Jane Keidiger*
L. C. Pleasant, Ellen Brockholz

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 of Missouri* is Plaintiff, and *Chas. A. Smith* 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

²⁰
Christian Amk

Alto Young
Frederick Jahner
Jane Heidiger
L C Pleasant
Ellen Buckholz

John Williams
Shen of fee \$2.50

Filed May 14th 1877
C. W. H. H. H.
may 4

I received the bill in the above amount, and
the bill is paid May 18th 1877 in amount of \$2.50
and Ellen Buckholz by reading the same
to each of them and I further received the
bill in the above amount, and on the 14th
day of May 1877 on the above amount of \$2.50
and L C Pleasant by reading the same to each of the
same at each of those several places of which with
consent of them I am the agent of fifteen
years
John Williams Agent by James C. H. H.

STATE OF MISSOURI, }
COUNTY OF JEFFERSON.

To Julius Knapp — Jnrk — Jnrk, John Knapp, Rich. Sturgell
for Ruff. Frank Buckholz, R. McBooth Henry Engleman

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 Chris Amk 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 27th day of April, A. D., 1877.

C. Tho' Horine
CLERK.

May 77

State

no

Chris. Fink.

21

Julius Knorr \$

— Fink

— Fink

Jno Knorr \$

Rich Stirling

Jno Ruff

Frank Buckhalter

Reub Booth

Henry Engelman

John Williams

Shrift fee \$4.50

Filed May 14th 1877

May 4

C. Tho Houine
clerk

I served the within in Jefferson County Mo on the 4th day
of May 1877

I executed the writ in Jefferson County Mo on the 4th day
of May 1877 By Reading the within Jarve St Julius Knorr

Junk Fink John Knorr Rich Stirling John Ruff and

Frank Buckhalter

And on the 4th day leaving a true copy of his name over the aged
place of abode with a sherrman not found

John Williams Sheriff
by John D. Cook Deputy