

DeFerson County Circuit Court
Case File - Criminal
April 1877

Box

37

Folder 12

State

VS

Poleman, Henry

Assault with intent to Kill

Assaulted Andrew Ault;
also "Pohlman"; depositions

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 Dimigan* a Justice of the Peace within
and for the County aforesaid, personally came *Andrew Sult*who, being duly sworn according to law, deposes
and says, that on or about the *18th* day of *March* A. D. 1877
in the County of *Jefferson* and State of Missouri **Henry Coleman did on purpose and
of Malice aforethought did assault
and beat Andrew Sult with a deadly
weapon with intent to kill him the
said Andrew Sult*

and further this deponent saith not.

Sworn and subscribed before me, this the

19th day of *March*

A. D. 1877

John Dimigan
Justice of the Peace.*Andrew Sult*

*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.

Andrew Rult
Complainant.

VS.
Henry Coleman

CHARGED WITH
Intent to Kill
Filed April 4 1877

MADE BEFORE
© Tho Horine clerk
J. Dunningan
J. P.

On the *19* day of *March*
A. D. 187*7*

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 *Andrew Smith*

that *Henry Coleman*, late of the County aforesaid, did, on or about the *18th* day of *March*, A. D., 187*7*, at the County of *Jefferson* *did on purpose and of malice aforethought pierce* *assault and beat Andrew Smith with a deadly* *weapon with intent to kill him the said* *Andrew Smith*

These are therefore to command you to take the said *Henry Coleman* 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 *18* day of *March*, A. D., 187*7*

John Dunnington

Justice of the Peace.

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

STATE WARRANT.

STATE OF MISSOURI,
VS.

Henry Coleman
CHARGED WITH

Intent to Kill

ON INFORMATION OF

Andrew Rutt

BEFORE ME

J. Dunigan

J. P.

Filed April 7 1877

Chas. Herine *clerk*

Received the within Warrant on the

day of 187.....

Constable.

Fee, \$ *1.00*

cc *Copiers*

constable

RETURN.

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

on the

23 day of

March

1877, by

Jefferson

James Coleman before the within named Justice of the Peace

SUBPOENA FOR WITNESS---J. P.

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

The State of Missouri,

John Dunnigan, Plaintiff
vs.
Henry Smith, Defendant

YOU ARE HEREBY COMMANDED, To be and appear personally before me, *John Dunnigan*, a Justice of the Peace within and for the Township of *Preserve* in the County of *Jefferson*, on the *10* day of *November* A. D. 187*7*, 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 *Henry Smith* Defendant, on behalf of the *Plaintiff*. And hereof fail not at your penl. 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 *10* day of *November* 187*7*.

John Dunnigan
Justice of the Peace.

Subpoena for Witness.

State of Missouri
Plaintiff

Henry Coleman
Defendant

BEFORE

J. L. Linniger J. P.

WITNESSES:

Andrew Sult

Susan Sult

Henry Sult

Filed April 7 1877

Chas. Horne clk

FEE, \$ 75

cc. Owens & Condit

RETURN.

I Hereby Certify, That I served the within Writ in the County of

the *23* day of *March* 187*7*, by *Henry Coleman* on

Harriet Williams widow of Andrew Sult deceased
at the place

State of Missouri }
County of Jefferson }

on this 23rd day of March A.D. 1877 Came
Andrew Nutt of said County and being
sworn says that Henry Poleman
on the 18th day of March 1877

He was at his coal-pit the coal-pit
being three hundred yards, he was
covering his coal-pit Mr Poleman
came to him at his coal-pit, he was
mad he had nothing in his hand,
he asked him when ^{my} he should get
his money. He told Poleman to
come & he would settle. He also told P.
to keep away he would have nothing
to do with him at the coal-pit.
P. hit him with his fist. He followed
for his folks & P. went off a piece.
He said he'd sue P. before a week.
P. told him he was a rascal &
he was going to show him. He called
for his people again & told P. he
would see if he could keep him off
his land. P. came back & got
after him with a club drawn.
He followed him seventy yards
with the club in his hand.
He struck him on the head. He
caught the club or he would have killed

him on the spot. Mr. Alt got hold
 on the club & Mr. P caught him by
 the shoulders & told him he called
 for his people again. P picked up
 a rock to hit him on the head.
 He wanted to hit Mr. Alt on the head
 to make him let go the club. P told
 A to let go the club. A told him
 if he would let him alone he would
 let go the club. A let go the club &
 P threw the club down & went off.
 Mr. A pronounced the club a deadly
 weapon. A pronounced the club
 an inch & a half in diameter in
 length about 3 1/2 feet.

Gross Examination

He did not throw anything at
 him. I did not throw anything
 at him until after the first
 hitting. Tallman hit me before
 I threw a rock at him.
 Tallman was coming to my
 house. I never stopped when I
 threw the rock. I dare it and
 I had to hurry as Tallman
 would have killed me. Tallman
 threw a rock at me before I threw
 one at him. I did not know
 how much my children worked
 for him. He came to the house.

and I could tell, There was no
 settlement & more, he did not
 Polman's settlement was a hit or
 a blow, I caught the Club and
 held it, Polman had hold of
 the Club with the right hand
 and ticked up a Rock in the left
 I let go, I never tried to hit him
 I threw the Rock to keep him
 back so I could get to the house
 Polman hit me on the Chin
 with his fist, 6 or 7 yards apart
 when I threw the Rock.

I was not & did not,
 Polman did have hold of my Whisky
 I for I willingly let the Club go if
 Polman would let me a lone

London 23rd

Sworn to and subscribed

before me this 23 day of March 1877

John M. Gurnigan
 Justice of the Peace

Filed April 7 1877
O. W. H. H. H.
Clerk

State of Missouri }
 County of Jefferson }

The examination of Henry Poleman of Jefferson County taken before me John Durnigan one of the Justices of the peace within and for the County of Jefferson aforesaid on the 23rd day of March 1877 the said Henry Poleman being charged before me with that on or about the 18th day of March 1877 in the County of Jefferson and State of Missouri Henry Poleman did on purpose and of Mallice aforethought did assault and beat Andrew Sutt with a deadly weapon with intent to kill him the said Andrew Sutt be the said Henry Poleman upon his examination now taken before me says

I was hunting cattle, I went to the neighbors and asked if they had seen them, I inquired first of Jno Keise, I saw them, I look around there, I went on down to Old Hidenas, I did not find them there but heard the Bell and went up to them, When I came up there I did not find them, and I was afraid it would steal them, I was afraid he

would take mine to St Louis
 as he did others, I did not find
 them on the Place, Close to
 Fuenbergs Sence, I could not not
 find them and then I concluded
 to take the nearest Rant home to
 the County Road, and go home
 When I got up there Old Alf
 was on the Hill, when I saw
 him then I told him I would
 like to see him for a few min
 Then I asked him when he was
 going to pay me, Alf told me
 he would not pay, and would
 not receive a woman's settlement
 I said to him I was ready to settle
 if he was, Then he said you will
 have to go to my wife, I told him
 you settled with a woman and
 and you ^{would not} accept it, ^{and I was going to}
 and I want to settle with you
 he put his Fingers in his
 mouth and Whistled for his family
 We will Twist your neck in
 such a shape that it never
 will be again, I told him he
 would have to Twist a mighty
 good Neck, You never can
 settle with any Body Pacably
 You can not throw me out of the
 House like you did Others

I then I told him if he would not settle with me, I would bring somebody that he would have to settle with, I went off then, when I was about 10 or 8 yds, from him I looked back he had two Big Rocks in his hand one of them about 5 or 6 Lbs, the other 3 or 4 Lbs,

he threw the largest one at me first then I dodged it, the second one I dodged it, Then he had a Club the same Club to strike me on the head. He drew the Club trying to strike me with it, I caught it and kept hold of it I asked him if he wanted to keep himself or not. Alt says not and tried to get it out of my hand he found he could not get it out of my hand, he commenced punching me in the Belly with it, I aimed to push him away and he hit himself with Club I asked him if he would lay the Club down, I would hold him by the ~~Wrist~~ ^{Arm}, Alt says let us quit fighting and go home

Then we both let the club drop
at once and went home

Henry Polman

I John Demigan one of the Justices of the Peace
within and for the County aforesaid do certify that
the said Henry Polman was brought before me and
charged before me with on purpose and of malice aforethought
did assault and beat Andrew Sutt with a deadly weapon
with intent to kill him the said Andrew Sutt and that the
said Henry Polman 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 Henry Polman as also the
information of the said Andrew Sutt were by
me taken and reduced to writing the day and year
aforesaid

Given under my hand this 23rd day of March
AD 1877

John Demigan
Justice of the Peace

State of Missouri
vs

Henry Polman

Deposition

Filed April 7 1877

@ Tho' Home

clear

State of Miss.
County of Jefferson

By it Remembered that on the 23^d day
March 1877. Henry Pahlman of Jefferson
County George M Bowles
of Jefferson County

and

Personally came before me, John
Dunigan a justice of the Peace
within and for said County
and acknowledge themselves to
owe to the State of Missouri that
is to say Henry Pahlman the sum
of Two Hundred Dollars and
the said George M Bowles and

Each the sum of
Two Hundred Dollars to be levied
of their goods and Chattels (and
and Tenements if the said
Henry Pahlman shall fail in the
condition under written the
condition of this recognisance
is such that if the above bound
Henry Pahlman shall personally appear
at the Circuit Court on the first
day of the next term thereof to be
holden for the County of Jefferson

on the second Monday of May next
then and there to answer an
Indictment to be referred to the
Grand jury against the said
Henry Pohlman, for an Assault
with a deadly Weapon with
Intent to kill Andrew Sult
whereof he stands ^{charged} and shall
not depart the same without
leave of Said Court. When this
recognisance shall be otherwise
to remain in full force

Taken and certified the { Henry Pohlman
day and year last } George M. Fowles
aforesaid John Durigan Justice of the Peace

State of Missouri
ss

Henry Pohlman

Recognizance of
Henry Pohlman

Filed April 7th 1877

Chas. Haring

Clerk

State of Missouri {
County of Jefferson }

Be it remembered that on the 23rd day of
March 1877 personally Came Andrew
Sutt to Blumenglanz & Britton before me
one of the Justices of the peace for said
County and acknowledged themselves
to owe the State of Missouri the sum of one
hundred dollars to be levied on their
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 Andrew
Sutt shall personally appear at
the next circuit court to be holden in and
for said County on the first day of the
next May Term thereof 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
before me at my office

Andrew Sutt
Carl Blumenglanz
Martha Britton
John P. Conigan
Justice of the Peace

State of Missouri

vs

Henry Coleman

Recognition of

Andrew Bull

Filed April 7 1877

Chas. Kerne

Clerk

John Duvigan
Justice of the Peace

State of Missouri
County of Jefferson

I John Jernigan do certify the foregoing
to be a true and Complete Transcript from the
entries on my docket in the Case of the State of
Missouri vs Henry Coleman on a charge of
that Henry Coleman did on purpose and of Malice
aforethought did assault and beat Andrew Sult
with a deadly weapon with intent to kill him the
said Andrew Sult and the examination of witnesses
and of the prisoner and all the papers before me
are attached hereto and herewith returned
Given under my hand This 23rd day of
March 1877

John Jernigan
Justice of the Peace

State of Missouri
No

Henry Polomus
transcript from docket

Filed April 7th 1897
C. H. Marine
Clerk

Not
r.

Henry Plummer

apart to Will

took a true bill

Geo. L. Plummer

Henry Plummer

Filed May 10 1877

Thos Horine

@cert

4460

State

vs

Henry Pohlman

IF NOT CALLED FOR IN TEN DAYS,
—RETURN TO—

W. S. BOYCE, Circuit Clerk,

Jefferson Co.,

HILLSBORO, - - MO.

21/050/12

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