

Jefferson County Circuit Court
Case Files - Civil
June 1827

Folder 2 of 4

Box 1 Folder 33

Ravenscroft, James

vs.

Shelby, Eli

Title

640-acre New Madrid Certificate
No. 206 purchased by plaintiff from
defendant for \$1, ~~200~~ in 1817; originated
in Cape Girardeau County 1823; Supreme
Court 1825, remanded; change of venue
to Jefferson County 1827; extensive
depositions

James Ravenscroft & An issue at Law by order of the
Eli Shelby Supreme Court
and now the said James Ravenscroft

avens that Rees Shelby died subsequent to the first
day of September Eighteen hundred and seven, to wit,
at the County of New Madrid and this he prays may
be enquired of by the Country &c

and the defendant doth By rd Matthews & Evans for
the like Buckner Ranney
and Scott Allen Compt.

and the said James further avens that in the pur-
chase of the five shares of the said Brothers and Sisters
of Rees Shelby of the half blood in said bill mentioned
he the said James paid a large sum of money
to wit, twelve hundred dollars and this he prays
may be enquired of by the Country &c

and the defendant doth By rd Matthews & Evans for
the like Buckner Ranney
and Scott Allen Compt.

House of Lords

Parliamentary
Library

July 2 August 10. - 1825

(21)

James Ravenscroft } In the Circuit Court for the
vs }
El. Shelly } County of Cape Girardeau in the
State of Missouri

Reasons for a New Trial:
And now the said Shelly moves the Court to
set aside the Verdict of the Jury in this
Case and to award a New Trial for the
Reasons following (viz),

1. The Verdict is against, and contrary to
Evidence
2. The Verdict is against the weight of
Evidence
3. The Verdict was given without Evidence
4. The Verdict is against Law.
5. Misconduct of the Jury among themselves
6. Misconduct of the Party prevailing
to, and with the Jury
7. The discovery of new Testimony since
the trial of the Cause.
8. The Verdict is oppressive and unjust.

A. Barker for Deft

State of Mississipi County of Cape

Shelly Dyer

ada

Reverend Court

Motion for new trial

C

Filed June 25th 1825

Wm Smith Clerk

Filed Sept. 25th 1825

By Sanford Dyer

Deposition of witnesses taken at the house of Charles Seavers in the town of New Madrid on Tuesday the fifth day of October A.D. 1825 between the hours of six in the forenoon and six O'clock in the afternoon of said day to be read as evidence on the trial of an issue in chancery in a suit pending in the Cape Girardeau Circuit Court between James Ravenscraft complainant and Ely Shelby defendant.

Sarah Summers of lawful age being produced and sworn deponent and saith. That she was acquainted with Rees Shelby and ~~that~~ saith that the said Shelby died in or previous to the year Eighteen hundred and seven. and further this deponent saith not. Sarah Summers

John Summers of lawful age being produced & sworn deponent and saith that he was well acquainted with Rees Shelby and to the best of his recollection he says the said Shelby died previous to the year Eighteen hundred and eight and ~~previous~~ further this deponent saith not.

John Summers

State of Missouri Co. ~~This day~~

I the undersigned Justice of the Peace for the Township of New Madrid in the County of New Madrid do certify that the above depositions were taken sworn to & subscribed before me at the time and place above stated.

Given under my hand and seal this fifth day of October A.D. 1825

C. G. Harris J.P.
(Seal)

50
Apr

John Summers
and
Sarah Summers

Manuscript

Henry }
Shelby } Chancery

Shaw and

Shaw

Dec. 13, 1823

Wm. Daugherty
clerk

Wells of the Circuit Court
Cape Gardener
Filed Nov. 14th 1825
Cape Gardener County
Massachusetts
R. Daugherty
Clerk

180

On Monday the first day of February 1808 an Orphans Court met
at the mansion House of R. J. Waters deceased Present

Mo Amoureux &

E. Minor Judges

" Joseph Lewis who was heretofore appointed Guardian of Joseph &
" Don Lewis Nancumburg who were in obedience to a former decree
" of the Court bound to Jonas Carl, came into Court and suggested
" that the said Jonas Carl was about to dep^{art} ~~the Court~~
" unless objected to by the Court would take the children aforesaid
" with him, to which he as guardian objected and moved the
" Court to make some other disposition of the children in this District
" Should the Covenant or Indenture already made be recorded to which
" he as Guardian consented. The Court Ordered that the Guardian
" be authorized to receive the children of the said Jonas Carl & their
" property & to record the Indenture and hold the children in his
" hands subject to the future disposition of the Court, and that a
" copy of this order be served on the said Jonas Carl

I C. G. Morris Judge of the Probate Court of New Madrid
County in the State of Missouri do Certify that the above is a true
Copy of the Record of the Orphans Court of the then District of
New Madrid.

In testimony whereof (there being no seal of said Court
yet procured) I have hereunto set my hand and
affixed my private Seal this ninth day of
December A. D. 1825.

C. G. Morris Seal

Copying 180 words	\$.18	} \$1.68
Certificate & Seal	80	
Tax on Certificate & Seal	1.00	

[illegible][illegible]

At Deposition of Daniel Stringer taken at the House of William
Meyers in pursuance of a Notice in the Case of James Thompson
vs Eli Shelly who being duly sworn deponeeth & saith
that it appears to him that the Saw Run Shelly at
the town of New Machine at the time Frederick Betts was
Running the evidence of James Gleason at said place

Daniel Stringer

Wm

1:30 o'clock

Filed April 10th 1845

Attest J. M. M.

State of Mississippi
County of Choctaw. E. P.

James Ravencroft pff

9
Eli Shilly dep

Deposition of Messrs Prudence Swann and
Examiners on the 25th day of March A.D. 1826
between the hours of six o'clock in the forenoon and
six o'clock in the afternoon of that day at the
Court house in the town of Boonville, and County of
Choctaw of said State of Mississippi
before me James L. Collins a Justice of the peace
within and for the County of Choctaw of said State
in a certain Cause now depending in the Circuit
Court of said State of Mississippi in the County of
Choctaw between James Ravencroft Plaintiff
and Eli Shilly Defendant, on the part of the said
Plaintiff the Wit. James Harris of lawful age interposed
a & Sworn in the part of the pff. deponent sayeth -
Questions by Plaintiff. Do you Recollect when
Rear Shilly deceased died?

Answer. Rear Shilly died same time in the month
latter end of June or the first of July
in the year Eighteen hundred and Eight
just by same at whose house did said Rear
Shilly die?

And at Mrs Brantz wife of Joseph Brant
in the County of New Madrid -
Questions by same have you any papers to Represent
your Memory Relation to the time since
Shilly died?

Answer. I have in my possession the letters of admin-
istration granted to me as administrator of
the estate of said Shilly. from the date
whereof I am unable to say positively
that said Shilly died about the time above
stated.

Sworn & subscribed to before
me on the day and at the place
and within the hours first of said
James L. Collins J. P.

Richard Westbrooks of Lawport are introduced
& sworn on the part of the plff -

Question by Jthff. Do you Recollect when Mr
Shelby died?

Answer I stand by Dean Shelby when he died,
it was in the house of Mrs Brant
wife of Joseph Brant of ~~New~~ Madrid
County in this state, and it was same
time in the latter part of the month of
June or the first of July in the year
Eighteen hundred and Eight

Question by same. Are you acquainted with

~~question by same~~ ^{question by same} ~~Answer same~~ - would you if you had a cause
~~question by same~~ depending in any court, like to have
said James Smith examined as a witness
against you?

Answer. I would not -

Question by same. Was James Smith a man Subject
to ~~intoxication~~ ^{intoxication} when in company?

Answer he was -

Question by same when did George Riddals
live at the time when Shelby died

Answer. at in the Settlement of Little Perari in
New Madrid County Missouri

Question by same. How far did said Raddals
live from where said Shelby died -

Answer about thirty three or four miles

Richard Westbrook

Sworn to & Subscribed before
me on the day and at the
place and within the hours
above stated

James Collins J^r

George Barker of Lampul are being produced
sworn and examined on the part of the
plff.

Question by plff. Do you recollect when
Dean Shelly died?

Answer. I was at the house of Mr Braut
when Dean Shelly died on the morning
that he died, it was in the month of
June or July in the year Eighteen
hundred and Eight

Question by same Are you acquainted with one
James Smith

Answer. I am

Question by same if you had a Deposition
in Court would you be like
to have said James ^{Smith} ~~Shelly~~ Examined as
a Witness against you

Answer. So far as I am capable of judging
I would not

Question by same. was said Smith Subject to
intoxication

Answer. He was

Question by same. was you acquainted with
one George Riddell

Answer. I was

Question by same. what distance did said
Riddell live from where Dean Shelly died

Answer. about thirty miles, say there or thereabouts

Question by same in what Settlement did said
Riddell live?

Answer. in the Settlement of the little parish
in New Madrid County in this state
at a place called Penniscaw ^{by} George Barker
sworn & subscribed before me James L. Allen J. P. mark

Eni Marley of lawful age being produced
Sworn & Examined deposed & sayeth

Question by plpp. Do you recollect when said
Shelly died.

Answer. It was in the year Eighteen hundred
and Eight, and to the best of my remem-
berance it was in the month of ~~June~~
July of that year.

Question by same. Are you acquainted with one
Ann James Smith?

Answer. I am.

Question by same. Was he subject to intemperance?

Answer. ~~He was~~

Question. Are you acquainted with one James
Riddell?

Answer. I am.
Question by same. How far did said Riddell
live from New Madrid?

Answer. He lived at the little parson about
thirty miles from New Madrid.

Question by plpp. What induces you to believe
that said Shelly died in the year 1808?

Answer. I was married in the month of December
1808 & know that Shelly died the summer
preceding my marriage. I also have
purchased of Joseph Mitchell a tract of
land in New Madrid County & from
the deed made to me from Mitchell
for said land I am induced to
believe said Shelly died at the time before
stated. The said deed being dated in
the year 1809 the ^{year} following the death of
said man.

Sworn to & subscribed before
me on the day & at the place &
at the time above stated

Eni Marley

James Collins J.D.

Joseph Westbrook of lawful age being pro-
- duce a Sworn Deposition & sayeth —

Question by pept Da you Recollect when Rean
Shelly died

Answer Rean Shelly died in the Month of July
in the year Eighteen hundred & eight

Question by same what induces you to believe
that Rean died at the time above stated

Answer I have a Record in my possession which
Confirms that belief

Question by same was you acquainted with one
James Smith

Answer I was

Question by same was he Subject to insurrection

Answer He was

Question when did James Reddick live at the
time of Rean Shelly's death —

Answer he lived at the little Parson about
thirty two or thirty miles from where
Rean Shelly died

Question by same where did Rean Shelly die

Answer he died at the house occupied by Mr.
Brent in the County of New Madrid

Sworn to & Subscribed before me on the day & at the place
& between the hours above
stated

Joseph Westbrook

James Farris again introduced by pept

Question by pept did Eli Shelly Ever acknowledge
you or any of the heirs of Rean Shelly & say

Answer he always acknowledged me as one of
legal heirs of said Rean Shelly and also
that it was the Request of said Rean Shelly
that I should be with the exception of
any harm saddled & bridled which was to

belongs Exclusively to him & him the said
 Eli Shilly
 Gesteau by same have many half brothers &
 Sisters had Rose Shilly for the
 father's side's
 cousin two: some! - far's

Sworn to & subscribed
 as before
 James Gallin J.P.

Seal of Mississippi
 County of Leasport E.P.

I James Gallin a Justice of
 the peace within and the County of Leasport in said
 State of Mississippi, do hereby Certify that James
 Harris Richard Westbrook, George Clark & Eri
 McCarly & Joseph Westbrook, the deponents to the
 above depositions were by me sworn
 to testify the whole truth of their knowledge
 touching the matter in controversy of said
 that they were examined and their examina-
 -tion reduced to writing and by them Respected
 by subscribed in my presence on the day
 between the hours and at the place in that
 behalf first of said

Given under my hand this 25th
 day of March 1886

James Gallin J.P. Leasport County
 Mississippi

Shirley -	2.00
Lester -	2.00
McCarly -	50
R. Westbrook	50
James Harris -	50
George Clark	50
Joseph Westbrook	50
Eri McCarly	50
	<u>\$6.50</u>

Received of

11

July

18

of the year 1861

April 11, 1861

17 Hampshire St

\$ 6.50

Depositions of witnesses produced sworn and examined on the seventh day of April in the year of our Lord eighteen hundred and twenty six between the hours of ten of the clock in the forenoon and two of the clock in the afternoon of that day at the house of Robert G Watson in the Town of New Madrid and County of New Madrid in the State of Missouri before me J. S. Moulton a Justice of the Peace within and for the County aforesaid in a certain cause now depending in the Circuit Court of the County of Cape Girardeau in the State of Missouri between James Ravenscraft Plaintiff and Eli Shelby Defendant on the part of the Plaintiff

Jane Watson of lawful age being produced and sworn deposes and saith that she has no distinct recollection of the time when Reese Shelby died but says to the best of her recollection that Shelby was living at the time of the marriage of her brother Benjamin Myers with Modeste E. Bronillette. nor can she state the date of that marriage and further this deponent saith not.

Jane Watson

Robert G Watson of lawful age being produced and sworn deposes and saith ^{to the best of his recollection} that John Summers and wife in the years eighteen hundred and seven and eighteen hundred and eight were both living in the neighborhood of the Little Prairie a distance of about thirty miles from the place where it is said Reese Shelby died. And further deposes and saith that he is a subscribing witness to the marriage contract between Benjamin Myers & Modeste E. Bronillette, and that he was at the said marriage and on the day thereof he signed the said marriage contract. the date of which he does not distinctly recollect. And further this deponent saith that previous to the year eighteen hundred and eight Joseph Hunot and Joseph Laplant could have had but little knowledge of Reese Shelby as they up to that time could scarcely speak a word of english and had but very little intercourse with the american citizens. and further this deponent saith not.

Robert G Watson

Sworn and Subscribed to before me on the day at the Place
and within the hours first aforesaid.

C. G. Moutts. J. P.

I C. G. Moutts a Justice of the Peace within and for the
County of New Madrid in the State of Missouri do hereby
Certify that Jane Watson & Robert G. Watson the deponents were
by me severally sworn to testify the whole truth of their know-
ledge touching the matter in controversy aforesaid, that they
were examined and their examination reduced to writing
and by them respectively subscribed in my presence, on the
day between the hours, and at the place in that behalf
first aforesaid.

C. G. Moutts J. P.

Manuscript
on the
History of
the

The State of the General Court
of the
County of
Albany

in the
year 1814
at Albany
J. B. H.

James Ravuncraft In Chancery
Eli. Shulby } Yours certified from
Su: Court

Exceptions to depositions filed by Compl.
in said cause.

To The depositions of Modeste Elizabeth Myers
& Sarah Hark -

Exception 1. The want of notice, & the same not
being given in due time.

To The depositions of Edw. N. Matthews
& Daniel Stinger

Exception 1 The want of notice & not being given in
due time or duly served.

" 2. No certificate by the ~~person~~ ^{officer} who took
the deposition, nor does it appear
to have been taken before any officer.

" 3. The depositions not pursuant to
notice.

To The depositions of Jane Watson & Robt.
G. Watson.

Exception 1. The want of notice, & not being given
in due time or duly served.

To The depositions of James Harris, Richard
Westhooker, George Clark, Eli Marley,
Joseph Westhooker

Exception 1. The want of notice & not being given in due time & only served.

all which exceptions are made by the
dept.

Buckner, Ranney & Allen
attos. for dept.

Shelby SpR
adm

Stamworth Kent's

Seaford to Dept

Filed June 8th 1877
Chas Smith Atk

Steele & Davis 17836

Washington D.C.

18 Feb 5

11.
24
-35
32
160

29 Nov 1823
James Francis Williams Ranney
22 Dec 1823

James Ravenscraft } In the Circuit Court of
vs 3 Subscribers } Cape Girardeau County
Eli Shelby } State of Missouri

W. Eli Shelby the above named Defendant.

Sir: Take notice, That I shall attend at the
Court-house in Boonville, county of Cooper
and State aforesaid, on the 25th day of March next
between the hours of six o'clock in the forenoon, and
six o'clock after the after-noon of that day, and so from
day to day, then and there to take the depositions
of witnesses to be read at the trial of the above cause
on the part of the part of the plaintiff, when and
where you may attend, if you think proper.

~~Attest~~ February 17th 1826

James Ravenscraft
Plaintiff —

W. Eli Shelby, —

Filed April 18. 1826
J. P. Sanford Clerk

Served the within Notice on Eli Shelby
this 18th Feb 1826
A. P. Ellis C. C. J.

State of Missouri
County of Cape Girardeau
Alfred P. Ellis of Lawful age
Personally appeared before me George
Henderson a Justice of the Peace
within and for Cape Girardeau
Township in the County aforesaid
& made oath that he served the
within notice on the within named
Eli Shelby by reading the same to him
on the 18th day of February last & so
sworn to & subscribed
before me the 18th day
of April A.D. 1826
A. P. Ellis C. C. J.

George Henderson
Justice of the Peace

Witness this 25th day

James Ravenscroft } In chambers
Esq^r }
Eliz. Stelly } Have certified from superior court

Further exceptions to depositions filed by counsel in
said cause

The depositions of Mabelt Elizabeth Myers & Sarah Kent

1 It does not appear that said deposition was taken
agreeable to ~~law~~ notice

2nd The same does not appear to be taken & reduced to
writing in presence of the justice taking the deposition

3 It does not appear that Mabelt Elizabeth Myers
& Sarah Kent qualified to the truth of said depositions

Respectfully
Atty General

Know all men by these presents that we James Faris Joseph Lewis & John
E Start all of the District of New Madrid in the Territory of Louisiana are
held and firmly bound unto Michael Amoureux Judge of Probate of the
said District and his successors in office, in trust to and for all persons
concerned or having interest therein in the sum of four hundred Dollars
lawful money of the United States to be paid to the said Michael Amoureux
or his successors in office in trust as aforesaid, for which payment well &
truly to be made we bind ourselves, our heirs, Executors and Administrators
jointly by these presents, Done at New Madrid, Sealed with our seals
respective seals this tenth day of August in the year of our Lord one thousand
eight hundred and eight, and of the independence of the United States the thirty
third. The Condition of this obligation is such that if the within bounden
James Faris administrator of all and singular the goods chattels & credits
of Rees Shelby deceased do make or cause to be made a true and perfect
inventory of all and singular the goods chattels & credits of the said deceased
which have or shall come to the hands possession or knowledge of him the said
James Faris or into the hands or possession of any other person or persons for
him, and the same so made do exhibit or cause to be exhibited into the office
of the Judge of Probate for the District of New Madrid at or before the 10th
day of this month of August and the same goods chattels & credits of the
said deceased which at any time after shall come to the knowledge hands
or possession of the said James Faris Administrator as aforesaid or into
the hands and possession of any other person or persons for him do well
and truly administer according to law & further do make or cause to
be made a true and just account of his said administration at or before
the 10th day of February in the year one thousand eight hundred and nine
and all the rest and residue of the said Goods Chattels & Credits which
shall be found remaining upon the said administrators account the same
being first examined by the Judge of Probate and allowed by the Orphans
Court of the District where the said Administration is granted shall
deliver and pay unto such person or persons respectively as the said Or-
phans Court by their decree and sentence pursuant to the true intent
and meaning of the act made & passed on the subject by the Legislature
of this Territory of Louisiana shall limit and appoint and if it shall
hereafter appear that any last will or testament was made by the De-
ceased and the Executor or Executors therein named do exhibit the same into
the office of the Judge of Probate making request to have it allowed and
approved accordingly, if the said James Faris, within bounden bring

"herunto required do render & deliver his said letters of administration
 "approbation of such testament being first had and made in the office
 "of the said Judge of Probate then this obligation to be void and of no
 "effect - or else to remain in force and virtue, signed sealed & delivered
 "in the presence of J. N. Amourne

James Faris (Seal)
 Joseph Lewis (Seal)
 John E. Hartt (Seal)

Indorse-
 =ment

1808

"Estate of Rees Shelby Bond. James Faris admr. Joseph Lewis
 "John E. Hartt Suresties.

I C. G. Mounts Judge of the Probate Court of New Madrid
 County in the State of Missouri do Certify that the foregoing
 is a true copy of the Administration Bond of James Faris on
 the estate of Rees Shelby deceased now on file in said Court

In testimony whereof I have herunto set my
 hand and affixed my private seal (there being
 no seal of said Court yet procured) this tenth
 day of December A. D. 1825.

C. G. Mounts

(Seal)

Copying 600 words @ 10 ¢ .60

Certificate & Seal 50

Tax on Certificate & Seal 1.00

\$ 2.10

C. G. Mounts Judge Probate Court

Copy sent to
our other New York

These April 19, 1896
My Father's Book

" On the 11th day of August 1808 James Faris who on the 29th ultimo
" had applied for letters of administration to him to administer on the
" estate of Rees Shelby deceased having entered into a bond with
" Sureties as the law directs letters of administration of the said
" estate have been granted to him he the said Faris having at same
" time taken the oath well and faithfully to administer on the said
" estate according to law, of which oath thus taken I have endorsed
" my certificate on the said letters of administration and filed the
" Bond.
M Amoureux.

" October 28th 1809 James Faris Administrator of the estate of
" Rees Shelby a deceased intestate having declared that he has lost the
" letters of administration on the said estate which was granted to
" him on the 11th day of August 1808 as appears on record, I have
" given the said James Faris a duplicate of said letters of administration
M Amoureux Judge of Probate.

J. C. Houts Judge of the Probate Court of New Madrid
County in the State of ~~Missouri~~ do certify that the above
is truly copied from the record of said Court.

In testimony whereof (there being no seal of said
Court yet procured) I have hereunto affixed
my private seal at New Madrid this 8th day
of December in the year of our Lord one thousand
and eight hundred and twenty five
J. C. Houts 

Copying 180 words	\$.18	} \$1.68
Certificate & Seal	50	
Tax on Certificate & Seal	1.00	

Copy of Letter of Dr. J.
or
Rev. Mr. J. J. J.

Given April 19. 1826
Wm. J. J. J.

James Ravenscroft
vs
Eli Shelly

In the Circuit Court for
the County of Cape Girardeau
April Term 1826 4th Judicial
Circuit

Thomas Wheeler being duly sworn makes oath that
James Ravenscroft came ~~to~~ this morning of the
present day to the house of Nathaw Bankhorn in the
Town of Jackson where this affiant usually resides
and demanded of this ~~witness~~ affiant if his Father
John B. Wheeler had come into Town this affiant
replied no Saw Ravenscroft then told this affiant
that if his Father John B. Wheeler did come in
to town to tell him the said John B. Wheeler not
to come up to court that he was not wanted
and this affiant further states that the said house
of Nathaw Bankhorn is the usual place where
the said John B. Wheeler stops on his arrival in said
Town of Jackson

Sworn to and subscribed
before me this 27th day
of April 1826—

J. B. Wheeler

Hy Sanford Esq

Remittance
or
Money paid

Amount to ~~amount~~ \$6 6/4
Being same — 6 1/4
19 3/4

Attest April 22 1826
Attest by C. A.

James Ravenscroft

Eli Shelly }

In the Circuit Court

4th Judicial Circuit

Cape Girardeau county.

John Pryme being duly sworn saith that he is the deputy sheriff of this county, that last evening he served a subpoena in the above cause upon John B. Wheeler to testify in behalf of Complainant. that on this morning said Complainant inquired of this affiant if he had served the subpoena upon Wheeler, this affiant answered he had, but he did not expect the witness could come - Complainant answered he must be here, affiant replied that Complainant need not want him, he would do him no good if he came, Compt. asked how he knew, affiant answered that said Wheeler asked of this affiant what was wanted with him, affiant said that he was wanted to prove the character of witnesses from Madrid county, witness answered that he had known very little of them for the last ten years, ~~and would be of a great advantage to the court to call him~~ - that witness then asked this affiant what was the point in dispute, affiant answered respecting the death of Rees Shelly, whether he died in 1807 or in 1808 that witness replied that he moved into Madrid county - in the year 1808 & understood from

~~cited by me to said James Ravenscroft, this morning~~
 general report that Rees Shelly died in 1807, that
 Ravenscroft need not want him here as he would be
 of as much advantage to dept. as to Ravenscroft -
 Ravenscroft then said, say nothing about it.

sworn to & subscribed in
 open court this 22nd
 day of April 1826.

John Prim

Sty Sanford
 Sept 1826

James Ravenscroft

March 24th

Moving to England - 6 1/4
 filing same - 6 1/4
 \$ 0. 12 1/2

Dec 22nd 1826

Handed by Clerk

James Ravenscroft vs Eli Shelby
In the Circuit Court
4th Judicial Circuit
April term 1826.
County of Cape Girardeau

George Hacker being only sworn saith that on the Sunday preceding the last December term of this court, he overtook James Ravenscroft the above complainant & two persons, one named Hunt the other named Tiffat, ^{who this affiant believeth to be witnesses in this cause} & Nicholas Seavers, about John Ramsays on the edge of the big swamp ~~about~~ near the line between this county & Scott - that Ravenscroft said there are Shelby's witnesses going up to swear a lie, if they swore what they said they would - this affiant & the other persons after crossing swamp stopped at Old Mr. English's on this side of the ^{one of} swamp - where Mr. Ravenscroft & the witnesses agreed went out together, the witnesses returned from the conversation with Mr. Ravenscroft apparently very much enraged & said let us go speaking to his comrade the other witness named the witness & this affiant went thence to Eli Shelby, where ^{witness} ~~he~~ said that Ravenscroft had threatened to shoot him if he swore what it was understood he would swear & witness said that he would swear the truth & did not fear him.

Sworn to and subscribed
in Open court April 22^d
1826 By Sanford Dyck

G. Hacker,
J. C.

Stamworth

W
Hills -

Account of fruit 6 1/4
being 24 p^{ts} — 6 1/4
12 3/4

St. Paul April 27 1896

St. Paul 1896

James Brown v. Craft $\rightarrow$ an issue of fact sent pro
versus $\rightarrow$ in the Supreme Court, to this
Eli Shelley $\rightarrow$ the April Term 1824 of the
Circuit Court

Be it remembered that on the trial
of this cause, and in the statement of the same
the complainant gave notice that ^{he} ~~you~~
should not offer any testimony in support
of the second issue ~~in this cause~~, "that is as to
sent from the Supreme Court, and after the
testimony had ~~been~~ gone through, and before
the argument had commenced the compla-
-inant moved the Court to permit him to
withdraw the said second issue as he con-
sidered it immaterial and unimportant
and had declined to give any testimony
on the same, which motion was overruled
by the Court, to which opinion the Com-
-plainant excepts, and tenders this his exception
which is signed sealed and made part of
the record,

John P. Cook ^{Esq}

Shelby
born
Bancroft

Laminant fee
of Chestnut

Feb 7th 1836 April 24 1836

John Judson D.D.

Notes Recd

Since June 5th 1836
Chas Smith etc

Depositions of Witnesses produced sworn and examined on the 19th day of July in the year of our Lord eighteen hundred and twenty six between the hours of Ten of the clock in the forenoon and Six of the clock in the afternoon of that day at the house of Robert G Watson in the Town of New Madrid and County of New Madrid in the State of Missouri before me C G Mounts a Justice of the Peace within and for the County aforesaid in a certain cause now depending in the Circuit Court of the County of Cape Girardeau between James Ravenscraft Plaintiff and Eli Shelby Defendant on the part of the Plaintiff.

Sarah Start of lawful age being produced sworn and examined on the part of the Plaintiff deposes and saith, That she was well acquainted with Reese Shelby in his life time, but cannot recollect the year in which he died, As well as she recollects her son Pearce Startt was in his second years age when Reese Shelby died and by reference to the family Record of the births of her children it appears that Pearce Startt was born on the 13th day of January in the year 1807, And further says that said Record was made by her direction a short time after the birth of said Pearce and she has no doubt that it is correct. And this Deponent further says that Reese Shelby was hired and worked for her husband the year in which said Pearce Startt was born and she well remembers that in the fall of that year said Shelby assisted her husband to gather corn and chucks that he continued there until he went up the river.

which as well as this deponent now recollects was in the March following, These circumstances are more strongly impressed on the mind of this deponent from the recollection that said Shelby took great notice of the children and she particularly recollects she said Shelby took great pains to teach her little son Pearce to swear such oaths as "dod blast" "by jerniny" and various other such awkward expressions. And this Deponent further states to the best of her recollection that Doctor Richard Jones Waters died before Reese Shelby. and further this deponent saith not.

Sarah Start ^{her} X
mark

Robert G. Watson of lawful age being produced sworn and examined on the part of the Plaintiff deposes and saith.

James Evans of lawful age being produced sworn and examined on the part of the Plaintiff deposes and saith that he was attending to some land claims at New Madrid in June 1808 when Frederick Bates was taking the testimony relative to the land claims in upper Louisiana (that he then heard of the name of Reese Shelby and as well as this deponent now recollects (at this period of time) Nathaniel Pope was engaged in arranging the claim of the said Shelby & having the proof laid before the said Bates after the said Bates adjourned this Deponent went to Cape Girardeau and returned to New Madrid to attend Court on the fourth Monday in July and then he heard of the death of Reese Shelby. And further this deponent saith not.

James Evans

Sworn and subscribed to before me on the day, at the Place and within
the hours first aforesaid. J. C. Monts Justice of the Peace.

I, J. C. Monts a Justice of the Peace within and for the County of New Madrid
in the State of Missouri do hereby Certify that Sarah Hartt and James
Evans the deponents were by me severally sworn to testify the whole
truth of their knowledge touching the matter in Controversy aforesaid
that they were examined and their examination reduced to writing
and by them respectively subscribed in my presence on the day, between
the hours and at the place in that behalf first aforesaid.
J. C. Monts Justice of the Peace

Writing depositions 600 words @ 10 ^{cts}	\$.60	} \$1. 16 ³ / ₄
Swearing 2 witnesses 6 ¹ / ₄ cts	12 ¹ / ₂	
Certifying Same	25	
Issuing Subpoenas	18 ³ / ₄	

J. C. Monts J. P.

Davenport }
 " }
 they of }
 Camp. }

John A

Filed Aug. 14. 1892

My dear Mr. May

72

Phosphorus alk

James Rauscroft } On issue of fact in ~~the~~
15 Eli Shulley - } Chancery proceeding in the
 } circuit court for the county
 } of Cape Girardeau Missouri

To Mr. Eli Shulley - Sir take notice that
I shall attend at the house of Nelson G
Watson in the town of New Madrid and county
of New Madrid on the eighteenth and nineteenth
days of July Inst, between the hours of
ten o'clock in the forenoon and six o'clock
in the afternoon of said days thus I shall
take the depositions of witnesses to be read as
evidence in the trial of ^{the case} ~~the case~~ upon the
part of the Plaintiff when & where you
can attend if you think proper -

New Madrid July the 13th 1826

James Rauscroft

July the 13th 1828 this I send the athen notice
eng. returning into the hands of the within named
E. C. Shelby a true copy of the athen ~~notice~~ notice
at the town of New Madrid

Asahel Smith

This day Personally appeared before me the undersigned Justice of
the Peace within & for the County of New Madrid in the State of Missouri
the above signed ~~Asahel~~ ^{Asahel} Smith and made oath to the truth of the above
return;

Le G. Monts Justice of the Peace

11th August 1828 -

Notariff }
Shelby } Notar
W. L. D. P. O. N. T. H.

Jamus Ravenscroft for the Capt Gerardeau
verses
Eli Shelly 3 Circuit Court, on the Trial
of issue of fact sent from
the Supreme Court to the said
Circuit Court,

The above defendant will
Take Notice That on Tuesday Wednesday and
Thursday the 25. 26. and 27 days of July next
and between the hours of six o'clock in the forenoon
and six o'clock in the afternoon of each of the
said days at the Court house in the Town
of Booneville County of Cooper and State
of Missouri, I shall proceed to take the
deposition of witnesses to be read on the
trial of the above cause at which time
and place you may attend
Witness my hand and seal this 29th day of June 1826
Jamus Ravenscroft
by Nathan his
Solicitor

Robert M. Garland of lawful age, being sworn saith that on the
first day of July AD 1826, he (this deponent) delivered a true and
perfect copy of the above notice to the above named
defendant Eli Shelly, at the town & County and
of New Madrid in the State of Missouri -

Sworn to and Subscribed in Open Court
this 19th of August 1826

Attest my hand & seal
for

R. Daugherty Clerk

Robert M. Garland

Robert M. Farland of lawful age being
duly sworn says that on the first day of
July 1826. he delivered a true and perfect
this notice to the within named Eli Shelly
at the Town of New Madrid in the County of
New Madrid and State of Missouri -

Sworn to and Subscribed
before me this 4th day
of July 1826

Robert M. Farland

Willam H. Hatter
Justice

State of Missouri, fourth Judicial Circuit, ss.

THE STATE OF MISSOURI.

To any Judge or Justice of the Peace of this State, or of any of the United States or Territories, GREETING:

Know ye, that trusting to your fidelity indiligently examining witnesses in behalf of the Defendant in a certain cause now depending in our Circuit Court for the County of Cape Girardeau, in this State, between Samuel Rainsworth

Complainant and Eli Shelly Defendant in Chancery

We commission you that on the day and at the place you shall appoint, legal notice being previously given to the Complainant you cause the witnesses aforesaid to come before you, and them on oath or solemn affirmation examine, and their depositions reduced to writing subscribed by them, and by you plainly certified, do you have before our Judge at our said court to be held at Jackson, within and for said court, on the Second Monday of August next. together with this commission enclosed.

WITNESS, CLAIBORNE S. THOMAS, Clerk

of our said Court at Office, the first

day of July

in the year of our Lord, one thousand eight

hundred and twenty two and

of the Independence of the United States the 37 year

Attest for Clerk,

Clara A. Shelly

I delivered a true copy of the within notice to
James Rovinscroft on the ~~third~~ day of July ~~1826~~
Alexander Miller
Sworn to before me a Justice of the Peace
in and for the County of Cape Girardeau
this third day of July 1826
William Matthews Jp

The Execution of this Commission appears
by a Schedule herewith annexed
Given under my Great Seal the 18th
day of August 1826
John Redmon Justice

826
 Wm Redmon Justice
 of the Peace

Shelly
also
Blasticorps

Chaucy

Don't go back to copy of rule
to August term 1826

Cape Girardeau Circuit Court
In Vacation.

In Vacation.

To Audubon Tenn 1826-

James Ravenscroft complaunt
to Auditors

Widow
Wm. D. C.

Wm
Shelley Esq Defendant

The defendant by Joseph Lewis came, and
on his motion, a Commission to take
depositions de be ore is awarded to him

My. Sanford Dep'th

1000

(a copy of the rule)

James Rancourt compliment Chantry

Ex Shelley dependant

Mr. Shelby dependent

[illegible]

etc Shelby by Mavery

his Attorney

July 5th - AD 1826

This Indenture made this seventh day of November in the year of our Lord one thousand eight hundred and twenty by and between James Paris of Cooper County & State of Missouri of the one part and James Tanner of the County of New Madrid & State aforesaid of the other part Witnesseth, that for and in consideration of the just and full sum of Ten dollars good and lawful money of the United States to him the said James Paris in hand paid by the said James Tanner the receipt of which payment is hereby acknowledged and the said James Paris for himself and as the legal representative of Humphrey Paris and John Paris all brothers and legal representatives of Reese Shelby deceased, hath granted bargained sold and quit claim and do by these presents grant bargain sell and quit claim unto him the said James Tanner his heirs or assigns forever all that tract or parcel of land and New Madrid certificate herein after described (to wit) Three hundred and twenty acres undivided half of six hundred and forty acres situate lying and being in the County of Howard State of Missouri it being Section twenty two in township fifty two north of the base line and in range No sixteen West of the fifth principal meridian, said tract located and patented to the said Reese Shelby or his legal representatives. Also the one equal undivided half of a certificate

number two hundred and six dated St. Louis
August the 7th 1816 authorizing Henry Masters
or his legal representatives to locate six hun-
dred and forty acres of land on any of the
public lands in the Territory of Missouri
the sale of which is authorized by law which
said Certificate issued under the act of Congress
passed the 17th day of February 1815 in lieu
of a tract of land of six hundred and forty
acres granted & confirmed to the said Henry
Masters and sold by said Masters to the
said Reuben Shelby Reference to the Recorder's
Office for New Madrid County will more fully
and at large appear. To have and to hold
all the right title interest and claim either in law
or equity of him the said James Fair of in and
to said tract of land and New Madrid Certificate
to him the said James Tanner his heirs or assigns
former, and the said James Fair having pur-
chased the interest of the said Humphry Fair
and John Fair making with himself three,
being half the heirs of the said Reuben Shelby
deceased, and having good right to sell the
same do agree to and with the said James
Tanner his heirs or assigns that he will warrant
and forever defend all the right that he himself
John Fair and Humphry Fair ever had
now have or may hereafter have to the
said Section Twenty two & said Certificate
No. 206. and the lands that may be lawfully
located by virtue of said Certificate hereby

warranting and defending said described land
and certificate from him the said James Fairis
his heirs and from all persons claiming by
through or under him the said James Fairis
but not from any other person. In testimony
whereof he the said James Fairis has hereunto
set his hand and seal this day and date
first above written

signed sealed & delivered
in presence of

James Fairis 

Paxton M Ewing
Robt. Wallace.

State of Missouri }
County of Cooper } Sp. I Robert P. Clark
clerk of the Circuit Court within and for
the County aforesaid do certify that on this
twentieth day of November in the year of
our Lord One thousand eight hundred and
twenty personally appeared before me James
Fairis and acknowledged the foregoing instrument
of writing as his act and deed for the purposes
therein expressed.

 In testimony whereof I have hereunto
set my hand and affixed the seal of
the County aforesaid at Boonville the day
and year last above written

Robert P. Clark, clerk.

State of Missouri Howard County Sp. Recorded
the foregoing Instrument of Writing on the 7th

day of November 1820.

Gray Pymum CLK.

State of Missouri & sp.
County of Howard & sp.

I the undersigned
clerk of the Circuit Court within and for the
County aforesaid do certify the within and
foregoing to be a true and perfect copy
of the Record in my Office

Given under my hand and seal
of said Court at Office the
20th day of July in the year
One thousand eight hundred
and twenty six.

Gray Pymum CLK.

James Evans
No 3 copy of Book
James Evans.

St. Louis.

700 Marsh.	70
Certificates	20
1 bound	12 1/2
	1.02 1/2
Tax on line	1.00

(1)

Depositions of Witnesses produced sworn and
examined on the first day of August in the year
of Our Lord eighteen hundred and twenty six
between the hour of Six of the Clock in the forenoon
and Six of the Clock in the afternoon of that day
at the house (or office) of John Redman in the Town of
Patesville County of Independence and Territory of
Arkansas before me John Redman a justice of the peace
within and for the County aforesaid by virtue of a
dedimus for the examination of Witnesses in a certain
cause now depending in the Circuit Court of the
County of Cape Girardeau in the State of Missouri
between James Ramscraft Complainant and Eli
Shelby defendant On the part of the defendant
directed to any Judge or justice of the peace

George Ruddle of lawful age ^{being} produced sworn
and examined on the part of the defendant. deposes

that Question by the defendant. by Joseph Lewis

Mr Ruddle will you please to state the time of your
first acquaintance with Reese Shelby?

Answer My first acquaintance with Reese Shelby
was in the year seventeen hundred & ninety five (1795)
and he continued an acquaintance of mine until

his death (2)

Question by same

Please state the time of his death;
Answer He died in the year (1807) Eighteen hundred
and seven in the month of June or July

Question by same

Of you know at what time Col. Richard
Jones Water died;

Answer He died in the year Eighteen hundred
seven (1807) in the latter part of the month of November
or in the month of December of that year

Question by same

At what time did Frederick Bates
set in Messrs at the town of New Madria for the
a department of land titles;

Answer On the 20th day of June Eighteen hundred &
(Eight) (1808) he closed business of that character
after setting some time

Question by same

Do these transactions, & circumstances,
occur to you from your own recollection or that
of record ^{in my own possession} Answer from both
And further this deponent

(3)
Sagitt not sworn under his hand the day & date
first written in the caption of this deposition

Sworn to and subscribed to George Reed Tell
before me on the day at the
place & within the hours first
aforesaid John Redmon Justice of
the Peace

Has a docket Reed Tell of lawful age being pronounced
impe & Examined in the same suit on the part of
the defendant deponent & South

Question for the Defendant by Joseph Lewis
Mr. Reed Tell, will you please state the time of your
acquaintance with Reed Shelby
Answer From the year 1795 seventeen hundred and
nearly five until his death

Question by same At what time did he die?

Answer He died in the month of June or July in
the year Eighteen hundred & Seven (1807)

Question by same By what data have you to ^{apart} governing

you in your recollection of the time of Reed Shelby's
death? Answer I derived information of his death

about that time from John ^{Wm} Sumner who was on
his return from New Madrid with necessaries
preparing for his wife who was expected to be in
child bed about the time of said Rice Shelly's
death of

Question by Same

Wm Rudder please state the time
of the birth of Mrs Sumner child expected at
or about the time above alluded to $\frac{1}{2}$

~~Answer by Same~~ The child was born in the month
of August. Eighteen hundred and seven —

Question by Same Please state ^{the time} Wm Rudder
the reason of your recollecting that Rice Shelly
died $\frac{1}{2}$ August W Rice Shelly myself and
family were intimate acquaintances and
always felt & took an interest in making en-
quiry of him — and further this deponent
says etc not from under her hand the 18 day of
August 1826 — Thaddeus ^{her} Rudder

(Mark)

from Wm and subscribed to
before me on the day at the
place & within the hours first
aforesaid John K. Brown Justice of the Peace

(15)
Isaac Crabough of Sawful age being pro-
duced sworn and examined on the part of
the defendant deposes that

Question for Defendant by Joseph Lewis

Mr Crabough please state your first
acquaintance with Reece Shelby?

Answer ~~He died~~ In the year Eighteen
hundred and six (1806)

Question by same

If you know at what time Reece
Shelby died please state?

Answer He died in the month of June
or early in the year 1807

Question by same

What assists you in your recollection
of the time of his death?

Answer My youngest son Samuel was born the
12th day of July 1807 which was about the time of
said Shelby's death - and having my sons birth
of record makes me positive as to the time of his
said Shelby's death

Question by same

Was you or was you not with him
during his last illness? Answer I was in

Company with others, & set up ⁽⁶⁾ with him during his
last illness

Question by same

Mr. Crabough please state where he died;

Answer. He died at the house of Mrs. Sally Brant
in the County of New Madrid

Question by same

Please state whether you was at the burial
of said Rees Shelby or not;

Answer I was at his burial

Question by same

Where was he buried;

Answer At the burying ground of some of his
relations in the said County of New Madrid
and further this deponent says it is not given
under her hand this 1st day of August 1826

I now do and subscribe to
before me on the day at
the place and within
the hours first aforesaid

Sarah ^{his} Crabough
Mark

John Redmon Justice
of the peace

Rebecca Harrison ⁽⁷⁾ of Lawful age being produced
sworn and examined on the part of the defend-
ant deponent of South

Question for Defendant by Joseph Lewis

Mr Harrison please state what acquaintance
you had with Rued Shelby?

Answer I was intimately acquainted with him
when small having gone to school with him -

Question by same

Do you recollect any thing of the
time of his death?

Answer I do. Having been married in the
month of January Eighteen ^{enabling me to recollect} him and ~~from~~ ^{and}
he died in the month of June or July of the
same year - and further this deponent South
not given under hand this 18 day of August
1826

I now to Subscribed to
before me on the day at
the place within the home,
first of us said

John R. Commissioner
of the peace (M)

Rebecca ^{his} Harrison

(mark)

Territory of Arkansas
County of Independence } The United States of America

I John Redman a Justice of the Peace within and
for the County of Independence in the Territory aforesaid
do hereby Certify that George Ruddell, Thas
deshitt Ruddell, Sarah Crabough, & Rebecca
Harrison, ~~the~~ deponents (mentioned in the foregoing
depositions) were by me severally sworn to testify the
whole truth of their knowledge touching the matter
in controversy aforesaid that they were examined
and their examination reduced to writing
and by them respectively subscribed in my pres-
ence on the day between the hours and at the
place in that behalf first aforesaid
Given under my hand & seal this first day
of August 1826

John Redman Justice
of the Peace

Per
687 words @ 10s p. 68²
Summary & Verdict 25
Certificate 25
\$118⁷/₂

Territory of Arkansas,
County of Independence.

J. John Redman

Clerk of the Circuit Court within and for
the County aforesaid do hereby Certify
that John Redman before whom ~~that~~
whose Certificate is annexed to the foregoing
depositions, is an acting justice of the peace
within & for the County aforesaid, duly appoint-
ed & commissioned & that full faith and
credit are to all of his acts as such.

In Testimony whereof I have
hereunto set my hand & affixed
the seal of said Court at Batesville
this first day of August 1826 & of
the Independence of the United States
the 5th year.

John Redman Clk
Circuit Court

Per
Certified to page 50

Barren rock

20
Shelly 3 Apr

Apr -

2

See Aug 18. 1896

by August 27

W.H.

Depositions of witnesses produced Sworn and Examined
on the 8th day of June in the year of our Lord eighteen
hundred & Twenty six Between the hours of 8 ^{of the} clock
in the forenoon and 6 of the clock in the afternoon of
that day at the house of Lindsey. J. D. Lashmatt in the
Township of Lasser and County of New Madrid in the
State of Missouri, Before me Lindsey J. D. Lashmatt a
Justice of the Peace within and for the County of Lasser
in a certain issue now depending in the Circuit
Court of the County of Cape Girardeau in the State
of Missouri. Between James Ravenscroft Plaintiff
and Eli Shelby Defendant. on the Part of the Defendant
Simon Subtil of Lawfull age Being Produced Sworn
and Examined on the Part of the Defendant, ~~on the fore~~
~~Question~~ Being ask him By the Defendant Do you
know what year Eli Shelby went to New Orleans
the answer was I know ^{when} he returned which was in the
month of August 1809 and that ~~he~~ went with him on
Board of a Barge to Louisville Kentucky ~~and returned~~
Sworn to and Subscribed Before me
on the Day at the Place and within
the hours first aforesaid
J. D. Lashmatt J.P.

Simon Subtil

Joseph Hunt of Lawfull age Being Produced
Sworn and Examined on the Part of the Defendant
Question By the Defent Do you or do you not know
when Reuse Shelby died the answer was I do not know
what year it was But he died the summer before
the Duke & Mr. Bates set at new Madrid as Com-
missioners to adjust the Land claims his
Sworn to and Subscribed before me
on the Day at the Place and within
the hours first aforesaid
Joseph + Hunt
mark
J. D. Lashmatt J.P.

24 34

John Ruddle of Lowfull age Being Produced
Sworn and Examined on the Part of the Defendant
Doth Depose and Say that his acquaintance with
Don L. Vanemburgh & that he brought him from
Below the Mussel Shoals on the Tennessee River
in his Boat and Landed at the Little Prairie
in new Madrid County on the Twenty fifth
Day of April in the Year of 1801 and that
he Believes at that time that said Boy was
not more than 2 years old & that he could
Just speak some few words that could be under-
stood and he further States that the said Boy lived
in the Little Prairie with his father till the Year
of 1805 and that he then moved with his father
to the Big Prairie & his father kept School there
in 1806, Question By Defendant Do you Believe
that said Boy Don L. Vanemburgh at that time
had any Knowledge of Rese Shelby the answer was
I Donot Believe he had any Knowledge of
Rese Shelby at that time Question By Defendant
Do you Believe that said Boy could in 1805 tell
the Day of the Week answer. I Donot neither
Do I Believe he could Count three
Sworn to and Subscribed before
me on the Day at the Place and
within the hours first aforesaid } John Ruddle
mark

J. D. Lashmatt J.P.

J. Lindsay J. D. Lashmatt a Justice of the Peace within and for
the County of new Madrid in the State of Missouri, do hereby
certify that Simon Subtil Joseph Vane and John
Ruddle the defendants, were by me severally sworn
to testify the whole Truth of their Knowledge touching
the matter in Controversy aforesaid that they were
Examined and their Examination reduced to Writing and by
them Respectively subscribed in my Presence, on the Day between the
Hours, and at the Place in that behalf first aforesaid. J. D. Lashmatt
Justice of the Peace

Depositions of witnesses Produced Sworn and Examined
on the 9th Day of June in the Year of our Lord Eighteen
hundred and Twenty Six, Between the hours of 8 of the
clock in the forenoon and 6 of the clock in the afternoon
of that Day at the house of Lindsey J. O'Shashmatt in the
Township of Gascon and County of new made in the
State of Missouri. Before me Lindsey J. O'Shashmatt a
Justice of the Peace within and for the County aforesaid
in a certain issue now depending in the Circuit Court
of the County of Cape Girardeau in the State of Missouri
Between James Ravenscroft Plaintiff and Eli Shelly
Defendant on the Part of the Defendant

Nancy Demay of Lawfull age Being Produced
Sworn and Examined on the Part of the Defendant
Question by the Defendant Did you know Reese Shelly
answer I did very well for I was raised with him 2nd
Question Do you know what time he died answer ~~the~~
yes I do he died some time in the Last of June or
the 1st of July in the Year 1807, 3rd Question how
do you know he died at that time answer I know
by the Birth of one of my children, which was born
on the 6th Day of May 1807 and Reese Shelly did not
go after that time because I had a very sore Breast
and could not go to his Berring and she further states
one other reason of her not going to the Berring was that
her mother in law a short time before that had got her
arm broke and she had to attend on her Question
what was the name of your child that you say was
born in May 1807 answer his name was William
Question How long was you acquainted with Reese
Shelly answer I was acquainted with him from
the time I was a child for I was raised in his fathers
family Question do you know where Eli Shelly was
at the time Reese Shelly died answer I do he was gone
to new orleans at that time I saw ^{him} at new made
on his Return from new orleans, he was then ~~in~~ going
on to Louisville Kentucky ^{in the Last of August 1807} on Board of a Boat We then
had some Talk about the death of his Mother he said
he had heard of his death and his heart opened to ^{let} full
that he could scarcely speak.

Sworn to and Subscribed before me
on the Day at the Place and within
the County first aforesaid
her
Nancy Demay
mark
L. J. O'Shashmatt J. P.

May Lord of Love all are doing (I should learn)
and Enamored on the spot of the doctors and doctor.
Before and day, that the man will be acquainted with
the history. Direction on your Honor When he does
the answer. He does not select the time he does
not the doctor that he does in time or fully
Before Doctor making due and the state that doctor
making due in the matter afterwards, and the further
they had at the time doctor makes no answer the
and one of her neighbors women was making a
celebration of the doctor that had been learning that
learned and the Honor that does history was dead
at that time

Learn to and who would before
me in the day at the place
and within the hours last
thence

J. D. Johnson with J. D.

May Lord

After Demay of Lawfull age Being Produced Sworn
and Examined on the Part of the Defendant both
Depose & Say that he was acquainted with Reese Shelly
and that he Believes he died in the year of 1807 in
the month of June or July and he further States that he
Knows he died at that time by the age of one of
his children which child was born on the sixth
day of May 1807 which child he calls William
he was asked what was the reasons he had to know
that Reese Shelly died at that time and he States
that in the ^{month of} March previous ^{to Shellys death} his Wife Brother ~~and~~
had come to see them & his Wife was then in a
State of Pregnancy and her Brother wished
us if the child should be a Boy to call it after
him & his name was William Birk and he was
asked how long he was acquainted with Reese Shelly
& by what means he became acquainted with him
he States that they may be became acquainted with
Shelly was that he courted his Wife and married
her in the family of Reese Shellys father and he
further States that Reese Shelly died at the house
of Mrs Brant near harts Prairie in the County of
New Madrid & that he was at his Bessing and
that he was Borne on Lake St. Mary by the
Lid of his father and mother. Question what was the
character and morals of Reese Shelly he answers that
he was a very moral man and that he never
heard him swear on oath in his Life
Sworn to and Described before me Peter & Demay
on the day at the Place and within
the hours first ofore said Mark

J. Lindsey J. D. Lashmutt a Justice of the Peace
within and for the County of New Madrid in the State
of Missouri, Do here by certify that Nancy Demay
Mary Louel and Peter Demay the Defendants
were by me severally Sworn to Testify the whole

The following
document has been
scanned in sections
to ensure readability.

Sections may
overlap.

Depositions of Witnesses Produced Sworn and Examined
On the Tenth Day of June in the Year of our Lord Eighteen
hundred and Twenty Six Between the hours of Eight of the
clock in the forenoon and Six of the clock in the
afternoon of that Day at the house of Lindsey Edlshammatt
in the Township of Lacombe and County of New Madrid
in the State of Missouri. Before me Lindsey Edlshammatt
a Justice of the Peace within and for the County
aforesaid in a certain Issue now depending in the
Circuit Court of the County of Cape Girardeau in
the State of Missouri, Between James Ravenscroft
Plaintiff and Eli Shelly Defendant on the Part
of the Defendant. Sarah Sumners of Lawfull
age Being Produced Sworn and Examined
on the Part of the Defendant. Doth Depose and Say
that she was acquainted with Reese Shelly and that he
died in the Summer of 1807 Between the months of
April and the 15 Day of August of the Year 1807
she further states that ~~she~~ knows this was the time
Reese Shelly died by the age of one of her children
which was Born on the 28th of July 1807 the name
of that child was George, and she further states that
a short time after her child was Born she was
taken Sick at her fathers ^{house} and during her sickness
was the time Reese Shelly died. Question by Defendant
Do you know what year Doctor Waters died
and she states it was in the fall or winter of the
same year that Shelly died, and she further states
that she was well acquainted with Reese Shelly and
that she lived in the same neighbourhood with him
Previous to his death, and she further states that at
the time Reese Shelly died she lived between fifteen
and twenty miles from said Shelly. Question was
Reese Shelly a swearing man, and she states she never
heard him swear an oath in her life But that she had
heard him say God Blast which was the worst word
she recollects to have heard him say. Question was you
acquainted with Don Dranemburgh, and she states that she
was well acquainted with him and he and his father left

on the Part of the Defendant. Both Depose and say
that she was acquainted with Reese Shelly and that he
died in the Summer of 1807 Between the months of
April and the 15 day of August of the Year 1807
she further states that ~~she~~ knows this was the time
Reese Shelly died By the age of one of her children
which was Born on the 28th of July 1807 the name
of that child was George, and she further states that
a short time after her child was Born she was
taken sick at her father's ^{house} and during her sickness
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Previous to his death, and she further states that at
the time Reese Shelly died she lived between fifteen
and twenty miles from said Shelly. Question was
Reese Shelly a swearing man, and she states she never
heard him swear an oath in her life But that she had
heard him say God Blast which was the worst word
she recollects to have heard him say. Question Was you
acquainted with Don Danenburgh, and she states that she
was well acquainted with him and he and his father left
the Little Prairie in the year of 1805. Question Do
you believe he had any knowledge of Reese Shelly and
she states that she don't believe he had neither does she
believe he could at that time have any knowledge of any
person as he was but a child and she further states
that she was at Joseph Lewis in the year of 1811 and
she saw said Danenburgh there and she further states
that he was a very large boy and dumb sort of a boy
and she had heard Mrs Lewis tell him when he came
to his father to wash his face and he would always cry
because he had it to do. Question Do you know where Eli Shelly
was at the time Reese Shelly died, and she states that ~~she~~
he was gone down the river at that time and she states
that Eli Shelly returned in and about the time Reese Shelly
died.

Sworn to and subscribed before
me on the day at the Place and
within the power first aforesaid

J. J. D. Ashmuth #103

Sarah Summers

John Summers of Lawfull age Being Produced Sworn
and Examined on the Part of the Defendant, Doth Depose
and Say, that he was well acquainted with Reese Shelly
and the family from the time they came to new madrid
and that in the year 1807 his wife was sick at her fathers
in the months of July or August and during that time he
wife had a Child Born, and he States that at that time he
heard that Reese Shelly was dead, and a short time after
that he went to new Madrid and there ascertained to a
certainly that Reese Shelly was dead, and he further States
that Reese Shelly was a good moral man.

Sworn to and Subscribed before me } John Summers
on the Day at the Place and within }
the hours first aforesaid }
J. D. Lashmuth J.P.

J. Lindsey J. Lashmuth a Justice of the Peace within and
for the County of new Madrid in the State of missouri
Do hereby Certify that Sarah Summers and John
Summers the Defendants were by me severally Sworn
to testify the whole truth of their Knowledge touching
the matter in Controversy aforesaid, that they were
Examined and their Examination Reduced to writing
and by them Respectively Subscribed in my Presence
on the Day Between the hours and at the Place in
that Behalf first aforesaid.

J. D. Lashmuth
Justice of the Peace

Remnants }
or }
fully } Dep. of
Deposits

Blue August 5. 1836
My daughter's
to Deposits etc