

Jefferson County Circuit Court
Cosa Files - Criminal
August 1838

Box 4 Folder 9

State

vs

Benton, Isaac

Selling without a license

Sold liquor without a license and
coffee and sugar without a grocer's
license

State of Missouri }
Jefferson County. }

In the Circuit Court

August Term 1838.

The Grand Jurors for the State of Missouri empannelled, sworn and charged to inquire within and for the body of the County of Jefferson aforesaid upon their oath present. That Isaac Benton late of the County aforesaid. hitherto on the first day of June in the year One thousand eight hundred and thirty eight. with force and arms at the County of Jefferson aforesaid then and there did deal in the selling of distilled spirits in less quantities than fifteen Gallons, not having a license then and there continuing in force according to law - and the Jurors aforesaid upon their oath aforesaid do further present that the said Isaac Benton on the day and year aforesaid at the County aforesaid then and there did unlawfully deal as a grocer in this to wit. that he the said Isaac Benton then and there did sell to one Thomas J. Graham one half pint of whiskey for and at the price of twelve cents - also five pounds of Coffee for and at the price of one dollar, he the said Isaac Benton then and there not having a license to deal as a grocer in the County of Jefferson aforesaid according to law - Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State -

And the Jurors aforesaid upon their oath aforesaid do further present. That Isaac Benton late of the County aforesaid, on the first day of May in the year One thousand eight hundred and thirty eight. with force and arms at the County of Jefferson aforesaid then and there did deal as a grocer. ~~And the Jurors~~

(not have then and there a license continuing in force) in this to wit, That he the said Isaac Benton then and there on the day and year aforesaid did sell to one William C. Jones five pounds of Coffee for and at the price of one Dollar and also four pounds weight of sugar for and at the price and sum of fifty Cents - the said Coffee and also the said sugar not being then and there the produce or manufacture of this State, Contrary to the form of the Statute in such case made and provided - And against the peace and Dignity of the State -

And the jurors aforesaid upon their oath aforesaid do further present, That Isaac Benton of the County of Jefferson aforesaid hitherto on the first day of June in the Year of our Lord One thousand Eight hundred and thirty Eight, with force and arms at the County aforesaid, did then and there deal in the selling of goods wares and merchandise which were not the growth, or manufacture of this State of Missouri - in this to wit, That he the said Isaac Benton then and there with force and arms on the day and year and at the County last aforesaid unlawfully did sell to one Thomas J. Graham five pounds weight of Coffee, of the value of one Dollar, the said last mentioned Coffee not being then and there the growth or manufacture of this State - And also then and there sold to one William C. Jones five pounds weight of Coffee ^{of the value of one dollar} and also four pounds weight of sugar of the value of fifty Cents. the said last mentioned Coffee and sugar then & there not being the growth or manufacture of this State

he the said Isaac Binton then and there not
having a grocers License continuing in force
according to law - to the evil example of
all others in like case offending - to the
great fraud committed on the revenue of
the state of Missouri - Contrary to the
form of the Statute in such case
made and provided - And against
the peace and dignity of the state

Thos. S. Brikey Circuit
Attorney.

This Indictment found upon the information
of two of the Grand Jury - as witnesses:

E. Dugan

foreman of
the Grand Jury

State

vs.

Maec Denton

Indictment for selling
without license

"
A true bill"

E. Dugan Foreman

of the Grand Jury.

Filed Aug 9th 1838

W. H. H. H.

Shelk

Thos. J. Graham

Witness for State.

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

(You are hereby
commanded to take Isaac Benton if he be found
in your bailiwick and him safe keep so that you
have his body before the Judge of our Circuit Court
at a Court to be held in the Town of Mercuranum
in and for the County aforesaid on the second Mon-
day after the fourth Monday in November next
(being on the 10th day of December ensuing) to answer
unto the State of Missouri on an indictment for
selling without License. And have you then
there this writ.

Witness John S. Mathews Clerk
of our said Circuit Court at Office
in Mercuranum this sixteenth
day of August in the year of our
Lord Eighteen hundred and thirty
eight -

John S. Mathews Clerk

Executed this writ on the 23^d day of October
By taking the Body of the said Isaac Benton in
to custody 1838
John Mathews Sheriff

20
 100
 20
 30
 25
 100
 25
 120
 370
 495

Dr. J. J. Van Buren
 December 1838

State

Deputy

James J. Denton

~~~~~

Given Nov 3 1838  
 370

J. J. Van Buren  
 J. J.

100  
 35  
 75  
 30  
 25  
 120  
 180  
 442 1/2

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of Jefferson County,—GREETING:

You are hereby commanded to summon

Wm. J. Craddock &  
William H. Bone

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the twelfth day of December, at the town of Her-  
lanewau, 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 Josiah Benton is defendant, on the part of the plaintiff; and have you then there this writ.

WITNESSES, HERBERT P. BATES, Clerk of our said Circuit Court, at the town of Her-  
culanewau, this 19th day of October  
in the year of our Lord one thousand eight hundred and 38

Wm. J. Craddock CLERK, C. C.

I do certify that I Executed the  
within writ of Supremacy by  
Reading it within the hearing  
of Thos J Graham & William  
C Jones on the 8<sup>th</sup> day of October 1838

Mark Moss  
Deputy Sheriff  
fee \$1.00

Wm J. Girtle  
December 1838

State  
vs E. Phelps  
Grace Benton

for M  
Thos J. Graham  
Wm C Jones

Filed Dec 8<sup>th</sup> 1838

Wm J. Girtle

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of Jefferson County, — GREETING:

You are hereby commanded to summon

James D. McWhorter

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the tenth day of December, at the town of Her-  
laneum, 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 James D. McWhorter is defendant, on the part of the Defendant; and have you then there this writ.

John D. McWhorter, Clerk of our said Circuit Court, at the town of Her-  
laneum, this tenth day of December  
in the year of our Lord one thousand eight hundred and 88

John D. McWhorter CLERK, C. C.

I countersite this note on James S. McCarton  
on the 16th day of October 1838 by Reading  
the same in his presence and hearing  
John Hammond Sheriff

In Jeff. Ber. Court  
Decr Term 1838

State of Missouri.

vs } supra

Grace Benton

Wit-for a Deft-

James V. Mc Cariston

Filed Decr 8th 1838

~~W. Matthews~~  
clerk

wee the undersigned Isaac Benton and  
John Hemmington Jr acknowledge ourselves indebted  
to the State of Missouri in the penal sum of  
Two Hundred dollars to  
to be paid upon this condition whereas on the  
Sixteenth day of August in the year 1838  
there issued a State Writ from the office of the  
Jefferson County Circuit Court against the Body of  
Isaac Benton on indictment for <sup>selling</sup> ~~Selling~~ Liquor  
with out license which writ was delivered  
to John Hammond Sheriff of said County and was  
by on the 23 day of October in year of 1838  
Executed by taking the Body of the said Isaac  
Benton in Custody & Now if the said Isaac  
Benton shall on the tenth day of December  
in the year 1838 appear before the Judge of  
said Circuit Court at the Town of Hannibal  
at the hour of nine o'clock Am of said day and  
not to depart thence <sup>without leave of said court</sup> then this obligation to be paid else to  
remain in full force witness our hand and  
Seals this 23 day of October in the year of 1838  
witness  
John Hammond Sheriff Isaac Benton  
his  
John Hemmington Jr  
mark

Seal

Seal

Leopold Bonc  
Attache of the Legation  
No  
Almae B. Benton

Almae B. Benton  
Almae B. Benton  
Almae B. Benton

Deane Benton

at

State Museum

Indebtedness for study and paper

The afternoon by his attorney, being

and signed the conveyance & signed when it was signed  
that the end indebtedness, and the matters therein con-  
-tained in answer and given a thousand dollars  
and set forth, are not sufficient in law for  
said State to have and maintain her indebtedness  
against and against him the said defendant, and  
that he is not bound by law to redeem the same  
and that he is ready to accept of the same  
for and

Parton  
at S. Denmark  
Scnd

Filed Dec 10<sup>th</sup> 1838  
Muntheod's

State

<sup>to</sup>

~~Mass~~ <sup>Mass</sup> ~~Deutscher~~

The Jeff Davis Account  
Dec 1838

of Graham's clearing

1000 acres of 32 miles travel 2.10

Mount and enclosed

of Graham's

before the Dec 11<sup>th</sup> 1838

John A. M. H. H. H.

William H Jones

An Affidavit sworn  
Dec Term 1838

State

to

Chas Benton

claiming attendance and  
mileage in the absence of

May attend to 30 miles Travel \$ 2.00

sworn to Dec 11<sup>th</sup> 1838 Wm H Jones  
Affirmed B/H

I have been the witness to John Matthews for value  
received Sep 27<sup>th</sup> 1833.

William B Jones