

Jefferson County Circuit Court
Case Files - Criminal

April 1839 - Case No. 31

State

vs.

Emmons, Julius
Whitworth, Sanderford
Wise, Valentine,
King, William, et al

Riot

Assaulted James Pepper and Asa
Scott; other defendants Christopher
Lockfill, Peter Hilderbrand, Ambrose
Bowles, James McCourtney, Sr., James
McCourtney, Jr., Ambrose L. Bucker,
William Montgomery

Box No.

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Folder No.

47

State of Missouri }
Jefferson County. }

In the Circuit Court.

April Term 1839.

The Grand Jurors of 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 Julius Emmons late of the County aforesaid labourer, Sanford Whitworth late of the same, Valentine Wise late of the same, William King late of the same, Christopher Cockrill late of the same, Peter Hilderbrand late of the same, Ambrose Bowles late of the same, James M. Courtney Senior late of the same, ^{James M. Courtney Junior} Ambrose S. Rucker ^{late of the same}, William Montgonnery late of the same, together with divers other evil wicked disposed persons to the number of twelve or more to the Jurors aforesaid unknown, heretofore, to wit, on the twenty eighth day of September in the year of our Lord One thousand eight hundred and thirty eight with force and arms at the County aforesaid, unlawfully riotously, and routously did assemble and gather together with intent to disturb the peace of the people there being and being so then and there assembled and gathered together with the intent aforesaid upon the body of one James Pepper in the peace then and there being unlawfully, riotously, and routously did make an assault and him the said James Pepper, then and there unlawfully riotously, and routously did, beat, bruise, wound and ill treat, And other wrongs to the said James Pepper then and there unlawfully, riotously and routously did in contempt of the laws of the land, to the evil example of all others in the like case offending, Contrary to the form of the Statute in such case made and provided - and against the peace and dignity of the State of Missouri -

And the Jurors aforesaid upon their oath aforesaid do further present. That Julius Emmons, late of the County aforesaid, Sanford Whitworth late of the same, Valentine Wise, William King, Christopher Cockrill, - Peter Helderbrand, Ambrose Bowler, James M. Courtney Sen.^r James M. Courtney Junior, Ambrose L. Rucker, William Montgomery - all late of the County of Jefferson aforesaid together with divers other evil disposed person to the Jurors aforesaid unknown, heretofore on the twenty eighth day of September in the year one thousand eight hundred and thirty eight, with force and arms at the County aforesaid unlawfully did assemble together with intent to do an unlawful act with violence that is to say, to beat, bruise, wound and ill treat one Asa Scott in the peace then and there being, to the damage of the said Asa Scott, and to the terror of the good people of the State of Missouri then and there being - and being so assembled and gathered to gather as aforesaid with the intent to do the unlawful act aforesaid to the terror of the people aforesaid and to the damage of the said Asa Scott then there being, unlawfully and with violence upon the body of the said Asa Scott then and there did make an assault, and him the said Asa Scott then and there in a violent manner did unlawfully beat, bruise, wound and ill treat, to the great damage of him the said Asa Scott, to the terror of the people aforesaid then and there being, Contrary to the form of the Statute in such case made and provided - And against the peace and Dignity of the State of Missouri -

And the Jurors aforesaid upon their oath aforesaid do further present. That Julius Emmons Sanford Whitworth, Valentine Wise, William King, Christopher Cockrill, Peter Helderbrand Ambrose Bowler, James M. Courtney Senior

James McCourtney Junior. Ambrose S
Rucker William Montgomery all late of the
County of Jefferson aforesaid. together with divers
other evil disposed persons to the number of ten
and more, to the Jurors aforesaid unknown, hereto-
fore. On the twenty eighth day of September in
the Year of our Lord One thousand eight hundred
and thirty eight. with force and arms at the County
aforesaid unlawfully, and notoriously did assemble
and gather together ^{with intent} to disturb the peace of the peo-
ple of the State of Missouri. And to do an unlawful
act. And being so assembled and gathered together
then and there unlawfully ^{did} agreed mutually to assist
one another to do an unlawful act. that is to
say, to unlawfully and violently assault and beat
one James Pepper and Asa Scott then and there
being to the great terror of the people then there -
and then and there did unlawfully & notoriously make
an assault upon the body of the said James Pepper
and Asa Scott, and then the said James Pepper
and Asa Scott then and there unlawfully, notoriously
and violently did beat, bruise, wound and ill treat
and many other wrongs and outrages to them the said
James Pepper and Asa Scott did, to the great
terror of the people aforesaid then and there did
to the evil example of all others in like case
offending, Contrary to the form of the Statute in
such case made and provided and against the
peace and Dignity of the State of Missouri

Wm. S. Brikey Circuit
Attorney.

31
285
State

vs.

Julius Emmons.

Sanford Nuttall

Valentine Wise

William King

Christopher Cookrill

Sam Millerland

Andrew Bonnell

James M. Countryman

James M. Countryman

Andrew L. Butler

William Montgomery

Indictment for a

Plot

Asa ^{his} Scott prosecutor
made

" 4 true bill "

J. H. Allen
of the Grand Jury.

Witnesses

David Hill

Sam Herrington

David Sullivan

Asa Scott

Asa Pepper

Filed April 10 1878

Matthew Calk

Mr. Matthews. Clerk.

In the case of the State vs. Ambrose S. Rucker and others for a Riot.

You will issue a Capias against all those who have not been recognized - But in no instance ever issue but one Capias on an Indictment. And let that one contain all the names of those charged in the Indictment.

In the Cases of the State vs. Williams & Brown you will issue a Subpoenas for the same witness on behalf of the State.
April 10 - 1839.

J. S. Matthews Esq.
Clerk.

J. S. Brickley Circuit
Attorney.

State

vs.

A. Buck & others

Receipt.

paid April 10 1889

to Mr. Buck

to the

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of

County of Jefferson;

~~You are hereby commanded to summon~~

Daniel Hule.

James Livingston, Daniel Hule,
Abas Hule, James Hule, you are hereby
summoned

that, setting aside all manner of excuse and delay, ^{you} ~~be~~ appear in proper person before the Judge of our Circuit Court, on the fifth day of August next at the town of Wentworth wherein the State of Missouri is plaintiff, and Abas Hule, James Hule, Daniel Hule are defendants, on the part of the plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,
at the town of Wentworth this eleventh
day of May in the year of our Lord one thousand eight
hundred and thirty nine

John S. Mathews
Clerk.

Executed the within on David Sullins in the County
of Franklin by reading the same within
his hearing and upon James Pepper by
leaving a true copy at his dwelling house
in the County of Franklin with a free
white person over the age of sixteen years
David Hull Samuel Huntington & Ash Scott
not being found in Franklin County
July 27th 1839 War Campbell Shiff

In Jefferson Co Court
August Term 1839

State of Missouri.

vs { Jefferson
Shubert & Lucien
James McCreath & Lewis
James McCreath & Lewis
William Montgomery

Petition for 20th

Daniel Steele

Samuel Huntington

David Sullins

also debt

James Sullins

5th August 1839

Shiff fees - \$100

three months 3 1/2

paid Aug 5th 1839

Mon Aug 11th 1839 \$137 1/2

COUNTY OF JEFFERSON, SCT.
THE STATE OF MISSOURI,

To the Sheriff of

County, — GREETING:

~~You are hereby commanded to~~

James D. Scott
Abra Scott
Samuel Weaving two
You are hereby summoned

that, setting aside all manner of excuse and delay, ^{you} be and appear in proper person before the Judge of our Circuit Court, on the *fifth* day of *August*, 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* plaintiff,
and *James H. D. Scott, et al* are the defendant,
on the part of the *plaintiff*, and have you then there this writ.

Witness, *HENRY P. BATES*, Clerk of our said Circuit Court, at the town of Her-
culaneum, this *thirteenth* day of *August*
in the year of our Lord one thousand eight hundred and *thirty*
nine
W. D. Johnston CLERK, C. C.

Executed this writ on the within named
persons in Jefferson County By Reading the
same in there hearing on the 5th day
of August 1839 John Hammond Sheriff

In Jefferson Lewis County
August 5th 1839

State vs
James M. Courtney Lewis
and others

for Plaintiff
~~Charles P. Popham~~
Asa Scott
Saml. W. Livingston
Aug 5th 1839

filed Aug 5th 1839
Matthews Clerk

I Executed this write on James Pepper By
 Reading the same in his presence and
 Hearing on the 15th of October 1839
 on James Mull By Reading the same
 in his Hearing ^{on the} 15th of October 1839
 on Asa Gott By Reading

John Hammon and Shuff
 per \$2.00

John on Circuit Court
 December Term 1839

State

James the Defendant
 James the Plaintiff
 William Thompson

John

Wit for J. H.
 James Mull
 James Thompson
 Asa Gott
 James Pepper

Witness Dec 11th 1839

John Hammon and Shuff

I Executed this write on James
 Thompson on the 17th day of October
 1839 By Reading the same in his
 presence and Hearing
 John Hammon and Shuff

County of Jefferson, ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of ^{Franklin} ~~Jefferson~~, GREETING:

We command you to take James M. Courtney Senior
James M. Courtney Junior. Ambrose L. Rucker
and William Montgomery. if they be found in
your County. and them safely keep so that you
have their bodies

before the Judge of our Circuit Court, on the first day of the next
term thereof, to be held at ~~in~~ the Town of Mercurianum
within and for the County of Jefferson, on the ^{first} ~~second~~ Monday
of August — next, then and there to answer unto the
State of Missouri, of an Indictment found against
them by the Grand Inquest for the body of the County
of Jefferson for a Riot &c. contrary to the form of the
Statute in such case made and provided, and against
the peace and dignity of the State —
to the damage of said plaintiff
hereof fail not — dollars

And have you then there this writ.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in the Town
of Mercurianum this eleventh day
of May, in the year of our Lord eighteen
hundred and thirty nine

M. S. Mathews, Clerk.

Executed the within Capias upon Ambrose L. Tucker
in the County of Franklin by taking his body
& by taking his recognizance for his appearance
in the Town of Herculaneum on the first day
of the next term of the Circuit Court thereof to
be held on the first Monday in August
next July 27th 1839

Wm Campbell Sheriff
of Franklin County

James H. Courtney sent James H. Courtney Jr.
and William Montgomery are not to be found
in Franklin County July 28th 1839

Wm Campbell Sheriff
of Franklin County

Sept Circuit Court
Office Term 1839

State of Missouri

vs Capias.

Ambrose L. Tucker

James H. Courtney sen

James H. Courtney Junr

William Montgomery

Shffs / vs \$300

James Aug 5th 1839

Wm Courtney Att.

I know all men by these presents that
I A LeRucker as principal and Thomas
Johns Jr as security are held and firmly bound
unto William Campbell Sheriff of Frank-
lin County in the State of Missouri in the
penal sum of Two hundred Dollars to be paid
unto the said William Campbell his Certain
Attorney Successive heirs executors administra-
tors or assigns for which payment well
and truly to be made we bind ourselves our
heirs administrators and assigns jointly
and severally firmly by these presents sealed
with our seals and dated this 25th day of July-
1839, The condition of the above obligation
is such where as the body of A LeRucker
has this day been taken by the Sheriff of
Franklin County upon a writ issued upon
an Indictment preferred against him by the
grand jury at the Town of Sberulanum in the
County of Jefferson.

Now if the said A LeRucker should be
and appear before the Judge of Jefferson
County Circuit Court on the first day of
the next term at the Town of Sberulanum
and not leave without Consent of the
Court then this obligation to be void and
of no effect otherwise to remain in full
force and virtue

Test
W^m Campbell Sheriff
of Franklin Cty. Mo.

A L Rucker
Thomas Johns

State

as

W. A. Tucker & Co.

Receivable

Bond

Given Aug 5th 1839

Matthews & Co.

State

A. L. Rucker

3

Subscribed for Book
August Term
1839

The defendant by P. Rucker stated
before the court to guard the defendant
returned by sheriff in the above case
because the same is against
Lore — P. Rucker
att

State

as

at 2 Buckle

Motion to Quash

Deputyman

Filed Aug 3rd 1879

Wm. H. H. H. H.
Calk

County of Jefferson, sct.

THE STATE OF MISSOURI,

Franklin.
To the Sheriff of the County of Jefferson, Greeting:

We command you to take James Mc Courtney ~~Senior~~
and William Montgomery, as you have been
before commanded

if they be found in your county, and then safely keep, so that
you have their bodies before the Honorable Judge of our
Circuit Court, ~~now in session~~ at a Court to be held
(at Mercuranum on the 2^d Monday in December next)
within and for the County of Jefferson, ~~forthwith~~ to answer unto
the State of Missouri, of an indictment found against them
by the Grand Inquest for the body of the County of Jefferson,
for a Riot, at the last April Term of said Court

contrary to the form of the statute in such case made and provided,
and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in The Town
of Mercuranum this fourth day
of September, in the year of our Lord eighteen hun-
dred and thirty nine

John S. Mathews Clerk.

This Capias Returned & the within
named James McCourtney not found
in Franklin County

Wm. Campbell Sheriff
of Franklin City

Jefferson & Co. Circuit Court
December Term 1839.

State } Capias
vs }

James McCourtney Senior
William McCourtney

filed Dec 16 1839

Matthews clk

Postage 12 1/2

County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We command you to take James McCourtney Junior

if he be found in your county, and him safely keep, so that
you have his body before the Honorable Judge of our
Circuit Court, ~~now in session~~ ^{Town of Mercersburg} at a Court to be held at the ~~place~~
within and for the County of Jefferson, ~~forthwith~~ ^{on the second Monday in December next} to answer unto
the State of Missouri, of an indictment found against him
by the Grand Inquest for the body of the County of Jefferson,
for a Riot at its last ~~session~~ ^{Term}

contrary to the form of the statute in such case made and provided,
and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in the Town
of Mercersburg this fourth — day
of September, in the year of our Lord eighteen hun-
dred and thirty nine

W. J. Mathews Clerk.

James McCourtney or not found in
my country. December the 9th 1839
John Harman and Sheriff

Deffenbach Circuit Court
December Term 1839

States }
vs }
James McCourtney }
for

filed Dec 9 1839
Wm J Matheson
clerk

County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, ^{Franklin} Greeting:

We command you to take *Vanner McCourtney* *sent*
as you have been before commanded

if he be found in your county, and him safely keep, so that
you have his body before the Honorable Judge of our
Circuit Court, ^{to be} ~~now~~ in session at the Town of Hillsboro
within and for the County of Jefferson, ^{on the first Monday of April next.} ~~forthwith~~ to answer unto
the State of Missouri, of an indictment found against him
by the Grand Inquest for the body of the County of Jefferson,
for a Riot. at the April Term of said Court
in the year 1839.

contrary to the form of the statute in such case made and provided,
and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in the Town
of Mercurianum this *second* day
of *January*, in the year of our Lord eighteen hun-
dred and *forty*

John S. Mathews Clerk.

Jefferson Circuit Court
April Term 1840.

State of Missouri

vs J. Capron.

James M. Countryman

filed Aug 10 1840

W. M. Mathews
clerk

The Defendant not taken having made several
trials but always evaded by him, by ^{his} fleeing
from his usual place of abode

Wm Campbell Sheriff of
Franklin County

County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, ^{Washington} Greeting:

We command you to take *William Montgomery*

if he be found in your county, and him safely keep, so that you have ~~his~~ body before the Honorable Judge of our Circuit Court, ^{to be} ~~now~~ in session at *the Town of Hillsboro* within and for the County of Jefferson, ^{on the first Monday of April} ~~forthwith~~ to answer unto the State of Missouri, of an indictment found against him by the Grand Inquest for the body of the County of Jefferson, for a Riot at last *April Term 1839*

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court, with the Seal thereof hereto affixed, at office in *the Town of Mercersburg* this *second* day of *January*, in the year of our Lord eighteen hundred and *forty*

J. S. Mathews Clerk.

William Montgomery not found in Washington County
April 3^d 1840
H C Vinkens Sheriff of
Washington County

In Jefferson Circuit Court
April Term 1840

State }
vs }
William Montgomery

Monest - 100^{cts}

H C Vinkens Sheriff

Filed April 6th 1840
H C Vinkens
Clerk

County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We command you to take *James McCortney*

if he be found in your county, and him safely keep, so that
you have his body before the Honorable Judge of our
Circuit Court, ^{to be} ~~now~~ in session at *Willsboro*
^{on the first Monday of April next,}
within and for the County of Jefferson, ~~forthwith~~ to answer unto
the State of Missouri, of an indictment found against him
by the Grand Inquest for the body of the County of Jefferson,
for a Riot, at the April Term of said
Court in the year 1839—

contrary to the form of the statute in such case made and provided,
and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in *The Town*
of Mercersburg this *Second* day
of *January*, in the year of our Lord eighteen hun-
dred and *forty*

John S. Mathews Clerk.

James Mc Country Jr (not found in
my County April the 6th 1840 per Dr
John Hammond Sherrif

Jefferson Circuit Court
April Term 1840

State:

vs

James Mc Country Jr

Captives

filed April 6th 1840

Geo. C. Weather

clerk

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of _____ County, greeting;

YOU are hereby commanded to summon

David Shellen
James Warrington
David Rice
Cora Scott
James G. Price

They are hereby summoned to appear
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 *April* at the town of *Wellsburg* therein 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* plaintiff, and *Andrew D. MacFarlane* defendant; on the part of the *plaintiff*; and have you then there this writ.

WITNESS, JOHN S. MATTHEWS, Clerk of our said Circuit Court,
at the town of *Wellsburg* this *seventeenth* day of *February* in the year of our Lord one thousand eight hundred and *eighty*

John S. Matthews Clerk.

I Execute this write on David Sullivan
David Pull Samuel Herrington Asa Scott and
James Pepper by Reading the same in
their Hearing on the 13th and 14th of
March - 1840 John Hammond Sheriff

As before said by Court
April Term 1840

State

vs

Arthur & Healey

Defrs

James M. Huntington et al

for Plaintiff

David Sullivan

Samuel Herrington

David Scott

Asa Scott

James Pepper

April 26 to 1840

Shanty for \$250

filed April 30 1840

Wm. H. C. 11

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of

County, St. Louis;

YOU are hereby commanded to summon

David Jackson, James Thompson

David & wife

Asa Scott

James Goffe

You are hereby summoned

that, setting aside all manner of excuse and delay, ^{you} be and appear in proper person before the Judge of our Circuit Court, on the tenth day of August next at the town of Wichita, 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 is plaintiff, and Andrew Jackson & others are are defendant s, on the part of the Plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATTHEWS, Clerk of our said Circuit Court, at the town of Wichita this twenty first day of May in the year of our Lord one thousand eight hundred and forty.

John S. Matthews Clerk.

I Served this Writ on Samuel
Herrington or by Reading this
Writ in his Hearing on 26th of June
1844

John Hammond Sheriff

I Executed this writ on David Sullivan &
David Sulens by reading it in their
presence and hearing on the 9th day of
July 1840

John Hammond Sheriff

By Mark M. P. Dep. Sheriff
Fees \$1.50

Delivered to David Sullivan
August 1840

State of Michigan

Shubert & Co. at

for Plaintiff

David Sullivan

David Sullivan

David Sullivan

David Sullivan

David Sullivan

August 1840

County of Jefferson, sct.

THE STATE OF MISSOURI,

Franklin
To the Sheriff of the County of ~~Jefferson~~, Greeting:

We command you to take James McContry & James McContry Junior & William Montgomery as you have often times before been commanded

if they be found in your county, and then safely keep, so that you have their bodies before the Honorable Judge of our

Circuit Court, ^{to be} ~~now~~ in session at the Town of Milledgeville within and for the County of Jefferson, ^{on the second Tuesday of August next} ~~forthwith~~ to answer unto the State of Missouri, of an indictment found against them by the Grand Inquest for the body of the County of Jefferson, for a Riot

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court, with the Seal thereof hereto affixed, at office in the Town of Milledgeville this eighteenth day of June, in the year of our Lord eighteen hundred and forty

John S. Mathews Clerk.


An Officer's Certificate
August 1840

State of Ohio
County of Hamilton
James M. Courtney
William Montgomery

Filed Aug 14th 1840
Jno. C. Matthews
Clerk

James M. Courtney Jr & Wm Montgomery
do not live in Franklin County
and James M. Courtney senr has not been
found by me, therefore this writ is retur-
ned none of the parties to be found in
Franklin County.
J. M. Campbell Shff
of Franklin Cty
Shff fees \$1.50

COUNTY OF JEFFERSON, MO.
THE STATE OF MISSOURI,

To the Sheriff of

County, State of

YOU are hereby commanded to summon

David A. Hilde, Robert A. Hilde & James Hilde

April 26th 88.

you are hereby summoned

that, setting aside all manner of excuse and delay, ~~he~~^{you} be and appear in proper person before the Judge of our Circuit Court, on the *seventh* day of *December* at the town of *Osborne, Mo* 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 *the above named others* are defendants, on the part of the *plaintiff*; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court, at the town of *Osborne, Mo* this *twenty first* day of *September* in the year of our Lord one thousand eight hundred and *ninety*

John S. Mathews

Clerk.

I give this writ on James Kepper by reading it
 in his presents & hearing on the 26th of Sept
 1840 also on Samuel Ferington by reading
 it in his hearing on the 26th day of Oct
 1840 also on David Sullins and David Hall
 by reading it in their hearing on the 21st day of
 November 1840. edsa Scott not found
 No Mop Scrip
 fee \$2.00

Jofferson & Co December 1840	State as of 2 Buckenstate	Subpoena for Plaintiff's David Sullins Samuel Ferington David Hall Isaac Scott James Kepper	7 Dec Read Dec 7 th 1840 Just. McArthur B. H.
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County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, ^{Franklin} Greeting:

We command you to take James Mc Courtney Senior
James Mc Courtney Junior, and William Montgomery
as you have repeatedly been commanded
if they be found in your county, and them safely keep, so that
you have their bodies before the Honorable Judge of our
Circuit Court, ^{to be} ~~now~~ in session at the Town of Hillsboro
within and for the County of Jefferson, ^{on the first Monday of Decr next} ~~forthwith~~ to answer unto
the State of Missouri, of an indictment found against them
by the Grand Inquest for the body of the County of Jefferson,
for a Riot

contrary to the form of the statute in such case made and provided,
and against the peace and dignity of the State.

Witness, JOHN S. MATHEWS, Clerk of our said Court,
with the Seal thereof hereto affixed, at office in the Town
of Hillsboro this twenty fourth day
of September, in the year of our Lord eighteen hun-
dred and forty

John S. Mathews Clerk.

Jefferson Circuit Court
December Term 1840

State of Missouri

James McContry Jr
James McContry Jr
William McContry Jr
Defendants

To Franklin County

filed Dec 8th 1840

Wm Mather
Clerk

I have don all that is in my power and now
Return this writ as being unable to find any of the
with in named persons nor whether do I believe they
are either of them in Franklin County; Dec 5th 1840

S W Wood Sheriff
of Franklin County Mo
by L. P. Wood Deputy
Sheriff
of Franklin County

State of Missouri }
County of Jefferson } On the Circuit Court of the County
of Jefferson April Term Eighteen hundred and forty. On
the first day of said term being the sixth day of the month
in the year aforesaid the following proceedings were had,
The State of Missouri }

Indictment for a riot
James McCourtney } The Sheriff of Franklin County
having failed to return the *Pluries Capias* issued in the
above cause and to him directed, and the Court being satisfied
from the testimony of James Pepper on oath that the above
writ was delivered by him to the said Sheriff. On motion
of John O. Bricker Esq. it is ruled by the Court that the
said Sheriff show cause on the first day of the next ^{August} term of
this Court why an attachment should not issue against
him for the said contempt, and why the said writ was not
returned according to the command thereof ---

The State of Missouri

To the Coroner of Franklin County, Greeting
You are hereby commanded that you serve the above rule
on the Sheriff of Franklin County, and that you summon
the said Sheriff that he answer the same on or before
the first day of the next ^{August} term of the Circuit Court of the County
of Jefferson aforesaid, and see that you make due return
how you execute this writ and have you then return this writ

Witness John O. Weather, Clerk of our said
Circuit Court with the seal thereof hereunto
affixed at Office in the Town of Hillsboro
this thirteenth day of June A.D. 1840
John O. Weather, Clerk

Dr Messrs Co Friends Court
August Term 1840

State }
" } Deeds &c
Sherriff of Stanlee County

filed Aug 10th 1840
Jno W. Weather
Clerk



State
vs
Lucius Emmons
et al



August Term
1840

Be it remembered that at the above
term ~~the~~ Amos Bush one of the
defendants in the above cause
submitted the following motion
therein to the Court (here insert the
motion) which motion the
Court refused, to which decision the
defendant excepts and prays his excep-
tion to be signed read and made
a part of the record, which is agreed
in by counsel

David Stenger

(Seal)

James A. [unclear]

States

no

Decker et al

By return filed

Aug 10th 1840

J. Matheson

W/ll

Staten 5 August - June 1840
" 3 " " " " " "
Julius Ennemos et al

Centron Rubra deposited in the
above case moves the count to
eighty four from the above ^{starting} point
for the following season.

That, this is the third time since the above Indictment has been found against him, and that the above course has in no instance been continued or enlarged by him.

Chas. A. B. —

In the above cause a Nolle Prosequere was entered March 22 1842 See Record Book no 2 page 413.

Test

Prof. Weather Clerk

COUNTY OF JEFFERSON, SOOT.
THE STATE OF MISSOURI,

To the Sheriff of

County, Missouri:

YOU are hereby commanded to summon

David Johnson
Daniel Harrison
David Steel
John Scott
James Cooper

you are hereby summoned to appear

that, setting aside all manner of excuse and delay, ^{you} he be and appear in proper person before the Judge of our Circuit Court, on the fifth day of April 1881, at the town of St. Louis, wherein the State of Missouri is plaintiff, and Andrew S. Reeves is defendant, on the part of the plaintiff; and have you then there this writ.

WITNESS, JOHN S. MATHEWS, Clerk of our said Circuit Court,
at the town of St. Louis - this fourteenth
day of January in the year of our Lord one thousand eight
hundred and eighty one

John S. Mathews
Clerk.

I Executed this writ on David Sullens and
 David Mace by reading it in their
 hearing on the 13th day of February 1841
 also on Jas Pepper by Reading in his
 presence on the 6th March 1841, also on and Scott
 by reading it in his hearing on the 15th day of March 1841
 M Wop Sheriff
 fee \$2:50

Wm. Bennett & Co
 Office Decm 1841.
 State
 A & Rucker & others
 Westinghouse & others
 David Jackson
 Hannes Worthington
 David & Scott
 James Depper
 3rd Office
 filed March 16th 1841
 Wm. W. Matthews
 Clerk

I Executed the within Spe on Samuel Harrington on 2^d Day of March
 1841 by leaving an attested copy with his Son Louis at his place of Residence
 after informing him of the contents Here of
 Service 50cts
 By J B Richardson Detl
 M Wop Sheriff

Samuel Smith with
James Smith with
William Emmons
John Harding
Thomas Denton

List of the
Jury

filed June 18th 1842
Prof. Mathew
C W