

Jefferson County Circuit Court
Case Files - Criminal
October 1840

Box 5 Folder 32

State
vs

Pinegar, Daniel

Malignous mischief

Shot and wounded two steers;
depositions; victim William Brennan

State of Missouri }
County of Jefferson }

Before me Duquid
Pitzer, one of the Justices of the peace for said
County, personally came William Dreanan Jr
who being duly sworn according to Law
deposed and said ^{he does truly believe} that on Saturday Morning
the 12th Inst, in said County of Jefferson, one
Daniel B. Pinegar of said County did wilfully
and maliciously, shoot at and wound ~~and~~ ^{main}
and ~~and~~ ^{and} cripple two certain white, work steers
the property of said William Dreanan with as
this affiant believes, a certain ~~musket~~ or shot-
gun, loaded with powder and Ball, ^{or shot} &c.

Subscribed and sworn to before
me this 14th day of Sept 1840 William ^{his} Dreanan Jr
Duquid Pitzer Justice of the peace Mark

State of Missouri }
County of Jefferson }

The State of Missouri, to the
Sheriff, or any Constable of said
County greeting — I hearas Complaint, has been
made before me, one of the Justices of the peace
in and for the County aforesaid, upon the oath of
William Dreanan Jr, ^{who does truly believe} that Daniel B. Pinegar
late of the County aforesaid did, on Saturday,
Morning the 12th Inst, at the County aforesaid, did
wilfully and maliciously shoot at and wound
Main and cripple, two certain white work
steers, the property of said William Dreanan, with
as said Dreanan believes, a certain musket or shot
gun, loaded with powder and Ball, or shot &c.

These are therefore to command you to take
the said Daniel B. Pinegar so that you have
his body forthwith before me to answer the Com-
plaint, and be further dealt with according to Law
Given under my hand and Seal this 14th
day of Sept 1840.

Duquid Pitzer Justice of the peace Seal

the within executed by taking the said ^{dependent} Daniel
y Penegar before Designid Pitman a Justice
of the peace on the 1st day of September 1840
Willis Chandler ^{Constable}

State of Tennessee
~~William Penegar~~

vs
State

Daniel y Penegar

State vs Penegar

Justice fees — 18³/₄

Constable fees 1,50

Filed Oct 5th 1840

W. D. Penegar
Att'y

The William Breman & John Phelps
and William Breman Jr. for
Justin Breman August son of David William
Breman the Negroes and the Negro, to see
to the State of Missouri, the Slaves of
one hundred Dollars each, to be paid of our
respective goods & chattels lands and tenements
upon the following conditions, to wit, That
I do that if the above Slaves between these
be and appear at the next term of the cir-
cuit Court of Jefferson County on the 7th
day of December next to give testimony before
that State of Missouri & David G. May as
on the part of State then this ^{Sharon and accordingly he was}
deposited to be paid — ^{The Mayor of Philadelphia 1820}
also to remain in full force ^{Engraved by Peter & P}

Recognition
of
H. H. H. H. H.

filed Oct 5th 1840
M. S. Mather,
Clerk

State of Missouri The State of Missouri to the
County of Jefferson Sheriff or any constable of said

County Greeting

You are hereby commanded to summon or arrest
Bauden and Lane ^{and Spantag and a Joseph} ~~of St Joseph~~ before
me Burgess either one of the Justices of the Peace
in and for said county at office forthwith and there
to give testimony and the truth to say touching a
certain complaint made on behalf of the State against
Dorel S. Seneqar on the of the defendant and thereof
fail not under the penalty of the Law and have you
then there this writ

Given under my hand this 1st day of September 1840

Quigley Justice of P

The within ~~Sum~~ Executed by aiding another
the day of Sept 18th 1840
Wm. Chandler
Carrot,

The State
vs

Daniel Z Pincus

Robert Scantlon

Jane Sefto

Ortha Linda

Sefto

Justices 18th 4

Carrot per 75^{cts}

filed Oct 5th 1840
W. C. Weather
Clerk

State of Missouri
County of Jefferson } The State of Missouri —
~~and~~ ~~the~~ ~~County~~ } to the Consulate of Missouri —
in ~~the~~ ~~County~~ ~~of~~ ~~Jefferson~~ Townships in said County —
Greeting — We Command You, that you inform
John Webster, Arthur Breman, son of William
Breman & George L. Smith and William Jones —
that all excises and delays that arise they
be and appear, forthwith before the undersigned
Justice of the Peace at my office in ^{Madison} ~~Madison~~
County, on the 14th day of September 1840
to testify and the truth to say in a certain
matter before me pending wherein the State
of Missouri is Plaintiff and Daniel
W. Briggs is defendant, on the part of
Plaintiff, and herein said not an said not
at your seeing and have you then &
there this with truth your return thereon

I have under my hand this 14th day
of Sept 1840 I signed Witness &c

State of Missouri
w { Spa

Daniel J. Piegas
for

John Luterer

Austin Dreaman

George L. Smith

William Jones -

for Off

Justices 18 $\frac{3}{4}$

Const fees \$1.00

filed Oct. 5th 1840

M. S. Weather
clerk

the within exhibited by reading in their presence
on the 1st day of September 1840
William Chandler Const

State of Missouri } a charge of Malicious
" } mischief
Daniel B. Purgas }

Examination of said defendant
without oath -

Q. by Justice - did you or not hear any
shooting on Saturday morning the 12th
Inst
A I did not -

Q. did you see any Cattle in your
Inclosure on that morning
A - I did not -

Q. by Justice at what time did you
leave home on the morning
of the 12th Inst

A - after Sun rise -

Q. by Same - Where did you go on that
morning A. to Samuel Greer -

Q. by Same how long did you remain
at Greer's,

A. about a half hour

Q. by Justice what did your wife tell
you upon your return

A. She told me William Deenan
had been there and stated that I had
shot his oxen,

State of Wisconsin
Danie J. Douglas

Deputy Secretary
10

Filed Oct 5th 1840
Wm. A. Mearns
Att

State of Missouri

Daniel S. Pingar

} Charge of Malicious
Mischief, shooting
2 Certain Steers the

property of William Dzeanan Jr

William Dzeanan Jr a Witness
on part of the State after being duly sworn
says — That on Saturday Morning the 12th
day of the present month, he Dzeanan heard
the firing of a gun in the direction of Daniel
S. Pingar — who lived somewhere about one
Quarter of a mile from said Dzeanan, that said
Dzeanan hearing his ox Bellow in that direction pro-
ceeded to the field of said Pingar where he found
this two Steers, one in the field of said Pingar —
crippled, maimed and wounded, he being entirely blind
(having but one eye before) the other being damaged
by shooting with Slugs or shot —

Q. by Justice do you, or not suppose
the ox you found in Pingar's field could have
gotten in the field from the out side, in the sit-
uation you found him —

A. he could not —

Q. In what Situation did you find the other
ox & where —

A. — out Side of the field some two or three
hundred yards from Pingar's and from app-
earance had been shot with a shot Gun or
musket two or three times —

Q. by same what time in the morning did you
find your ox in the Situation you have mentioned

A. I think the Sun was about half an hour
high —

Q. by same were or are you and Pingar or
not, friendly

A. We are not nor have not been for some
time

Q. — what is the Situation of Pingar? since

A. — Very Indifferent —

Q. by same, has Pingar a Musket or shot Gun —

Q. by Same who do you believe shot your
oxen — A. Daniel B. Pingar — and no other
A. he has —

Q. by Same, what color are your oxen which
were damaged —
A. White — William ^{his} Deenan &
Mark

Subscribed and Sworn to
before me this 14th day
of Sept 1840

John Luther a witness in the above Cause
after being duly Sworn
Says —

that on Saturday morning the 12th Inst, he this
affiant heard several guns, in the direction of
Daniel B. Pingar — who lived at the distance
of a Quarter of a mile

Q. by Justice — what time in the morning do
you suppose the shooting mentioned was
A. I think the sun was about half hour
high —

Q. by Same. from the report of the gun
you mentioned, what kind of a gun did
you suppose it was — a shot gun or
rifle

A. I supposed from the report, the shoo-
ting spoken of was done with a shot gun or
musket —

Q. of what value do you suppose the
steers were which was damaged by shooting
A. about sixty Dollars —

Q. by Same have you ever heard Pingar
make any threats toward Deenan or
property

A. I did not — John ^{his} Luther
Mark

Austin Dzeanan a witness in the above Cause - after being duly sworn says - that on Saturday morning he this affiant, went with his father William Dzeanan Jr, to the field of Daniel J. Pingar - where they, himself and father found, his said father's ox, in the field of said Pingar entirely blind, by the shooting with shot, or slugs - and that it was with difficulty they could get the ox home

Q. by Justice did you find the other ox -
A - on the out side of the field -

Q. by Defense - did you or not find the field fence down -

A - He did find the fence down, and appeared as though it had been laid down -

Austin Dzeanan
his mark

Robert Wantling a witness in the above Cause after being duly sworn says - that he this affiant heard the firing of a Gun on Saturday morning the 12th Inst -

Q. by Justice in what direction did the firing seem to be

A In the direction of Daniel J. Pingar's

Q. by Same how many Guns did you hear that morning in the direction mentioned and at what time in the morning -

A - Some four or five Guns, or reports which was about Sunrise -

Q. by defendant - what did Dzeanan state to you on the same day of the shooting spoken of or on the day following

A. Said Dzeanan stated he had gotten his ox out of the field of Pingar - and witness understood

Dreanan to say, that he had seen Pingar shoot his oxen.

Q. by Defendant, did you or not hear Dreanan contradict or say, differently from what you first understood him to say—

A. I have understood said Dreanan to say— since his first statement, that he did not see said Pingar shoot his oxen,

Q. by Justice of what value was the oxen spoken of before damaged

A. they were worth some fifty or sixty dollars—

Q. by Same how far do you live from Pingar & about 1/4 quarter of a mile—

Q. by Same did you hear bells or a bell at the time of the shooting spoken of—

A. I did hear bells I supposed to be on the oxen of William Dreanan Jr.
Robert Scanlan

George L. Smirc and William Jones after being duly sworn states, that they have seen the field fence of Daniel B. Pingar and that said fence was and is very defective and not sufficient to prevent any animal from going into the field that wished to do so—that was hearsay &c—

Q. by Justice have or not seen William Dreanan's oxen since they were shot—

A. We have—

Q. In what situation did they appear to be in

A. Considerably injured, by shooting with George L. Smirc shot &c—

State of Missouri

Daniel B. Pingar

Jane Lefler a witness on part of
defendant Says - after being duly sworn
as follows - in answer to the following
question -

Q. by Defendant -

John Herrington a witness on part of Defendant
and after being duly sworn - made the
following answer to the following question

Q. by Defendant, In what condition is
the field of Daniel B. Pingar

A - It is not so good as it was last Spring
and is not a sufficient fence -

Q. by Complainant, Did or not live on
the premises now occupied by Pingar
A - I did

Q. by same did Deacons, or not
reside you filed

A - They did not - John ^{his} Herrington
marks

Stephen Cole a witness on part of Defendant -
after being duly sworn
made the following answer -

Justice Constable & Witness fees —

V.P. fees —	\$ 2. 56 ¹ / ₄
Const Do —	2, 25
Witness - Wm. Drearman Jr —	50
Austin Drearman —	50
John Luter —	50
G. L. Smire —	50
Prot ^t Scantling —	50
Wm. Jones —	50
Jane Lifer —	50
Artha Linda Lifer —	50
	<u>\$ 8. 75</u>

I Duquino Pitzer an acting Justice of the peace
 within and for the State of Missouri and
 County of Jefferson Do hereby certify, that
 the foregoing proceedings were had before me
 on this 14th day of September 1840,

Duquino Pitzer Justice
 of the peace

State of Missouri
County of Jefferson }

Be it remembered
that on this 14th day of September 1840
Daniel B. Pinegar John Herrington and
Stephen Cole personally appeared before
me Duquied Pitger a Justice of the peace
within and for the County of Jefferson and
Jointly and Severally acknowledged themselves
to owe the State of Missouri the Sum of
five hundred Dollars, to be levied of their
respective, goods & chattels, lands and ten-
ements, If default be made in the con-
ditions following (to wit) The condition of
the above obligation is such - that If the above
named Daniel B. Pinegar shall personally
appear before the Circuit Court on the first
day of the next Term thereof, next to be holden
in & for the County aforesaid, in the Town
of Hillsboro, on the Seventh day of December
next, then and there to answer to an indict-
ment which may be preferred against
him, for maliciously shooting - wounding &
maiming two certain Steers, the property of
William Dreaman Jr. and not to depart the
Court without leave, also, to If he said
Pinegar shall keep the peace toward the
said William Dreaman as well as all
other good Citizens of Missouri, then this
recognizance to be void, else to remain
in full force and effect.

Witness our hands and Seals this 14th
day of September 1840 D. B. Pinegar
Taken and acknowledged before me on the } John Herrington
day and year first above written } Seal
Duquied Pitger Justice of the Peace Seal
Stephen Cole Seal

Defendant. 8
Bond

Filed Oct 5th 1840
Wm. A. C. C. C.
C. C.

State of Missouri } September 12th 1840 upon
 vs } the affidavit of William Dren
 Daniel S Pinegar } ^{sen} a warrant issued against
 Justice fees \$2,50¹/₄ } Daniel S Pinegar of said county
 constable fees 2,25 } did wilful and maliciously
 Witness Will Dren ^{sen} 50 } shoot at and wound name
 Austain Drennen 50 } and cripple two certain whit
 John Leutifer 50 } work steers the property
 George L Smuels 50 } of said William Drennen ^{sen}
 Robert Scantlens 50 } September the 11th 1840 war
 Will C Jones 50 } rant executed by Willis Chanda
 Jane Soefler 50 } ter constable by bringing
 artha Linsy Lifer 50 } the defendant forward where
 upon the evidence being heard
 it is adjudged that the said

Daniel S Pinegar enter into a recognizance with
 sufficience security in the sum of \$500 dollars
 for his appearance on the first day of the next
 term of the circuit court of Jefferson county
 to be held in the town of Hillsboro on the seventh
 day of December next then and there to answer the
 said charge and in the mean time to keep the
 peace especially towards the said William Drennen
^{sen} and as well as all other good citizens of
 Missouri. This 12 day of September 1840

Duquoin Pitizer J P

Then upon the defendant Daniel S Pinegar and
 John Herrington and Stephen Cole entered
 into a bond according for \$500 dollars for
 his appearance

Duquoin Pitizer
 Justice of the peace

I do here by certify that the above is a
 transcrip from my doct this 30 day of
 September 1840 Duquoin Pitizer
 Justice of the peace

A Trans copy
from Duiguid
Singer
J P

Please Oct 5th 1840
W. A. B. A. M. C.
W. A.