

Tafferson County Circuit Court
Case Files - Criminal

Box

6 Folio 44

May 1843

State

vs

Hollingsback, Lucius

Misdemeanor in office as a justice of the peace

Defendant also "Hollingsback"; defendant
unlawfully influenced jury in case before
him, Julius Higgins v. John Taggart

State of Missouri }
Jefferson County } In the Circuit Court
May Term 1843.

The Grand Jurors of the State of Missouri empannelled sworn and charged to inquire in and for the body of the County of Jefferson aforesaid - upon their oath present. That heretofore to wit on the first day of December in the year of our Lord one thousand eight hundred and forty at and in the County of Jefferson aforesaid in the State of Missouri aforesaid one Lucius Hollinsback had before that time been and was then and there as Justice of the peace assigned to keep the peace in and for the County aforesaid and also to hear and determine divers suits and controversies between individuals - and there was then and there depending before the said Lucius Hollinsback as Justice of the peace as aforesaid a certain suit where in Julius Higgins was plaintiff and one Doctor Taggart was defendant - and the Jurors aforesaid aforesaid upon their oath aforesaid do further present - That after the hearing of the proof and allegations of the said Julius Higgins plaintiff and the said John Taggart defendant in the said suit then and there pending before the said Lucius Hollinsback Esq. a Justice of the peace as aforesaid the said Cause and suit was then and there submitted to a jury for their determination and verdict upon the premises - And while the Jurors then and there sitting and deliberating upon the premises then and there in dispute before the said jury And in the Court of the said Lucius Hollinsback Justice of the peace as aforesaid - He the said Lucius Hollinsback Justice of the peace as aforesaid

then and there wilfully and maliciously and for
the Oppression of the said John Taggart one
of the parties then litigant before him the
said Lucius Hollingsback a Justice of the
peace as aforesaid - And before the Jury aforesaid
voluntarily come into the room with and
among the Jurors Composing the Jury aforesaid
And then and there wilfully and maliciously
out of mere partiality for and on behalf of
the said Lucius Higgins plaintiff in the said
suit against said John Taggart, and then and
there under Color of his office as Justice of the
peace aforesaid read law to and before the
said Jury then sitting to try and determine
said suit between the said Higgins plaintiff
and the said Taggart Defendant - And also
then and there maliciously and wilfully and
corruptly in his official Capacity did try
to urge the said Jury to find a verdict
against the said John Taggart and in
favor of the said Lucius Higgins - to the
great scandal of the Administration of Justice
at and in the ~~County~~ of Jefferson aforesaid
in Contempt of the laws of the Land -
Contrary to the form of the Statute in
such case made and provided - And
against the peace and Dignity of the
State of Missouri

Jr. J. Brinkley Circuit
Attorney.

278

State

Mr.

Lucius Westlingback

Indictment for Misdemeanor in office as a Justice of the Peace.

"
A true bill"

J. H. Aldrich Foreman

of the Grand Jury
1878

Witness for State.
James H. Hunt.
S. H. H. H. H.

County of Jefferson, sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We command you to take *Lucius Hollingsback*

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 at the Town of Hillsboro 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 *Misdemeanor in Office as a Justice of the peace* —

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 sixth* day of *May*, in the year of our Lord eighteen hundred and *forty three*

John S. Mathews Clerk.

I Executed this writ by Taking the Body
of Lucas A Holmbeck and Having him
Before the Judge of the Jefferson
County Circuit Court on the 26th day
of May A D 1843

M Mops Sheriff
per \$1.00

The State of Missouri
vs
Lucas Holmbeck

filed May 26 1843
Jefferson County
Mo

64

State of Missouri }
vs } Indictment for
Lucius Hollinsback } a misdemeanor in
office

The defendant in proper person
comes into court and says the indictment
in the above cause is insufficient in law
and for cause of demurrer says first
That no prosecutor is endorsed as required
by law

2^d That the acts charged to have been done
by said defendant on occasion of the trials
mentioned in said indictment are not
an offence against the laws of the State
of Missouri.

3^d That if an offence and indictable
by the laws of this State it is barred
by the statute limiting prosecution for
such offences.

Lucius Hollinsback
by M. F. Fell Atty

This Indictment was dismissed on the above demurrer
May 26th 1843 — See Book No 2 page 471

attest Jno. M. Atchey, Clerk

State of Illinois

vs

Jesse H. Hunsicker

Declarant to

Declarant

Filed May 20th 1843

Prof. H. Hunsicker

W. H. C.