

DeForsan County Circuit Court
Case Files. Criminal

November 1857

State

vs

Brown, John P.

Trespass on school lands

Cut timber in S16 T39 R4E
to make coal pits; depositions

Box

9

Folder

30

State of Missouri }
County of Jefferson } ss

We the County Court of said State do hereby command that telling affidavits and delays you do and appear personally before the ~~the~~ undersigned a Justice of the Peace of Central Township in Jefferson County forthwith do testify and the truth to say between the State of Missouri in Plaintiff and J. P. Brown is defendant and hereby fail not to give full answer under my hand - this 31st day of August 1834

Thomas Wilson Justice of the Peace

State
vs
J^d Brown

Justice fees 25c

Sheriff's fees
\$100

49
24
75

Represented the within writ on John & his bond
and gave bond for his return in their presence
and hearing this the 2nd day of September 1857
Augustine Wiley Sheriff

The State of Missouri

To the Sheriff of the

County of Jefferson, Greeting;

Whereas, information has this day been given by the Sheriff of said Jefferson County, to me, Thomas W. Foley, a Justice of the Peace within and for the County of Jefferson aforesaid, that, on the ~~Sixteenth~~ day of October 1856, and on other days between that day and the first day of September 1857, at the County aforesaid,

J. P. Brown, of said County, did unlawfully and wrongfully enter upon the following Lands situate in said Jefferson County, to wit: The Sixteenth Section of Township No. Thirty nine, of Range No. Four East, being School Lands belonging to the Inhabitants of said Township, and did then and there, cut down and destroy a great many Trees standing & growing upon said Section, to wit: 200 trees of the value of two hundred dollars, Contrary to the Statute in such cases made and provided.

These are therefore to Command you forthwith to apprehend the said J. P. Brown, and bring him before me, to answer the Premises, and further to be dealt with according to Law.

Given under my hand, at the County aforesaid, this first day of September 1857.

Thomas W. Foley Justice of the Peace

State of Missouri

vs.

J. P. Brown

Warrant

Justice fees

\$3-

Sheriff's fee \$1.00

I Executed the within writ at the county
of Jefferson on the 2nd day of September 1857
by apprehending J. P. Brown and bringing
him before Thomas W. Floyd the within named
Justice
Augustine Wiley Sheriff

Know all men by these presents that J. P. Brown as principal and J. A. Beal as security acknowledge ourselves indebted to the State of Missour in the sum of one hundred dollars as withness our hand & seals this 2nd day of September 1857. The condition of this obligation is such whereas said J. P. Brown has been taken before J. W. Floyd a justice of the peace of Jefferson County Mo on a complaint at the instanc of Augustine Wiley Sheriff for committing trespass on School lands and has been baid to bail by said justice in the sum of one hundred dollars to appear at the next circuit Court now of said Brown will be and appear at the next Term of the circuit court of Jefferson County Mo and not depart without leave to answer the ~~complaint~~ ^{complaint} and indictment preferred on said charge: ~~that~~ this obligation shall be void otherwise to remain in full force

Taken and certified the day and
year aforesaid
Thomas W. Floyd Justice of the Peace

J. P. Brown { Seal }
J. A. Beal { Seal }

State

vs.

J. D. Brown

Recognizance

for the sum of \$25

Prosecution for Trespass on School Land.

State
vs
J. P. Brown } Isaac Hunt being duly
sworn, says he knows the
Defendant J. P. Brown, cut
timber on Dec. 16, in Town-
ship 39 of Range 4 East, in
Jefferson County, Missouri, some
time in ~~October~~ ^{November} or December
1856, for two coal pits - about
400 cords in each. I told
him he was cutting on school
land - he said he could pay
for it - he cut wood ~~from~~
one pit after he told him, -
wood worth one dollar & a half
or 2 dollars a cord, - Defendant
& the hands under his employ
used wood off of section in said
Township all last winter, - were
some born or fine shanties, using
firewood all the time, - can't
say with certainty, but thinks
they used up from 25 to 30
Cords of wood - at \$1.30,
+ thinks was but very little if any
tree ^{logs} down when Defendant came
there. Knows of his cutting sev-
eral large trees - can't say of what
value, - don't ^{know} much about the
quality of the ~~other~~ cut, - some
were cut & made into boards
- Thinks Defendant moved off
the land in March or April
last, & has not used any timber
since.

Subscribed & sworn to before me September the 2nd 1857
J. W. Lloyd Justice of the Peace

Isaac Hunt

John Strickland being sworn
says he knows that defendant
J. P. Brown in February 1857, cut
timber on, said school Land ^{Tract}
Section 16 in Township 39 of Range
4 East, - enough to make ^{one}
coal pit, of about 5 cords, - De-
pendant lived on the section
last winter - had some four
or five shanties on it - Thinks
there were some twenty trees cut
there during the winter - trees
would generally make a cord
to the tree - the brand he saw
+ cutting there ⁺ said he was in Brown's
employ - don't know it, of his own
knowledge, - Trees cut were
Common size timber, - These
shanties were not built by De-
pendant,
subscribed & sworn to } John ^{his} Strickland
before me this 2nd day of } mark
September 1857.

Thomas McLeod Justice of the Peace

State of Missouri }
County of Jefferson } ss I Thomas McLeod one of the Justices of the Peace
within and for the County of ~~Jefferson~~ aforesaid do certify that the
said J. P. Brown was brought before me, and charge before me
with cutting timber ^{on} School Land, to wit on 16th section, in Township
39 of 4 East, and that the said J. P. Brown was distinctly informed by me
of the charge made against him, and that ^{he} was at liberty to refuse
to answer any questions put to him, and the examination of the
said J. P. Brown as also, the information the said Isaac Hunt
and John Strickland, witnesses, were by me taken, and reduced
to writing the ^{and year} day aforesaid, Given under my hand this
2nd day of September 1857
Justice fees 25c

Thomas McLeod
Justice of the Peace

State of Missouri
L. B. Brown

Depositions
Indies \$1000 - 4 1/2
Certificate 25

(for Grand Jury)

Filed Sept. 5th. 1854
Geo J. Honey
Clerk

State
 vs.
 J. D. Brown

the Bill before Judge	
Justice fees -	1 ⁰⁰ 15
Shediff -	2 ⁰⁰ 00
Witnesses charge don't for truck and money	50
~~for~~ Sheriff's fees each for	75

State of Missouri } In the Circuit Court
County of Jefferson } November Term 1857

The Grand jurors of the State of Missouri
now here in Court duly empanelled, sworn and
charged to inquire within and for the body of
the County of Jefferson, upon their oath pre-
-sent that John P Brown late of said County
on the tenth day of November Eighteen hun-
-dred and fifty seven, with force and arms at the
County of Jefferson, of said State, and upon the
sixteenth section, of Congressional Township
Number Thirty nine Range Number four
East.

unlawfully did commit, Waste and Trespass
that is to say, cut down and carry away
one hundred trees, growing in and upon said land
to the damage thereof of one hundred dollars—
said lands being then and the school lands
belonging to the inhabitants of said Congressional
Township—

Against the peace and dignity
of the State

Daniel D Hall Circuit Atty—

Note
No. 1601

John P. Brown

Investment of \$1000
- paid upon a short term

A true bill

Geo W M Smith

For owner

Washington

Pro

Subscribed 24th 1852

Deas & Honey cut

Chad

A. True Will found againest John D.
Brown for Treason an Act of Law

State } Indictment for sheep on
 Dec 13 1887 } Sheriff's Office.
 Dec 13 1887 } Geo. Buckley Jan 24 1887

June - \$4000
 Honey Creek, Indictment Budget 50¢ file 1.25
 Papers 25¢.

Miley Sheriff's account 1¢ 24th 1¢ 2.00
 S. G. Baker for city 4.00
 J. H. Strong, Justice 1.15
 Miley Commission 73

\$49.13