

Jefferson County Circuit Court
Case File 5- Civil

August 1858

Box No. 10 Folder No. 19

State

vs

Hannah, Ebenezer

Murder

William Bage died during altercation
with defendant; testimony before JP
J. G. Crowe; bound over to Circuit Court

State of Missouri }
County of Jefferson } to the Sheriff or Constable
of said County greeting

Whereas E. B. Thammah appeared be-
fore me the undersigned Justice of the
peace and confessed that he did on the
30th day of July, 1858 he had an al-
tercation with William Bage late of
the County of Jefferson, after some a-
busive language from said Bage
he Thammah slapped Bage twice
after which he fell and rose no
more.

There are therefore to command
you to take the said E. B. Thammah
so that you have his body before
me or some other Justice of the peace
to answer the said complaint
and be further dealt with according
to Law - on the 31st inst at my office
Given under my hand this 30th day
of July 1858

J. G. Craven
Justice of the peace

Executed this writ by taking in charge the
 body of E. B. Thana as I am within
 command
 July 30th 1858

H. M. Parker

States Warrant

State of Wisconsin

vs

E. B. Thana

Free 30

Carthage 30

Grand Juror with
 by 30 300

Do not Parker
 is authorized to ex-
 ecute this writ
 J. G. Brown
 Justice of the Peace

Testimony of Witnesses

C. W. Townsley being duly sworn on his oath swears that on the 30th day of July 1858 he was at the house of E. B. Thanna when Wm Bage came in to Thanna's ~~house~~ porch. Mr Thanna said good morning to Bage. Directly Deponent heard some high words between Thanna and Bage. He then turned round and looked out. My impression was that the conversation of Mr Thanna to the party outside was in sport. Mr Thanna got up and walked out of the house onto the piazza continuing the high words and said to Bage I do not allow such words or remarks about my house. I will protect my house and family. I have been a father to you. Thanna took hold of Bage, but did not see Thanna strike him. Bage observed if I was a young man I would show you. Bage went off of the piazza and so did Thanna. I did not hear what Bage said to Thanna after they were off of the piazza. I came to the window and saw Bage reeling around and saw him fall. My impression is that Thanna pushed Bage off the piazza. When Bage first came to the house Thanna asked him to come in and take a seat.

and further this deponent saith not
Take and certified to before me
at the above said J. H. Browne
Justice of the peace

W. T. Tinsley

J. W. Hampson being duly sworn
according to Law says that he lives
with Mr. Hanna and on the 30th day
of July 1858 - he saw Mr. Bage come
to Mr. Hanna's about 35 minutes past
one o'clock - Bage asked me how I did
I told him I was well, and to step
up and take a seat - he came to the
door and nodded and said how do you
do gentlemen - Hanna replied me
and well, would he not come in
and take a seat. Bage said he
did not care - he did not feel
like sitting down - But in a few
minutes Bage took a seat on the
piazza on a chair with some fine
clothing on it - after sitting about
five minutes talking to Deponent
on various subjects - Mrs. Hanna
came out of the Kitchen and request-
ed Bage to get off of the chair -
saying to him that he was soiling
the cloth by sitting on them -
Bage got off of the chair, and asked
Mrs. Hanna if there were clean
collars that were on the chair -
she replied that they were - Bage
then took hold of some of the collars
and threw them on the floor turn-
ing round to me and saying

That was an insult - I replied that I did not think it was - Mrs. Hanna did not mean any harm - Bage then came to the door and asked Mr. Hanna what he wanted - that if he wanted to get whipped right well to come out here - at the same time making the insulting remark @ shit God damn it - Hanna told him to go home, that he had always treated him as a father and a gentleman - and he wanted him to treat him and his family with the same respect - Bage then stepped off of the porch and invited Hanna to come out and fight - saying that if he wanted to get well whipped to come out there. Bage then threw his arms up as though he was going to strike, and Hanna slapped Bage in the face with his open hand and Bage fell - and died in 10 minutes after - Haught Bage intoxicated and further this deponent saith not

Taken and certified

To state above J. G. Lawrence

Justice of the Peace

John Perry being duly sworn according to Law says that on the 30th day of July 1858. that he saw Mr. Bage come on the porch and Mr. Hanna invited him to take a seat - Mr. Bage did not go in the house - but took a seat on a chair with some

fine callars and clathing - Mrs
Thanna came out and politely told
him to not sit on the clathing
Mr Bage got up and said that
was an insult and threw down
some of the clathing on the floor
Mr Thanna then said to him
that he need not cut up about
it, and told him that he had boarded
with him some 2 months and that
he had treated him like a father
Bage wanted to know of Thanna what
he was going to make of it, and
used other insulting remarks -
Bage was not boarding here at
the time - Bage then told Thanna
that if he wanted to get de-
cently whipped that came out with
him - Thanna told him he res-
pected old age - Bage replied
O shit - Thanna's wife was on
the porch at the time, and said he
would not suffer his hands
being dragged in that manner -
struck at him deponent feeling
with the open hand - but think
he was too far from Bage to
hurt him - Bage staggered and
fell - and rolled over down the
hill - we went out and gave aid
and comfort this deponent said that
deponent said that Bage was intoxica-
ted - certified to date
above signed
Justice of the Peace

Sawrence Sheridan being duly
sworn according to law says
that on the 30th day of July 1858
I was attending on Wm Bage
where he was plastering the house
of John O'Hallan - at about noon
we went to dinner - when I
was at dinner I saw Bage
returning from his - after I was
done my dinner I went for a
bucket of water to Sulphur Springs
Landing - when I returned to the
building I searched for him and
could not find him - Mr Thompson
came up to the building where
I was and told me that he
was dead, I went over to Hannas
and saw him laying on the
ground dead. Never knew any
difficulty between Hannas and
Bage, always appeared to be friends
- by - had not much liquor on him
when he went to dinner - and Bage
boarded at Michael Green's - and further
this deponent saith not

his
Sawrence X Sheridan
mark

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Mr. West M.D. being duly sworn
on his oath says - After a careful
examination of the body of Mr
Bage and the wound on the head do
find a cut in the scalp about
one inch long, at the anterior por-
- tion running up to the right, I
found the soft part so severely lacer-
- ated, as to knock ^{the} ~~the~~ ^{loose} ~~from~~ the
skull for about an inch and
a quarter across - this appears
to have been done by some
solid substance, I am not
under the impression that the
external injury is sufficient
to cause death. But it may
have done so by producing a
concussion of the brain, or by
causing the rupture of a blood
vessel, within the skull, ~~or~~ causing
a coagulum of blood to form with-
in the skull - No other injuries
were found worth attention, and
further the aforesaid Mr West Smith
not. July 31st 1858
J. West M.D.

Destiny
of
Dr. West
Lawrence Sherill

Examination of E. B. Hanna
on the 31st of July 1858

E. B. Hanna being brought before me
states that on the 30th day of July
Mr Bage came to the door, and made
a bow, I invited him in to be seated.
Bage did not take the seat that
I offered him - but stood at the door
a few minutes, and then stepped back
and took a seat on a chair on the
porch that had some collars and fine
clothing on - Mrs. Hanna came
out of the Kitchen and invited him
to change seats - he got up off
the seat he was sitting on and
said that it was an insult
I spoke to him again and said
I have treated ~~you~~^{you} as a father
and if he took that as an insult
to leave the house - He stepped
to the door and asked me if I
was going to make a speech
about it - I told him that I
did not wish to make a speech
but I would like for him to go

away - he then came to the door again
threw up his hands, and said if I
wanted a decent whipping to step
out. I told him that I did not
want to fight him; but I would
protect my house. I arose and went
to the door, and told him to go away
that I did not want ^{difficulty or} any disturbance
about the house - Baze started and
got off the porch - and again said that
he could whip all Jacksons as I
was, - I then slapped him on the jaw
with my left hand, and told him
that I respected old age - that I did
not want to hurt him - he stag-
gered but recovered, and said O shit
If I was a young man you could
not do that - I said I could
not suffer such language in pres-
ence of my family, and slapped him
again with my right hand on the
back part of the head, he staggered
and fell and rolled over, I pick-
ed him up - and saw a cut above
his left eye - I saw that he had
cut ~~cut~~ himself a something in
the fall - I washed and dressed

the manner, and this is all I have
to say

Taken and Certified to
before me this 31st day
of July 1858

J. G. Crauey
Justice of the peace

Examination
of

E. B. Hanna

}

State of Missouri

Vs

Ebenezer B. Hanna

{ 31

On the 30th day of July

Justices

Warrant

50

Statement of prisoner

in writing & certificate

25

Band

50

Judgment

35

This Transcript

50

Const. fees

Serving Warrant

50

Guarding all night

with 3 assistants

4.00

Certificate

6.60
25
6.85

1858, Ebenezer B. Hanna surrendered himself a prisoner to the undersigned Justice, stating that he had slapped one Wm Bage, that now lies dead, with his open hand - I issued a Warrant - To J. M. Parker Auctioneer - issued Constable who took said Hanna in custody, - I then held an inquest on the body of the said Wm Bage, and having heard the evidence, I reduced the same to writing. And on the 31st day of July, I or-

-dered the Constable aforesaid to bring forward the prisoner, which was done, and his statement by me reduced to writing - and it is ordered by this Court that the prisoner give bail in the sum of five hundred dollars, for his appearance at the next Circuit Court to be holden at Hillsboro on the 4th Monday in October next, which Bond and Security was given.

State of Missouri

County of Jefferson

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J. J. G. Cronan do certify the foregoing to be a true and complete transcript from the entries on my docket in the case of the State of Missouri Vs. Ebenezer B. Hanna on a charge of assault and battery - and all the papers before me are herewith returned - Given under my hand this 2nd day of August 1858

J. J. G. Cronan
Justice of the Peace

State of Missouri

J. B. Hanna

{ 15-32

J. B. Hanna

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Filed Aug 4th 1858
Elias H. H. H. H.

Recog. discharged
Nov. 1858
Book No 4 P.