

Jefferson County Circuit Court
Case Files - Criminal

April 1859

Box 11 Folder 13

State

vs.

Gamarche, Lewis D.

Appeal

Defendant appealed from JP
Elisha Gorton on assault and
battery against Katharine King

THE STATE OF MISSOURI, }
COUNTY OF ST. LOUIS. } ss.,

Jefferson

Katharine King being duly sworn, says, that *Lewis D. Gamarch* on the *thirty first* day of *March* A. D. 1859, at the County aforesaid, did commit an assault and battery upon the person with an axe inside of her own field.

and this affiant further saith, that the said *Lewis D. Gamarch* has not, to ^{his} knowledge or belief, been arrested, held to bail, or otherwise dealt with for the said assault; and further saith not.

Sworn and subscribed before me; this *31st* day of *March* A. D. 1859
Elisha Horton JUSTICE.

Deffendant King

THE STATE OF MISSOURI,

To any Constable of *St. Louis* Township, in *St. Louis* County—GREETING:

WHEREAS, complaint has been made before me, that *Lewis D. Gamarch* on or about the *thirty first* day of *March* A. D. 1859, at the County of *St. Louis*, did commit an assault upon the person of *Katharine King* with an axe inside of her own field—

Therefore, we command you forthwith to take the body of him, the said *Lewis D. Gamarch* if he be found in the said County, and bring him before the undersigned Justice of the Peace, at my office in said Township, to answer the said complaint, and hereof fail not.

Given under my hand, this *thirty first* day of *March* A. D. 1859.

Elisha Horton JUSTICE.

Created this writ by taken the body of
L. J. Gamache here is now before the court
this the 15 day of April 1889

Walter Swaney
Clerk

William
State of Missouri

Lewis D. Gamache

Penitentiary
Missouri

THE STATE OF MISSOURI

DEEDS BOOK *Missouri*
COUNTY OF Jefferson } SS.

To any Constable of *with* **Back Township, in Jefferson County—GREETING:**

YOU ARE HEREBY COMMANDED, that you cause to come before me, *Belina*
Yorkton a Justice of the Peace within and for said Township, at my office
in the City of *Smithville*. *via* good and lawful men of the Township aforesaid, by
whom the truth of the matter may be better known, to make a jury between *The State of*
Missouri plaintiff, and *James B.*
Hammer defendant, in an action of
Harriet A. Barker because as well the said
as the said defendant ,
plaintiff, between whom the controversy is, have put themselves upon a jury, and have you then
there this writ.

Given under my hand, this *second* day of *April* A.D. 1859

Belina Yorkton JUSTICE

Isaac Nelson
Charles Miller
Mrs. Thrall
Joseph Benson
~~John A. Miller~~
William Burgess
Martin A. Harnes

Y
State of Missouri
Lewis D. Hamarone
Justice fee - 25
Comptroller - 75

The State of Missouri,

COUNTY OF ST. LOUIS,

} SS.

Mrs. Maria

To

Mr. John Beigham and Henry Sprinkle

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be and appear before the undersigned, a Justice of the Peace within and for the Township of St. Louis, in the County of St. Louis, on the *fourth* day of *April* 185*7*, at the hour of

o'clock, M at his office in said Township, to testify on the trial of a case wherein

John Beigham

plaintiff, and *Maria Beigham*

defendant, on the part

of the *State*; and of this you are not to fail at your peril.

Given under my hand, this *second*

day of *April*

185*7*

JUSTICE.

John Beigham

Exeuted this writ by reading the same to
John High. being the only adults Major James an
the 13 day of April 1853

W. Lawrence Court

Superior

State of Missouri

vs

Lewis T. Gaiman the
defendant per \$25

Court fee \$15

The State of Missouri, } ss.

COUNTY OF ST. LOUIS,

To

YOU are hereby commanded, that, all excuses and delays being set aside, you personally be

and appear before the undersigned, a Justice of the Peace within and for the Township of St. Louis, in the

County of St. Louis, on the *fourteenth* day of *April* 185*9*, at the hour of

o'clock, M at his office in said Township, to testify on the trial of a case wherein *the State*

of Missouri plaintiff, and *James T. Hemmick*

defendant, on the part

of the *Plaintiff*; and of this you are not to fail at your peril.

Given under my hand, this *15th*

day of *April* *15th* 185*9*

Charles Horton JUSTICE.

Excluded. This must be reaching the same to
Joseph J. King and Mary King and to Walter
Stans on the 18th day of April 1855
Cousin
Martin Swannery

Subject on
State of Missouri
Lemuel D. Gannett
Cousin 25
Cousin 98

of late as a direct grammar

We the young people the independent quality
in manner in form as changed in the common
and also across the kind at a highly
clothes

We will be
present

County of Effingham
State of Missouri
Gratham Spring

Resident

vs

Just before Election for
Justices of the Peace

Levin D. Harrison

Levin D. Harrison being sworn upon ^{his} oath says

that his application for an appeal is not is not
made for malice or delay, but because he
believes the applicant to be injured by the judgment
of the Justice

sworn to and subscribed
before me this 18th day of

April A.D. 1859

Elisha Horton

Justice of the Peace

Levin D. Harrison

Affidavit

State of Missouri

n 3

Lewis D. Gammon

for time fee 25

certification 10

We the undersigned Lewis D. Garmache and
James Johnston acknowledge themselves indebted
to the State of Missouri in the sum of one hundred
and twenty dollars. to be void upon this condition
Whereas Lewis D. Garmache has appealed from the
judgment of Elisha Horton Justice of the peace in
an action between the State of Missouri ^{Plaintiff} ~~Plaintiff~~
King Prosecution and Lewis D. Garmache defendant.

Now if on such appeal the judgment of the Justice
be affirmed. or if on trial a new in the Circuit
Court judgment be given against said appellant
and he shall satisfy such judgment or if his
appeal shall be dismissed and he shall pay the
judgment of the Justice together with cost of appeal
then this recognizance shall be void

Louis D. Garmach

James Johnston

Witness the 18th day of April A.D. 1859

Elisha Horton

Justice of the Peace

Bond on paper

State of Missouri

n 3

Heavis & Hancock
per nunc per - 25

Transcript from Justice Horton's docket.

April Term A.D. 1859.

State of Missouri		Complaint for assault and battery
Upon the Complaint of		Warrant issued the 31 st day of March
Katharine King		A.D. 1859. Returned the 15 th day of
Prosecution		April A.D. 1859. executed, by having
vs		the body of the said Lewis D. Gamache
Lewis D. Gamache		before the justice. The Prosecution
Fine	\$ 50.00	also being present.
Justice's cost	3.65	And thereupon also come a jury
Constables cost	2.75	Nathan Bergen, ~~Wm~~ ^{Wm} Hunter, Isaac
Jury paid by Prosecution	2.40	Wilson, John Barnes, Joseph
Interpreter		Leichtindolph and David Hiles. good
John Hilliard	1.25	and lawful men, Who being duly
Witnesses		empanelled and sworn, and having
Henry Hinkle Hunt	50	heard the Complaint and testimony
Dr. Eugene Valenstein	50	to find the defendant guilty of the
Mrs. Deacia	50	assault and battery as in the Complaint
Joseph D. King	50	of Katharine King alleged and do assess
Katharine King	50	the fine at fifty dollars.
	\$ 62.45	Whereupon it is considered and
		adjudged by the Justice that the said
		defendant pay to the State of Missouri for the benefit of the
		County of Jefferson the fine so assessed by the jury together
		with the cost of this prosecution, and that execution issue
		therefor.

Eliza Horton, Justice

And on this 18th day of April A.D. 1859. comes the said defendant and files his affidavit and bond for appeal with James Johnston as security, which is granted by the Justice. There being no execution issued, nor witnesses present.

Eliza Horton

Justice of the Peace

State of Missouri }
County of Jefferson } ^{ss.}

I, Elisha Gordon a Justice of the peace within and
for the County of Jefferson. Do certify the foregoing
to be a full, true, and complete Transcript of the entries
and proceedings in the case of The State of Missouri
Katharine King Prosecutor vs Lewis D. Gammage as
the same are of record on my docket and that the
papers thereto attached are all the original papers
on file in my office

Witness my hand this eighteenth day of April A.D. 1859

Elisha Gordon

Justice of the peace

Transcript

State of Missouri

vs

1611.

Lewis D. Gammage

Gammage

60

Filed April 26th 1859.

Chas J. Honey Clerk

Ch

June 8 1859

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Martin Henry the Sheriff Henry Boggs &c.
Defendants. His Son-in-Law Nathan Henry

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Circuit* Court for the County aforesaid, on the *20th day of June next* at Hillsboro, 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, by Nathan Henry* Plaintiff and *John A. Gamache* is Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

17th day of *May* A. D. 1859
Elias Honey
Clerk.

I executed the within writ in the County
 of Jefferson on the 24th day of May 1859
 on John Newberg Henry Hoga Rath
 Ring by reading the same in their
 presence and hearing also on Mr. Derrory
 on the 23rd day by reading also on the 23rd
 on Martin Sweeney by leaving a true
 copy of the writ at his place of a
 Board with a free white person of
 the family over the age of fifteen years
 old
 J. C. Pauer Deputy Sheriff

Co. Circuit Court
 June Term 1859

State

- 10 -
 L. D. Gamache

for self

Martin Sweeney

Mrs Newberg

Henry Hoga Rath

Dr. Valenstine 24

Mrs Derrory 24

Mrs Kath King 24

Sheriff fees \$3.00

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

TO *Geo A Hecker, Henry Shave, also Henry Baates*
also Henry King. do & Men

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our *Corcud* Court for the County aforesaid, on the
4th day of June next at Hillsboro, 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 *Levi Wymanache* Defendant on the
part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

17th day of *May* A. D. 1859
Eliza A Honey
Clerk.

J. L. C. Court

June Term 1859

State

L. D. Gamache

for Debt

Geo. A. Keppler 27

Henry Share 27

Mrs. Henry Beaster

Mrs. Mary King

Geo. A. King

Sheriff fees \$3.50

I Executed the within writ in the County
of Jefferson on the 27th day of May 1859
by Reading the same in the presence and
hearing of John A. Keppler Mrs. Henry
Beaster Henry Share Mrs. Mary King
and Geo. A. King J. L. C. Court
Sheriff

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To Louis Seigler & J. W. Seibert & J. A. Seibert

San Francisco and San Francisco
GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you

appear before our Circuit

Court for the County aforesaid, on the

fourth day of June

at Hillsboro, 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 is

Plaintiff and Louis Seigler & J. W. Seibert & J. A. Seibert

Defendant on the

part of Defendant and herein you are in no wise to fail.

WITNESS, ELLIAS F. HONEY, Clerk of our said Court

with the Seal thereof hereto affixed, at office this

23rd day of May A. D. 1859

Ellias F. Honey

Clerk.

To Circuit Court
June Term 1859

State

vs.

Louis D. Gamache

for Defect,

~~Genl. Senger~~

J. B. Galt

Jos. Dolph

Adm. Gamache 24

~~for Defect~~

James Simpson 27

Adm. Gamache 27

Sherriff

\$ 300

I Executed within writ the County of
Jefferson State of Mississippi on the 24th day
May 1859 by Reading the same in
the Presence and hearing of J. Dolph
Adm. Gamache also on 27th on Sam Gamache
and Jas Simpson by Reading the
same in their Presence and hearing
Jas C Power Deputy
Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

Harriet R Johnston

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Circuit* Court for the County aforesaid, on the

24th day of June 1859

at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *State by Nathaniel Henry* Plaintiff and *Edward Helman and* Defendant on the part of *Self* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court

with the Seal thereof hereto affixed, at office this

24th day of

June A. D. 1859

Elias F Honey

Clerk.

June Term 1859

State

vs

Leaves O'Garrauche

For Debt

G. R. Johnston

For Johnston for \$2.50

I Executed the within writ in the
County of Jefferson on the 6th day
of June 1859 by Reading the
same in the Presence and hearing
of G. R. Johnston James T. Johnston
Sworn to before me June 7th 1859
E. J. Hone, Clerk

State } Appeal from SD
against } in the circuit court of
L D Sumner } Jefferson County
Appeal

The defendant moves the Court
to dismiss the writ & prosecutions in the
above Cause for these reasons

1st The parties transacted does not
show that the offence complained of
was committed in Jefferson County
in which the justice held his Court
2^d The justice had no jurisdiction
of the assault & battery complained of
3^d The applicant was not present
only two before said justice & the
proceedings are illegal Deal per clyth

The State
vs
L. D. Lemache

Motion to dismiss
the writ & prosecution

Filed June 6th 1859
Elias J. Horney clerk

perused

the the Jury find the defendant guilty and
for the price to one dollar
The of them