

To Person County Circuit Court
Case File - Criminal

June 1859

State

vs

Harvey, James
Harvey, William

Appeal

Victim appealed from JP
Neuman Pounds on assault and
battery against Henry D. Wideman;
defendants also "Hannaway"

Box

11

Folder 60

State of Missouri
County of Jefferson } 33

I the State of Missouri to the Sheriff
or any Constable of said County greeting
Whereas Complaint has been made to the undersigned
Justice of the peace and for said County upon the
oath of Henry D. Hetherington that on or about the 15th day of
January 1859 at the house of William Hanning and
others have been holding a public and secret
meeting and that they upon the body of Henry D. Hetherington
by means of books and guns there are the same to commit
you to take the said James Hanning and William
Hanning so that you have them arrested before
the undersigned Justice of the peace in and for
said County at his house in Big River Township
in said County to answer to said Complaint and
be further dealt with according to law
Given under my hand the 15th day of January 1859

James H. Hetherington
Justice of the peace

Served the within writ by delivering James Hanvey
before the Justice and Mr Hanvey not able to be brought
the 16 day of January 1859

F. H. Pinner
Clerk.

Fees 50

16 80
8 25

25 05

State of Missouri

To the use of Jefferson
County vs

James Hanvey
Wm Hanvey

Action of Assault and
Battery Brought by Henry
D Wideman Affidavit
filed that on or about
the 12th day of January
1859 James Hanvey and

Wm Hanvey did commit an assault and
Battery upon the Body of H D Wideman
Warrant Issued on the 15th day of January 1859
directed to F H Powers Constable and on
the 16th day of Jan 1859 the Constable Brought
James Hanvey before the Justice and Wm
Hanvey not able to attend and James Hanvey
gave Bond for his appearance on the 22nd
day of January 1859 for trial and on the said
22nd day the defendant appeared ready of trial
and a jury of Six Men Sworn and Impan-
eled according to law to try said Assault and
after hearing all the Evidence and by their
understand the said jury did not agree
upon a Verdict therefore said jury was
discharged and defendant Recognized for his
appearance on the 12th day of February 1859 and
on said day the defendant again appeared ready
for trial and a jury of Six lawful Men Sworn
and Impaneled according to law.

State
By H. Dickinson Secy.

James Harvey

Transcript
for

Julius May 26th 1859
Office of Money Clerk

Apprenticeship
75

Child

and after hearing all the Evidence Retired and
 brought in there Verdict of Not guilty therefore
 Judgement is given against Henry D Wideman
 for the Cost of the prosecution Asst at
 \$25 00 on the day Judgement was Rendered
 the Prosecutor demanded an appeal from
 said Judgement and on the 19 day of Feb 1859
 the prosecutor Filed his Appeal Bond which
 was Appraised by the Justice this 12 day of
 Feb 1859

		Witness Fees	
Justice fees		John Wapete	1.00
Warrant	\$ 1.00	G Davis	1.00
7 Subpoenas	1.75	Jerry Thompson	1.00
36 Leathers	1.80	John Thompson	1.00
50 Warnings	50	J C Canine	1.00
Impane 2 Jurys	50	Nancy Graham	1.00
Bond Continuance	65	Mrs Mosley	1.00
Judgement	35	S W Frost	25
Const fees	\$ 0.50	C. S. Beiler	25
28 Witnesses	7.00	John Hensley	25
Serving Writ	50	G Manes	25
Serving 3 Warnings	25	J Brown	25
	<u>\$ 16.80</u>		<u>\$ 8.25</u>

above Transcript is
 Original

I do hereby Certify the
 a true & Copy of the
 Deeman Bond,
 Jashu of the peace

We the undersigned Henry D. Wideman Madison
Graham and Solomon B. Wilson acknowledge our
selves indebted to James Harvey in the sum of
Sixty Dollars to be void upon the condition
following Whereas Henry D. Wideman has appealed
from the Judgment of Newman Pounds Justice
of the peace in an action between the State of
Missouri Henry D. Wideman Prosecutor plaintiff
and James Harvey Defendant now if on such
appeal the Judgment of the Justice be affirmed
as if on a trial a new in the appellate Court
Judgment be given against the appellant and
he shall satisfy such Judgment and he shall pay the
Judgment of the Justice together with the costs
of the appeal the Recognizance shall be void
Taken and acknowledged before me this 19 day

of February AD 1859

Approved February 19th

1859

~~by~~

Newman Pounds
Justice of the peace

Henry D. Wideman seal
Solomon B. Wilson seal
Madison Graham seal

Henry D. Johnson
Appeal Bond

Appeal Bond

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Mathias Graham Black Perry John*
Thompson John Thompson

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Severid* Court for the County aforesaid, on the *fourteenth 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 by Henry A. McDevan* is Plaintiff and *James Kearney* is Defendant on the part of *all* 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

26 day of *May* A. D. 185*9*

Elias F. Honey
Clerk.

I executed the within writ on Madison Graham
in the County of Jefferson State of Mo by reading
the same within his presence and hearing
on the 6th day of June 1859

Oscar Dover Sheriff

John C. Boutwell
June Term 1859

State

James Kearney

for debt

M. Graham

D. Perry

J. H. Thompson

Geo. Thompson

Sheriff fee \$2.00

I executed the within writ in the County of
Jefferson State of Mo on O. Perry & Jefferson
Thompson by reading and on John Thompson
by leaving him a true copy of this writ at his
usual place of residence with a free white
person over the age of fifteen years on the 21st
day of June 1859
Oscar Dover Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Joshua Herrington & Dr. Higinian Neuman Bonds
John Mayfield vs Harvey

GREETING:

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

Serjeant

Court for the County aforesaid, on the

fourteenth 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 by Henry McDonald* is Plaintiff and *James Harvey* is Defendant on the part of *defendant* 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

26th day of *May*

A. D. 1859

Elias F. Honey

Clerk.

I executed the within writ in the County of
Jefferson State of Mo on Joshua Herrington
N. Pounds John Mayfield, Wm Harvey by
reading it to them on the 1st day of June 1859
also on Dr Steigman by leaving him A true
of this spa with A free white Person over
the age of fifteen years on the 1st day of June 1859
Bonaparte Dover

Isaac Court
June Term 1859

State
vs
James Harvey

for debt
Josh. Herrington vs
Dr. Steigman
vs
N. Pounds
vs
John Mayfield
vs
Wm Harvey
vs
Sheriff fee \$ 2.50

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Henry Wickman Jr. Madison Graham Jeffrey
Harrison Elias Williams Sarah Kearney GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our *Sheriff* Court for the County aforesaid, on the
Seventeenth 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 by Henry Wickman*
Plaintiff and *James Kearney* is Defendant on the
part of *Defendant* 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

26th day of *May* A. D. 1859

Elias F. Honey

Clerk.

I executed the within Spa in the County
of Jefferson State of Mo on Madison Graham
by reading within his presence and hearing
on the 6th day of June 1859

Oscar Dover Sheriff.

Jefferson County
June June 1859

State

James Kearney

Justice

Wm. Williams Jr

Jeff Thompson

Sarah Kearney

M. Graham

Wm. Williams

Sheriff. fee \$2.50

I executed the within writ in the County
of Jefferson County on Henry Williams,
Jefferson Thompson, Sarah Kearney, & Wm.
Williams by reading within their presence
and hearing on the 1st day of June 1859
Newport Ariz

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Del. B. Wilson* *Thos. B. Evans* *George W. Davis*

GREETING:

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

fourteenth *fourteenth* 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 by H. H. Hickman* is

Plaintiff and *James H. Conway* 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

day of _____ A. D. 185

Elias F. Honey

Clerk.

I executed the within writ in the County of
Jefferson. State of Mo on Thos B Evans, Solomon
B Wilson, George Davis, by reading within their
presence and hearing on the 1st day June 1859
Bonaparte Dover

Circuit Court
June Term 1859

State

vs
James Hanney

for mtd

J B Wilson

J B Evans

Geo H Davis

Sherriff fee \$ 4.50

State

vs.

James Hemenway

& Jm Hemenway



Defendants come and move the Court to dismiss the appeal in this cause for the following reasons.

1. The Statute does not allow of an appeal on the part of the State in this cause.
2. The plaintiff has made no affidavit for appeal as the law requires.
3. The defendants being acquitted on the trial before the justice there is an end of the case and the same cannot be brought into by the appellate Court.

Thomas & Pipkin
Attys for Defts—

State

4

J. H. H. H. H. H.
H. H. H. H. H.

H. H. H. H. H.
H. H. H. H. H.

Filed June 7th 1859
Ed. H. H. H.