

Jefferson County Circuit Court
Case file - criminal
September 1861

Box

13 Folder 45

State

rs

Williams, Thomas

Killing a horse

Killed mare belonging to
William Beckerteg; depositions

The State of Missouri To Sheriff
J. A. Power greeting
Whereas William Beckerley of
Sepperson County hath this day
given information upon oath to
me William Cook, a Justice of
the peace within and for the
county of Sepperson that on the
night of the 26 of August 1861
Thomas Williams did on his plant-
ation shoot and kill a certain
gray mare belonging to William
Beckerley There are therefore to
command you forthwith to apprehend
the said Thomas Williams
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 of
Sepperson aforesaid

This 28 day of August 1861
Wm. Cook Justice of the peace

I executed the Within Writ in
the County of Jeff on the 28th day of
August 1861 by Taken Thomas Williams
and his Bond for is present he from
William Cook a Justice of the Peace
on the 31st day of August 1861
J. C. Pomeroy Deputy Sheriff

Warrant from
Thomas Williams

Fee 50

He should pay for

Writ of Habeas Corpus

Writ of Habeas Corpus

Know all men by these presents that
Thomas A. Williams as principal and
Nancy Williams and H. H. Williams as security
are held and firmly bound unto
The State of Missouri in the just and
full sum of one hundred Dollars good
and lawful money of the United
States to the true payment whereof
Wele and Truly We bind our
Selves, our heirs, Executors
and Administrators jointly and
severally and firmly by these
presents sealed with our seal and
Dated this 29th day of August 1861
the condition of the above bond
is such that as the said Tho
A. Williams has been arrested with
a warrant and brought before
Williams Cook a Justice and claim
if said Williams shall be and
appear before said Justice
on the 31st day of August 1861 at his
office in said county and that before
said Court with out default of
the maker then the above bond
to be voided or other wise to
remain in full force and
virtue this 29th day of August
1861

Thomas A. Williams

Nancy Williams

mark

For H. H. Williams

J. C. Davis

Seal

Seal

Seal

*McMillan's
Band*

Taken and preserved

of this party of

August 1861

near Denver, Colo.

by J. B. Denver, Colo.

J. B. Denver, Colo.

free set

Filed Sept 7th 1861

Chas. J. McMillan

State of Missouri
County of Jefferson
Missouri William Hamilton
James Kendrickson J. R. Williams
Vancey Williams Th. Williams
Thomas Hawley and others Landowners
greeting you are hereby commanded
that all Expenses be and sent
a decree that you be and personally
appear before Wm Cook
a Justice of the peace within
and for Central Township in
Said County on the 31st day of
August 1861 at my office
at the hour of 10 o'clock of the
clock in the forenoon
to testify and the Truth to
say in a certain matter
of Carrouseys claim pending
before me wherein the
State of Missouri is plaintiff
and Chas Phillips is Defendant
on the part of Defendant
and herein you are in them
wise to fail at your own peril
Given under my hand this
28th day of August 1861

William Cook Justice
of the peace

Filed Sept 9th 1861

Elias J. Hony

The State

vs

Wm Hamilton

Wm Hamilton

Jas Henderson

J H Williams

H Williams

Dansey Williams

Melvin Sandras

Thos Harley

Joseph Adams

Guarantee fee 25

Sherriff fee \$400

I executed the within writ in the County of Jefferson on the 29th day of August 1861 by reading the same in the presence and hearing of Wm Hamilton Dansey Williams H H Williams and J H Williams Joseph Adams Melvin Sandras Thos Harley and Jas Henderson

J B Pamer Deputy Sheriff

State of Missouri County of Jefferson
now at this day personally appeared
before me, William. Craft a Justice
of the Peace, William. Beckley, and
witness with and said that on the
night of the 26. of August 1861
that he has reason to believe and
does believe that ⁱⁿ houses. William
did shoot and kill, a certain gray
mare belonging to the said
William Beckley

of Lehigh and sworn to before
me this 28 day of August 1861
William Craft, Justice of the Peace
William ^{his} Beckley
witness

The State of Missouri To
J. G. Johnston & J. R. Johnston &
~~William~~ John Williams &
Ruehl Sanders & William Kend
& William Hambleton &
Sauger Cook & America Sanders
Meriam Johnston & Savanna
Johnston & R. Williams you
are hereby commanded to buy
all ^{delays} excuses aside and that you
here and appear personally before
me William Cook one of the
Justices of the peace of central
Township in Jefferson County
on the 31 day of August 1861
in behalf of the State of
Missouri and have you there
and then this writ given under
my hand this 29 day of August
1861

William
Cook Justice of
The peace

I. execute the within writ of Subpoena
in Jefferson County Missouri by reading
the same in the presence and hearing of
G. R. Johnston R. Sanders Wm. Kendrick
Jurand Johnston America Sanders
Laura Cook & R. Williams, & Ann
Johnston, Wm. Hamilton, in Jefferson County
Missouri on the 30 day of Aug 1861 -
J. G. Johnston
Jest Constable

Subpoena for
~~Hamilton~~
William Hamilton
J. G. Johnston
G. R. Johnston
Rugel Sanders
William Kendrick
Jurand Johnston
America Sanders
Laura Cook
J. R. Williams
Abraham Johnston
Justice fees 25

Filed Sept 9th 1861
Elias J. Hovey

At the risk and request of
the plaintiff I appoint S. G.
Johnston to execute this writ
William Cook Justice of the peace

The State of Missouri To the Constable
of Central Township in Jefferson County
Greeting we command you to summons
Samuel Sanders to lay all manner
of excuses and delays aside and
that you be and appear personally
before me William Clarke a Justice
of the peace of Central Township
in Jefferson County, on the 31 day
of August 1861 to testify on the
trial of a case wherein the State of
Missouri is plaintiff and Thomas
Williams is defendant in behalf
of the State of Missouri herof
fail not at your peril
Given under my hand this 30 day
of August 1861.

William Clarke Justice
of the peace

I executed the within ~~Writ~~ Subpoena
 by reading the same in the presence and
 hearing of Wm. Sanders in
 Jefferson County, Missouri on 13th day
 of Aug A.D. 1861
 J. Johnston
 Dep. Constable

Expenses fees &c

25
 12
 37 0

Filed Sept 9th 1861
 Elias J. Honey

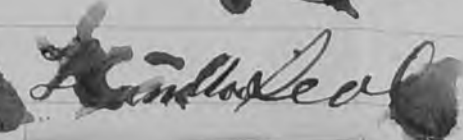
Subpoena for
 Wm. Sanders

The State of
 Missouri
 against
 Thomas O. Hines

Know all men by these presents, Thomas
Williams as principal and William
Hamilton as security acknowledge
ourselves indebted to the State of Missouri
in the sum of two hundred Dollars, to
be void upon these conditions, whenever
Thomas A. Williams has been held
by William Cook Sheriff of the peace
of Jefferson Co. Mo., to appear before
the Circuit Court of said County at its
December Term 1861, to answer a charge
for killing a mare of William
Beckerly & now if said Williams will
appear before said Circuit Court at its
next Term and from term to term
and not depart without leave, and
answer such charge as may be
preferred, then this recognizance to be
void otherwise to remain in full
force. Witness our hands and Seals this
31 day of August 1861

Witness

Thomas Williams 

William Hamilton 

Appeared this 30th
day of August
1861 by
William Cook
Justice of the peace

Filed Sept 9th 1861

Elias J. Honey

1
State

Thomas A. Williams

3
Evidence for
State

William Beckley upon his oath States that on Monday Night the 2nd of the present month that he turned his mare ^{out} about nine o'clock that night that the same night near 11 o'clock he heard his mares bell going the direction of Thomas Williams house that morning he was informed that his mare was dead that he went & found his mare dead about 75 yards above said Williams house she was lying on left side & I & John Schuster & him rolled her over she appeared to have been shot with a shot gun near the shoulder the shot could have all been covered with a persons hand except one we then proceeded to examine the ground and found tracks of blood from where the mare lay to within 20 steps of the door of said Williams, within his inclosure we also found brush, down over the trail of blood in some places we also found where the mare jumped in the field the fence was very low not near five feet high I am certain the mare is worth \$100 she left a young colt &c. Mr. Williams owns a double barreled shot gun that witness lives about 3 hundred yards from said Williams the brush above mentioned seem to have been broken by some person or persons.

21 Continued

That the mare was shot with shot that he found the mare Tuesday morning the 27th a little after sun up that himself and William were not on friendly terms they spoke when they meet &c

Wm Muckerley
mark

2
Jesse G. Johnston, upon oath & states that on last Monday night himself & wife were at the house of William Muckerley that he (Johnston) turned his mare out with Muckerley near 9 o'clock that the next morning he found Muckerley's mare dead, some 60 or 70 yards from William's house that she appeared to have been shot with shot that himself and Muckerley saw traces of blood from the mare to William's fence & over the fence to near William's house that the blood in places appeared to have been covered up in places, with turmac bushes &c he thinks that the bushes were fresh broken has seen Thomas Williams packing a shot gun some time since this summer the mare found killed in Jefferson County. Cross Examination by Depy that in some 2 or 3 places he saw the bushes over the blood they seemed to have broken off and laid over the blood the mare appeared to be shot in left side that when he first found the mare William came walking up & after some remarks of his William observed, that he would not have had the

Crop Examination - by Defendant

That there was a path from where the mare lay to said Williams house & that the bushes grew close on each side of the path - that he does not recollect how the bushes were broken whether near the ground or not for he was scared about his mare - that he noticed the bushes broken in 3 or 4 places - that a horse in traveling along a path might have broken the bushes but it did not seem so to him - he thinks the bushes were ^{broken} ~~about~~ a foot from the ground - that he did not notice that any of the bushes were broken clear off - that he saw blood in several places from near where the mare lay to the fence - that I saw the tracks of an animal had jumped in the field - which I believe to have been made by my mare - that he did not hear the report of a gun that night - that his mare was not in the habit of getting into peoples fields where the fence was good - that said mare was not vicious or untidy - nor apt to break fences - where the fence was good - that the mare might ^{walk} ~~get~~ over a bad fence - that the fences in his neighborhood are generally sorry fences - The mare once got in Motts field - to his knowledge - that the fence was very low & - that if the mare ever got in Sanders ^{field} he never knew it - that the mare was in "Lope Johnston Corn field" - & I have turned her in myself & - & may have been in a week at a time -

- Mare killed there for fifty dollars for as they were made at each it would be laid on him - Witness owned the mare for 3 or 4 years - that the mare was in the habit of jumping into fields - never knew the mare to jump a good ^{jump} - with the exception of M. Landers fence - the fences are generally bad - Landers fence is good, but not a lawful fence - that from the tracks & from where the mare was shot the side ⁱⁿ which she was shot - was next to Williams house - that he saw tracks on the inside of the field where she jumped out - that most of the horses in the neighborhood are bare footed likewise the mare was bare footed - did not notice the tracks in the field sufficient to know whether the mare had been running or not -

Re Examination

The distance the mare would have to jump in going from the corn to the woods would be about 20 steps - that the first blood he saw - was not in the corn but on the inside of the fence near the fence - that from appearing the mare in jumping from the corn to the fence had to pass between his crib and house over the yard - that there is between 3 & 5 acres in the field around the house - that the distance from the fence where the mare jumped out to the corn is about 30 steps - the looked hard & Grassy -

J. Johnston

G. M. Johnston - States that he saw Thomas A. Williams at Sandy Mines, on Monday night the 26th that he left the mines about 12 o'clock for his home. I supposed that Williams about 1 1/2 miles from the mines

Crop Examination

That Williams went according Muring Rule was 12 o'clock for quitting - that he saw Williams go off up the hill in the direction of home. Witness lives between a quarter & half mile from mines - that he left home half after 10 o'clock & that he has been at the mines not an hour & a half when Williams left -

G. M. Johnston
Mark

America Landers -

upon her oath states

that on last Monday night she heard the report of a Gun - that it appeared to her to be in the direction of Thomas Williams - near one o'clock at night - that she thought the report, seem to be that of a shot gun - that she lives some 3 or 4 hundred yards from said Williams that she did not notice of any other noise that night - that Thomas Williams has a double barrel shot gun - that saw it there the Tuesday night after the mare was killed, &c -

Crop Examination

America & Landers

Louisa Cook, upon oath states that on last Monday she heard the report of a Gun, near one o'clock at night— she could not tell the direction— The report seemed to be that of a shot gun that she was awake at that hour—

Louisa x Cook

Joseph G. John

Examination of Thomas A Williams defendant— Without oath the defendant declines to make any statement

406 — Examination of Witnesses on part of Defence —

Thomas M. Williams, upon his oath states that he was at Thomas Williams, on Tuesday morning after McKerleys Mare was killed ~~and the mare dead she looked like she had been shot that the first~~ he noticed he saw blood in the path ~~then saw the mare he went down the path to Williams house the mare was lying~~ ~~about 40-70 or 80 yards from Williams house~~ as I went along the path to Williams house I saw blood in the path then went on to the house yet had seen nothing of the mare—at Williams I was told the mare was killed I then went to where she lay as he went from Williams along path to where the mare lay I saw blood in the path once which was about 20 or 25 yards

from the mare I saw no bushes to my recollection broken off & lying in the path above named I saw a few drops of something which looked like blood on the fence where it was said the mare had gotten over I saw no other blood, untill I saw the blood in the path as before stated I examined the ground both on the in & out side of the field & saw no tracks that a few yards from the fence on the inside the appearance of being hard, from its being grown up in weeds & grass near the fence inside was not so hard on the out side the road runs near the fence consequently the ground was hard — D. K. The examination at the fence for tracks was made on this morning that he knows Beckers Mare that where a fence was not good she (the mare was told) could lead several persons in that neighborhood have shot guns — thinks Metts & Lander, own shot guns — Is about one mile from Metts to Defendants residence — That he was not at the place in which it was said the mare got out untill this morning

J. M. Williams
make

Examination in chief

2607 — Hannan Lander, upon his oath states — That he knows nothing relative

Hannan Lander

No. 8

F. W. Williams — upon his oath States —
that Beckers (more in question) was dead —
about getting into fields — had got into his
Mother's field — that he saw three drops
of blood on the fence to day — F. W. Williams
I

No. 9

James Hendrickson upon his oath
says — that Williams left the mines on the
night in question some 16 or 15 minutes —
after 12 o'clock to the best of his belief —
that Williams lives something like a
mile & a half from the mines — he
thinks —

James Hendrickson

No. 10 — Joseph Adams upon oath
States — that he was at Sand Mines
on Monday night the 26th — that Thomas
Williams was there & left the mines
some 20 or 25 minutes ~~for home~~ —
after 12 o'clock — Witness thinks —
Williams remained some short time
after he came out — that it was cus-
tomary for the hands to drop — after coming
out — Joseph Adams

State

m^y

Wm A Williams

Evidence before Justice

2d Sept 9th 1861

Chas J Henry

1560 Monroe St St Louis

Dec. 1.56

The State of Missouri
 By Wm Beckerleg
 Against
 Thomas Williams

Warrant issued on the 28th day
 of August, 1861. Charging the
 defendant with shooting and killing one gray mare,
 and Returned on the 31st of August whereupon
 the Evidence in the said cause being heard,
 it is considered and adjudged that Defendant
 be held to Bail in the sum of two hundred dollars,

Costs

Warrant	50
Subpoenas	75
Recognizance	25
Affidavit	25
Depositions	50
	<u>225</u>

Sheriff's fees.

J. C. Tower, Warrant	100
8 Subpoenas	400
H. J. Johnston Det. Cont.	500
Served 12 minutes	300

Writing testimony
 1560 words at 10^c 156

J. P. - \$381

Total Cost — \$1181

State of Missouri }
 County of Jefferson } ss

I William Cook do certify the
 the foregoing to be a true and correct transcript from the
 entries on my docket in the case of the State of
 Missouri by William Beckerleg prosecutor against
 Thomas Williams on a Charge of Maliciously Killing
 the Mare of said prosecutor, and the exam.

ation of the witnesses and of the prisoner
and all the papers before me, are attached
hereto and herewith returned

Given under my hand this
9th day of Sept. A.D. 1861. William C. Cook
J. P.

21639
State

107

Wm A Williams

Filed Sept 9th 1861

Wm J. Honeycutt

Deil mable