

Jefferson County Circuit Court
Case File - Criminal
December 1863

Box

15

Folder 3

State

vs

Burkham, William
Dittmers, Henry

Murder 1st degree

Shot William Brown with a pistol;
defendants were officers in Co. G 80th
Reg. EMM and shot Brown attempting
to escape arrest for desertion and
horse stealing; testimony from Phelps
County

State of Missouri
County of Jefferson } ss.

Jefferson County Circuit Court
December Term 1863.

The Grand Jurors of the State of Missouri
now here in Court duly empaneled, sworn
and charged upon their oath present

That William Buxton and Henry Diltmore
late of the County of Jefferson aforesaid
on the Twenty Ninth day of August
in the year of our Lord one thousand
eight hundred and sixty Three at the
County of Jefferson aforesaid, with force
and arms in and upon one William Brown
in the peace of the State then and there
being feloniously, wilfully, deliberately,
premeditatedly and of their malice aforesaid
did make an assault and that he the
said William Buxton with a certain pistol
having six barrels, commonly called a revolver
each barrel of said pistol then and there
charged with gun powder and one leaden
bullet, which said pistol he the said
William Buxton in his right hand then
and there had and held two barrels of
said pistol then and there feloniously, wilfully,
deliberately, premeditatedly and of his
malice aforesaid did discharge and shoot

off to against and upon the said
William Brown and the said William Buxton
with ^{the} leaden bullets aforesaid ^{out} of the
barrel of the pistol aforesaid then and there
by force of the gun powder aforesaid by
the said William Buxton discharged and
shot off as aforesaid then and there feloniously,
wilfully, deliberately, premeditatedly
and of his malice aforethought did strike
penetrate and wound him the said
William Brown, in and upon the left thigh
and face of him the said William Brown
giving to him the said William Brown
then and there with the leaden bullets aforesaid
so as aforesaid discharged and shot out of
the barrels of the pistol aforesaid two
mortal wounds, of the length of one
inch and of the depth of six inches, of
which said mortal wounds, he the
said William Brown, then and there
instantly died and that he the said
Henry Ditmore then and there
feloniously, wilfully, deliberately, premeditatedly
and of his malice aforethought
was present aiding, abetting, helping and
comforting, assisting and maintaining
him the said William Buxton the felony
and murder aforesaid in manner and

form aforesaid and by the means
aforesaid, to do and Commit and
so the Grand Jurors aforesaid upon
their oath aforesaid do say that they the
said William Buxton and Henry Ditmore
him the said William Brown then and
there in manner and form aforesaid and
by the means aforesaid feloniously, wilfully
deliberately and premeditatedly and of their
malice aforethought did kill and murder
against the peace and dignity of the
State, and the Grand Jurors aforesaid
upon their oath aforesaid do further ~~present~~
present That H. Henry Ditmore ~~late~~
~~of the County~~ and William Buxton
late of the County of Jefferson aforesaid
on the Twenty Ninth day of August
in the year of our Lord one thousand
Eight hundred and sixty Three, at the
County of Jefferson, aforesaid with force
and arms in and upon William Brown
in the peace of the State then and
there being feloniously, wilfully, deliberately
premeditatedly and of their malice
aforethought did make an assault and
that he the said Henry Ditmore with
a certain pistol of six barrels, called
a revolver, each barrel of said pistol

then and there charged with gun powder
and ~~one~~ leaden bullet which said
pistol he the said Henry Ditmore
in his right hand then and there had
and held, two barrels of said pistol
then and there feloniously, wilfully,
deliberately, premeditatedly and of
his malice aforethought did dis-
charge and shoot off against and
upon the said William Brown
and the said Henry Ditmore with
the leaden bullets aforesaid out of the
barrels of the pistol aforesaid then and
there by force of the gun powder
aforesaid by the said Henry Ditmore
discharged and shot off as aforesaid
then and there feloniously wilfully, de-
liberately, premeditatedly and of his
malice aforethought did strike, penetrate
and wound him the said
William Brown, in and upon the thigh
~~and~~ face of him the said William Brown
giving to him the said William Brown
then ~~and there~~ with the leaden bullets
aforesaid so as aforesaid discharged and
shot out of the barrels of the pistol
aforesaid two mortal wounds of the length
of one inch and of the depth of six

inches of which said mortal wounds he
the said William Brown then and there
instantly died and that he the said
William Buxton then and there felonious-
ly, wilfully, deliberately premeditatedly and
of his malice afore thought was present-
aiding, abetting helping and comforting
assisting and maintaining him the
said Henry Ditmore, the felony and
murder aforesaid, in manner and
form aforesaid and by the means aforesaid
said to do, and commit and so the
Grand jurors aforesaid upon their oath
aforesaid do say that they the said
Henry Ditmore and William Buxton
him the said William Brown then
and there in manner and form
aforesaid and by the means aforesaid
feloniously, wilfully, deliberately pre-
meditatedly and of their malice
afore thought did kill and murder
against the peace and dignity of
the State

James H. Tail
Circuit Attorney
Pro, Lem.

2091
Filed Dec 12th 1863
Clerk & Henry
Bell

State

vs.

William Burdick and
Henry Stinson

vs.
Abner J. Dyer

vs.
Stinson

vs. David

Samuel Warrington
William Martin
John J. Stewart

Attest Bill
Samuel H. Myers
Clerk

COUNTY OF JEFFERSON, SCT.,
The State of Missouri,

To the Sheriff of the County of Jefferson—GREETING:

We Command you to take Henry J. Detmers
if he be found in
your County, and him safely keep, so that you have his body before the
Honorable Judge of our Circuit Court, on the 2nd Monday
after the 4th Monday in any month
at Hillsboro within and for the County of Jefferson, then and there
to answer unto an Indictment found against him by the Grand Inquest
for the body of the County of Jefferson, for: Murder
contrary to the
form of the Statute in such case made and provided, and against the peace
and dignity of the State.

Elias J. Honey

Witness, THO. G. FLETCHER, Clerk of
our said Circuit Court with
the seal thereof hereto affixed:
at office, this 12th day of
December, A. D. Eighteen
Hundred and fifty ~~six~~ three.

Elias J. Honey

Clerk Circuit Court.

I Executed the Within Writ on the
17th day of December 1863 by Taken
Henry H. Wetters and Delivered
him to the jailor of St Louis County
Mo there being now jail in
Jefferson County Mo

J. B. Jones Sheriff
by J. B. Jones Deputy

No

STATE

AGAINST

Henry H. Wetters

CAPIAS.

J. B. Jones Deputy Sheriff
Fees 1.75



COUNTY OF JEFFERSON, SCT.,
The State of Missouri,

To the Sheriff of the County of Jefferson—GREETING:

We Command you to take *William Burton*
if he be found in
your County, and him safely keep, so that you have his body before the
Honorable Judge of our Circuit Court, *on the 2nd Monday after*
the 4th Monday in May next
at Hillsboro' within and for the County of Jefferson, then and there
to answer unto an Indictment found against him by the Grand Inquest
for the body of the County of Jefferson, for: *Murder*
contrary to the
form of the Statute in such case made and provided, and against the peace
and dignity of the State.

Elias J. Honey

WITNESSES, *THO. R. BLETCHER*, Clerk of
our said Circuit Court with
the seal thereof hereto affixed,
at office, this *12th* day of
Decr A. D. Eighteen
Hundred and *fifty six* *three*

Elias J. Honey
Clerk Circuit Court.



No

STATE

AGAINST

William Buxton

CAPIAS.

J. B. Power Dep't Sheriff
Dec 175

I executed the Writ on the
17th day of December 1863 by taking
William Buxton and delivering him
to the jailor of St Louis County also
there hear now jail in
Jefferson County also

J. B. Power Sheriff
pr J. B. Power Dep't

Gabriel Johnson Presiding Justice of the
To the Honorable County Court of Jefferson County Mo
The petition of William J. Buxton and Henry Dittmers
respectfully show that they are committed ^{imprisoned} and
restrained of their liberty by William Bishop Sailor
of St Louis County in Saint Louis City and by Jerome
Dover Esq Sheriff of Jefferson County Missour in an indict-
ment preferred by the Grand Jury of Jefferson County
against them for the crime of murder. That the petitioners were arrested
by the said Sheriff on a Capias issued upon said indict-
ment and taken in Jefferson County, and transferred by
said Sheriff to the Jail of St Louis County for safe keeping.
and by reason of their restraint and confinement in St
Louis County and their removal from said County of Jefferson,
they are unable to furnish a copy of the warrant or Capias
upon which they have been arrested or to make a demand
of such copy from the Sheriff of Jefferson County.

That the true cause of the imprisonment of your
petitioners is as above alleged but your petitioners state
that the alleged crime for which they are so held was
for the alleged slaying of one William Brown, That
your petitioners at the time were in the military service
of the government, the petitioner Buxton as Captain, and
the petitioner Dittmers as Lieutenant of Company ^G of the
180th Regiment of Enrolled Missouri Militia, that the
said Brown the deceased was a deserter from the
army of the United States, as well as an offender against
the laws of the land in other respects, and that the
said Brown was arrested by your petitioners as

such deserter acting in their capacity as military officers, and was killed in a persistent effort to escape a lawful arrest. And your petitioners submit that by the laws of the land they are entitled to be bailed and your petitioners therefore pray that a writ of Habeas Corpus may be issued directed to the said Jerome Dover Sheriff of Jefferson County as aforesaid as well to William Bishop factor of St. Louis County requiring them or either of them to cause the bodies of your petitioners to be produced before ^{your} ~~this Honorable Court~~ ^{Court} to the end that they may be admitted to bail and to appear and answer hereafter the charge preferred against them as aforesaid and the petitioners further show that Judge Owens of this Circuit is not at this time in Jefferson County & that this is the first application made by them for this writ. Henry Dittmer
W. J. Buxton
State of Missouri. St. Louis County ss:

William J. Buxton one of the above named petitioners being first duly sworn doth for himself as well as for the said H. Dittmer declare and say that the matters stated in the foregoing petition are true.

Sworn to and subscribed before W. J. Buxton
me this 3rd day of January 1864

In testimony whereof, I have hereunto

Set my hand and affixed my official
Seal, the day and year last aforesaid



James H. Comfort

Notary Public

St Louis County

Missouri

In the matter of the
petition of
John A. Johnston &
Henry Williams
for writ of Habeas Corpus.

Filed May 5th 1864
Wm. R. Pryor Clerk

The State of Missouri

To Jerome B. Dover Sheriff of Jefferson County and William Bishop Jailor of St Louis County.

You are hereby commanded to have the bodies of William L. Burton and Henry Ditmers by you detained and imprisoned as it is said, before the County Court of Jefferson County Missouri now in session at Hillsboro, in said County of Jefferson, without delay together with the time and cause of such detention and imprisonment to do and receive what shall then and there be considered concerning the said Burton and Ditmers and hereof fail not.

Witness our hands this 6th day of January 1864.

J. J. Winston

John H. Vanpraters

Ira T. Becket

Justices of the said County Court.

Attest

Attest: Samuel D. Reppy Clerk
of said court, with the Seal
thereof hereto affixed, day &
Year above written.

State

3

Mr J. Root &

Henry Whitney

Print of Healden
Leahen.

"By the State in
his act."

Filed Jan 9-1864

W. H. Appleby

By the State as Copy
ack



Executed this writ of Habeas Corpus at
the County of Jefferson Mo on the 8th day
and 9th day of Jan. 1864 as follows:

I hold the said Wm. J. Burton & Henry
Ditmer and restrain them of their liberty
by virtue of a copias issued by Elias
G. Honey, Clerk of the Jefferson Circuit
Court upon an indictment for Murder
in the first degree; said copias is
dated sometime in Dec. 1863, the original
of which is not in the possession
of the Sheriff & cannot now be produced,
and that I now ^{have} said Burton and
Ditmer before the Jefferson County
Court according to the command
of this writ. Jerome B. Dancer Sheriff

Rolla Mo
28 Sep 1863

Came before this day Elizabeth
Thomas of Phelps County and on oath
deposes that on or about the first
day of August 1863 there was stolen
from her a Black Pony 4 years old
last Spring about 14 Hands high
a few white spots that the saddle
covered, deponent believes that said
pony was stolen from her by William
Brown, a deserter from Capt Ings
Co of Cavalry and now in possession
of W J Buxton Capt C M M at Morse's
Quills Jefferson Co Mo

Sworn to & Subscribed
before me this 27th
day of Sept 1863
J. H. B. ~~Pringle~~
Lt & Cor Marshal

her
Elizabeth X Thomas
mark

Witness
J. H. B.
Lt & Cor Marshal

Rolla Mo
28th Sep 1863

Came before me this day Thomas
Ray of Phelps Co and on oath deposes
that on or about the first day of August
1863 Mrs Elizabeth Thomas had a
Black money stolen from her, it was
about 14 hands high & 4 years old
last spring, it was the general
report that said money was stolen
by William Brown Reported to be
a deserter from Capⁿ Ings Co of Army
Deponent believes that the above named
money is the same described in Capⁿ W J
Burtons letter to the Rolla Express
dated from Bellows Creek Mo
Jefferson Co Mo. 2^d Sep 1863 which
appeared in said paper 19th Inst

Sworn to & subscribed
before me this 28th
day of Sept 1863

his
Thos X Ray
Clerk

J. H. H. H. H. H.
S. Acting Prov Marshal
Dist of Rolla

Wm H. H. H. H.
J. H. H. H. H.
S. Acting Prov Marshal

28th Sep 1863
Rolla Mo

Came before me this day J. S. Robbins of Phelps Co and Annette Rath and Smith that he knows Mrs Elizabeth Thomas, that on or about the first day of August 1863 there was stolen from her a Black money about 14 hands high 4 years old last spring ~~has~~ heard it reported that said money was stolen by William Brown reported to be a deserter from Capt. Ings Co of Cavalry. Deponent believes that the above named money is the same described in Capt. W. B. Buxton's letter to the Rolla Express dated from Bellows Creek Mo Jefferson Co Mo 2^d Sept 1863 which appeared in said paper 19th Inst.

Sworn to and Subscribed J. D. Balthus
before me this 28th day
of Sept 1863

J. B. Kristine
S. & Acting Provost Marshal
Dist of Rolla

Witness
J. S. Robbins
Clerk to do me

Prov Marshal Office
Rolla Mo 29 Sep 1863

Came before me this day S M Ray
of Phelps County to me known and
on oath deposes, that on or about the
1st day of August 1863 Captwell Ray
of Phelps Co had stolen from him
One dark Bay or light Brown Stallion
3 years old past between 15 & 16 hands
high, light mane & foretop, 2 white
collar marks about 2 inches long, very
narrow one on each side of the
neck believes that said horse
was stolen by William Brown a
deserter from Cap^t Ings Co of Mo
and is now in possession of Capt
Burton Cap^t Clark at Morses Mills
Jefferson Co Mo

S M Ray

Sworn to & subscribed
before me this
29 day of Sept 1863

J M Ristling
Acting Prov Mar
Dist of Rolla

Wm J. M. Merson
Clerk

Received from Capt. Wm. B. Ryland, a
Boy or Brown Station. Also a Black
Boy, both of which were stolen by
Wm. Brown, from the vicinity of Rottle
and proven by me to belong respectively
to Capwell Wm and Elizabeth Thomas
whose power of Attorney I possess for the
recovery of same

Wm. B. Ryland

Rolla Mo
29th Sept 1863

Came before me this day Captwell
Ray and Maketh oath and
swear that on or about the first
day of August 1863 there was stolen
from him one Dark Bay Stallion
(or rather a light Brown) three years
old past light mane and foretop
2 white collar marks about 2 inches
long very narrow ^{on each} ~~one~~ side of
the neck, believes that said Horse
was stolen by William Brown a
Deserter from Captain Dugs Co of
Cavalry and is now in possession
of Dr. E. S. Brown Capt. E. M. at
Morse's Mills, Jefferson Co Mo

Sworn to and
Subscribed before me this 29th Sept 1863
Captwell & Ray
Mark

J. H. Kristiney
Lieut & Acting Prov Marshal
District of Rolla

Witness J. H. Kristiney
Mark

Prov Marshals Office
Rolla Mo 29 Sept 1863

Came before me this day Thomas
Ray of Phelps County to me known
and on oath deposes that on or
about the 1st day of August 1863
Lafayette Ray of Phelps Co had a
Dark Bay (or light brown) Stallion
stolen from him, said horse was
three years old past light mane
and foretop 2 white collar marks
about 2 inches long very narrow
one on each side of his neck, believes
that said horse was stolen by William
Brown a deserter from Captain Dugs
company ~~and~~ and is now
in possession of W J Buxton Capⁿ
E M M at Moses Mills, Jefferson Co
Mo

Sworn to & Subscribed
before me this 29th
day of Sept 1863

his
Thomas X Ray
Mark

J H Ristner
Lieut & acting Provost Marshal
Dist of Rolla
Witness Jno J. [unclear]
[unclear]

Know all men by these presents
That I, Casswell Ray of the
County of Phelps and State of
Missouri Have this day made
Constitute and appointed and By-
these presents make Constitute and
appoint Samuel Ray of the
Same place my true and lawful
Attorney for me and in my
name to receive from W J Buxton
Capt E C Hill or any other Military
Authority on any person Connected
therewith one Bay Station supposed
to be four years old hereby authorizing
the said Attorney to use all lawful
means to get the same as I could use
if personally present and to make and
execute all necessary papers and
acts lawful to the matters afore-
said hereby Ratifying and Confirming
all such acts and doings of my
said Attorney for the purposes
afore said Given under my hand
This 29th day of Sept AD 1863.

Casswell Ray

State of Missouri

County of Phelps }
I, H S Clark Notary Public in and
for the County of Phelps in the State of Missouri -
do hereby Certify that on this 29 day of Sept AD 1863
appeared Casswell Ray who is personally
known to me to be the same person whose
name is subscribed to the foregoing instrument of writing
and who there to and acknowledge the same to be his act
and deed for the purposes therein mentioned

H S Clark Notary Public
Mo

Know all men by these presents
that I, Elizabeth Thomas of the County
of Phelps and State of Missouri have
this day made Constituted and appointed
and by these presents make Constituted
and appoint Samuel Ray of the
same place my true and lawful
Attorney for me and in my name
to Recue from the of Buxton Capt
Elliott, or any other Military authority
or any person connected therewith one
Black Pony horse sworn to be four years of
age hereby authorize the said Attorney
to use all Lawful Means to get the
same or could use if personally present and
to make and enter into all necessary
agreements or contracts lawful to the matter
aforesaid I hereby ratifying and confir-
ming all such acts and doing of my
said Attorney for the purposes -
aforesaid given under my hand
This 29th day of Sept 1863

Elizabeth Thomas

State of Missouri }
County of Phelps } I, H. S. Clark, Notary Public
for the County of Phelps in the State of
Missouri do hereby Certify that on the 29th day of Sept
1863 appeared ~~Elizabeth~~ Elizabeth Thomas
who is personally known to me to be the same
person whose name is subscribed to the foregoing
instrument of writing a party thereto and acknowl-
edge the same to be her act and deed for
the purposes therein mentioned

H. S. Clark
Notary
P. C.
MO

Filed January 2nd 1864
Samuel H. Appleton

We W. J. Burton, Henry
F. Dettmers as principle, and
John, Fickens, Brockman and, John H. Dettmers
Wm Meyer and

as Securities owe and stand
indebted to the State of Missouri
in the just sum of Two
Thousand Dollars for the
payment whereof we bind
our selves, our heirs, & ex-
ecutors and administrators truly
by these presents upon
these conditions, whereas
W. J. Burton and H. F. Dettmers
have been indicted by the
Grand jury of Jefferson County
Mo, for murder at the December
Term of the Jefferson Circuit Court
and whereas, said Dettmers and
Burton have this day been
brought before the County Court of
said County of Jefferson, on a
writ of Habeas Corpus issued
by said County Court and upon
a hearing of said Cause upon
said writ it was considered by
said County Court that said
Burton & Dettmers be admitted
to Bail in the sum of Two Thousand
and Dollars now if said W. J.
Burton & H. F. Dettmers shall well
and truly appear before the
Circuit Court of Jefferson

County to be begun and held at
the Court House in the Town of
Hillsboro in said County on the
second Monday after the fourth
Monday in May next and not
depart the same without leave
then this Bond to be void otherwise
to remain in force

This 9th day of
January 1864

W. J. Blyton

H. P. Dittmers

J. F. Fiken

John H. Dittmers

Gottlieb Brockman

Will Meyer

Attest
J. S. Williams

Seal
Seal
Seal
Seal
Seal

Seal

Approved by the Justices of the County
Court of Jefferson County State of Missouri
The day and Year Above Written

G. I. Johnston

John H. Carpenter

Ira J. Beckett

State of Missouri
County of Jefferson. I, the undersigned Clerk of the County
Court, in and for the County aforesaid, do hereby certify
that the above and foregoing bond was taken, and appro-
ved by the County Court of Jefferson County, Mo, on the 9th
day of January A.D. 1864 and ordered, the same to be
duly certified to the Circuit Court of said County under the
seal of this Court; and that the Petition for the writ
of Habeas Corpus, the writ and all other papers

relating to the case. that is now before this court, be
delivered by the clerk of this court, to the clerk of said
Circuit court.

On testimony whereof, I have hereunto
set my hand, and affixed the seal of
said court, at office, in Hillsboro, this
25th day of January A.D. 1864.
Saml. S. Reppyleck, Clerk



David H
Williams, J. D. & Sons
Hendy, D. Pittman,

Filed January 9th 1864
and the copy is set.

Westbury 29th 1864
Wm & Honeywell

Joined the Service Aug 15th 1862
Joined at Rolla
In Capt. King's Company
3rd Mo Cav. (vol) Col Glover (attached to)
Served near a year
Rode off a Bay horse. U.S Property and
full Cavalry Equipments. from Pilot Knob
Wm Brown & Frank Lee bought a Black pony
from Mr Mc Geen. ^{from app.} at his camp on the road 4
miles south of Rolla for 30 dol. said he
was going to Illinois. I was paid off at Pilot
Knob. and received 50 dol in July.
Is now riding a Bay Street, says he bor-
-rowed it from John Dummer ^{who} lives in
Franklin Co 8 or 9 miles from St Clair near the
San Luis (N.M.)
The saddle & Bridle on the bay
Hind I traded for. The saddle I got from
Geo Mc Foy - gave him a Fiddle and some money
this was at Dillon town in Phelps Co about
the first of Aug. Geo Mc Foy drove a Gov team

St. Louis, Mo. 9th 1864.
Dear Mr. W. C. Brown,
I have the honor to acknowledge the receipt of your letter of the 2nd inst. in relation to the matter of the purchase of the land for the purpose of building a school house for the colored people of the city of St. Louis. I am very glad to hear that you are so interested in the cause of education for the colored people, and I am sure that your efforts will be successful. I have no objection to the purchase of the land for the purpose of building a school house for the colored people of the city of St. Louis. I am, Sir, very respectfully,
Yours, W. C. Brown.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *William Beard, Samuel Herrington,*
William Keafin, Alfred Stewart

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 *9th day of December* 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*

Plaintiff and *William Burton and Henry Atanase*

Defendant on the part of

Plaintiffs

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

7 day of *May* A. D. 186*4*

Elias F. Honey
Clerk.

SUBPOENA

TO JEFFERSON CIRCUIT COURT.

June Term, 1864

State

vs

William Buatois

vs Debtors

for Plff

William Beards

Saml. Herrington

William Maffin

Alfred Stewart

W. D. Doremus Plff \$2,00

I, C. S. Grant, of the County of Jefferson, State of Missouri, do hereby certify that the within copy of the Subpoena is a true and correct copy of the original as the same appears in the files of the Court, and that the same is in their presence and hearing.

For Wm. D. Doremus, Sheriff

That they will be able shortly to present
Term of the Court to procure
such proceeds as will satisfy you have
that they are not liable in the proceeds
nor are not guilty of any violation of
law whatever, nor guilty of murder
or any of the degrees of manslaughter or
other offense known to the Criminal
Code. — Having hastily made
this statement to show you how
the importance of a continuance in
this case, and that the same
is not for vexation or delay,
but that substantial justice
may be done, & the impossibility
at this Term of the Court to
present the necessary evidence
of this innocence & the defense
they pray the Court to grant them
a continuance in this case until
the next Term of the Court & that
orders & proceeds in said case already
had & to be had in the previous May 1870
before this Court —
That this is the first application for
a continuance in the case — They state
that they have a full defense upon the merits
of the case, & due diligence in every respect
has been used, & the matter has been undergoing
full investigation without delay before
the proper legal authorities to try & dis-
pose of the same —

That the article be left to proceed thus testing
evidence which will be ample to satisfy
you how that a full & fair investigation has
been had before the tribunal alone authorized to
try this case & that no offence whatever
has been committed by them, ——— They ask that
the case may be continued until the next Term of this Court

W. J. Baylton

Sworn to Subscribed before
me this 8th day of Jan
1864

H. F. Detmold

Notary Public

State

"

Denton & Son

Brown & Child

Carter & Son

Catharine

Jlue June 9 1864

S. H. Hoover del

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Sammy Hearnings, No. 100 West Rockmuen*
Nearby Parkway, Forbes Hearnings
Wayfield

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 *9th 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*

Plaintiff and *William Pearson and Henry*
Attorneys

Defendant on the part of *Plaintiffs* 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

20 day of *May* A. D. 186 *4*

Elias F. Honey
Clerk.

SUBPOENA

TO JEFFERSON CIRCUIT COURT.

June Term, 1864

State

vs
Wm Barton and
Henry Dittmers

for Plff

Sammy Herrington
bought. Brigham and
Henry Dittmers
Johna Herrington
Alfred Mayfield
Richard H. Ray

J.B. Danner \$3.00

Enns & Cheever, Stationers and Printers, 10 Olive-st, St. Louis.

I, executor of the will of Henry Herrington, do hereby
Breachman, Johna Herrington, Alfred Mayfield & Richard
H. Ray (by Herrington & Co) then Henry Dittmers not found

Vername B Danner Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To

*John Beard James W. Livingston John W. Goussens
& Alfred Stewart*

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 *10th* day of *May* A.D. 1865 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 *John Burton and John G. Altmeppen* 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

23 day of *July* A. D. 1865

Elias F. Honey
Clerk.

SUBPOENA

TO JEFFERSON CIRCUIT COURT.

May Term, 1865

State

vs
Ind. J. H. Summers & H. M. Dutton
for Off

Wm Beard, April 24
Saml Herrington March 20
Wm Manupin " " " "
Alfred Stewart, March 18
Sheriff's fee 2.05

Executed the within Spea in the County of Jefferson
On William Beard By Reading the same within his precinct and
hearing on the 24th day of April 1865 also on Samuel Herrington
March the 20th 1865 also on William Manupin ~~March the 18th 1865~~
also on Alfred Stewart March the 18th 1865. Wm Manupin is
not to be found in the County. J. H. Summers Sheriff