

Jefferson County Circuit Court - Justice of the Peace
Case File Criminal
September 1864

Box 15 Folder 51

State

VS

Bissett, Charles H.
Bissett, Eunice

Assault with intent to Kill

Threatened Basil Hiney with a
pistol; not guilty before JP
Sullivan Frazier; depositions

State of Missouri }
County of Jefferson } ss.

This day Came personally before me George Wiley a Justice of the Peace in and for said County Bazile Hiney, who being by me duly sworn, on his Oath states that on the Thirtieth day of June 1864, at the County aforesaid, Charles H. Bissett and Eunice Bissett feloniously entered the premises of this affiant and feloniously assaulted him the said Bazile Hiney with a Pistol in his hand, with intent then and there to Kill and murder, and that the said Charles H. Bissett and Eunice Bissett then and there threatened to Kill him the said Bazile Hiney, and did shoot and wound him the said Bazile Hiney in several places and would have killed him the said Bazile Hiney had he not rushed upon him and threw the said Charles H. Bissett to the Ground,

Bazile Hiney

Subscribed and sworn to before me this June the 13th 1864
George Wiley Justice of the peace

State

vs

Charles M. Russell and
Lucie Russell

affidavit

Justice Sup. 100th

State of Missouri)
County of Jefferson }

The state of Missouri to the
Sheriff of Jefferson County or the Constable
of Central Township in said County greeting whereas
complaint hath been made this day upon the oath of
Barzil Hiney before me a Justice of the peace within and
for said County that on ^{the} thirteenth day of June 1864 that
Charles H Bissett and Eunice Bissett at the County
aforesaid did feloniously entered the premises of
said Barzil Hiney and feloniously assaulted him
the said Barzil Hiney with a Pistol in his hand with
intent him the said Barzil Hiney then and there
to kill and murder the said Charles H Bissett
and Eunice Bissett then and there threatened to
kill him the said Barzil Hiney and did shoot and
wound him the said Barzil Hiney in several
places These are therefore to command
you forthwith to apprehend the said Charles H Bissett
and Eunice Bissett and bring them before me to answer
the premises and further to be dealt with according to law

Given under my hand at the County of
Jefferson this June the 14th day 1864

George Wiley

Justice of the peace

State

By
Charles H. Bissett
and Ernie Bissett

Warrant Justice for 1000

W B Dornier Sheriff S. L. 10

I Executed this writ at the County of Jefferson State of
Missouri on the 13th day of June 1864, I presenting to
within named Charles H. Bissett and Ernie Bissett and
bringing them before George Wiley, a Justice of the
peace within and for the Township of Central County
of Jefferson, Mo.

Jerome B Dornier Sheriff

State of Missouri
County of Jefferson }

Personally appeared before the undersigned a Justice of the peace for Central township in Jefferson County Mo. Eunice Bissett, who being duly sworn upon her oath states, that she believes George Wiley Justice of the peace in said Township, is prejudiced against her, and that she believes she can not have justice done, in two cases wherein she is concerned, one the State vs Eunice Bissett, & the other one, the State vs B. Honey for Assault & Battery committed upon affiant. By B. Honey, and affiant asks for change of Venue in both cases

Sworn to & subscribed before me
this 4th day of July 1864

approved this July the 4th - 1864 Eunice Bissett
George Wiley Justice of the peace

The State
by
Emmie Russell
affiliated to move
the trial

State of Missouri }
County of Jefferson }

Be it remembered that on the 14th of July in the year of our lord 1864 Personally came before me George Wiley a Justice of the peace within and for the ^{county} of Jefferson aforesaid Eunice Bissett & C. H. Bissett and acknowledge themselves indebted to the state of Missouri that is to say the said Eunice Bissett in the sum of fifty dollars and the said C. H. Bissett in the sum of fifty dollars to be levied of their respective goods and chattels lands and tenements upon condition that if the above bounden Eunice Bissett shall personally appear before Sullivan Frarzier a Justice of the peace within and for the County aforesaid ~~the~~ on the fifth of August 1864 then and there to answer a charge against the said Eunice Bissett for an assault with intent to kill and shall not thence depart without leave then this recognizance to be void otherwise to remain in full force

taken and certified the day and year aforesaid

Eunice Bissett

C. H. Bissett

George Wiley Justice of the peace

State

vs

Laurie Bearell

Bond for her appearance

Justice fees 50 cts

the state of Missouri } before George Wiley
 Plaintiff and } a Justice of the peace
 Charles Bissett } a action of assault with
 and Eunice Bissett } intent to kill
 defendants } affidavit filed by Bazil
 } Hiney June the 14th 1864
 and a warrant issued and

delivered to J B Dover sheriff the warrant
 was returned By bringing said defendants
 before me and on the 15th of June 1864 for trial
 the case being called a motion was made to
 try them separately and investigated by me
 and Eunice Bissett. Case being called was
 laid over until the 15th of July my lawday
 and on the forth of July 1864 Eunice Bissett
 filed a affidavit for a change of venue the parties
 in the above case is bound over to appear before
 Sullivan Trappier, ^{at his} lawday the 15th of August
 Justice fees warrant, ~~50~~ 50 cts

affidavit more mls 25
 Bond 25
~~Transcript and~~ Transcript and the peace
~~Antipiantt~~ Antipiantt 50
 dovers fees for serving ~~for~~ warrant \$2.00
~~to bring for~~

I George Wiley a justice of the peace within and for
Central Township Jefferson County aforesaid here by
do hereby certify that the above and foregoing is a full
and true and complete transcript of all the
entries made in my docket relating to said
case of the state against Charles and Eunice
Bissett This given under my hand this 25 July 1864
George Wiley justice of the peace

~~Justice peace warrant~~ 32
~~3 dollars~~ 15
~~Rank for appearance for 30~~ 25
~~Transcript and testimony~~ 30
~~Warrant for~~ 10

Shenewitt

Chang, French with 30

John Thompson 1.00

The State of Missouri To Louis Legear and
Abraham Benson you are hereby commanded
to be and appear personally, before me Justice
of the Peace a Justice of the Peace within and for
County of Jackson in the County of Jefferson
on the 5th day of August 1864 at the hour of
ten of the clock in the forenoon of that day
at my office in Chillicothe in the ~~State~~ County
of Jackson aforesaid to testify on the trial
of a cause wherein the State of Missouri is Plaintiff
and Ennace Buford defendant in behalf
of the Plaintiff and hereby said and at given
before witnesses my signature this 30th day of July
1864
Justice of the Peace

The State
against
Eunace Hissett

Louis Legear
Maria Benson

Justice fees — 25
Constable fee 50

I presented the within spec in Central Township
on Maria Benson & Lewis Legear by reading the same
to them in their presence and having on the first
day of August 1864 Mrs J Bliss appeared Sept
to serve this spec

State of Missouri } Before Sullivan
against } Francis Justice of the
Eunice Birrell } peace the defendant
 Eunice Birrell
 having made acquaintance
 with the charge against

her an examination states as follows
on the 13 day of June after ~~four~~ after
dinner, I was ~~was~~ sitting in the house with
Charles D. Bessett, ^{my son} Mrs Benson he was coming for her.
We heard the dog ^{my} ~~the~~ hogs, this even the 3rd
time that day that the dog had been in the
boys. Charles D. Bessett, my son, went out to see
what was the matter; in a few minutes I went
to the back door, the hogs still squealing
& I saw Diney pushing one of my hogs through
a hole in the fence by the black house ~~where~~
I then went back. In a few minutes, I heard Charles
Call; Ma; I opened the door, he said I will shoot
the dog, give me my pistol. The dog was jumping
and barking at Charles and Diney was throwing
rocks at Charles. Diney went to one of the dumps
and gathered his arm full of stones; & advancing
towards Charles throwing rocks at him. Charles
started towards the dog & fired at him twice while
he was firing one of the rocks, thrown by Diney, ~~the~~
struck Charles on the leg; and ~~passed~~ grazed his
head. The dog was still jumping at Charles
when Diney threw the rock that grazed ~~his~~ head.
Diney said fire if you want & Charles fired down.
This was the third ~~st~~ and last shot fired. When
I handed the pistol to Charles, I called Andrew
James, I ~~he~~ stepped aside and said O! Andrew
run, I did not go to the front door,

After Charles fired the last shot, Sney ran
up to Charles and Clenched him by the throat
with his right hand. ~~his left hand was~~ and in
his (Chs) hair with his left hand, he threw
Charles down and fell on him, I then crossed
the fence, & Andrew crossed the fence to
try to separate them, Andrew James crossed
the fence on the other side & took
hold of Charles. Charles & Sney were down
both having hold of the pistol. I tried to pull
Charles from Sney, but could not, by that
time Andrew James had got to them
He took Charles away, then Sney sprang
up on me & caught his left hand in my hair,
then beat me in the face with his fist,
the first blow stunned me, & then ran away
towards his house, this was the last of the
fight, My face was very much swollen and
bruised from the effects of the blows given me
by Sney, & both eyes were very black & I suffered
for two weeks, I did not strike Sney at all,
there were no one in the field but Charles
Andrew James and ~~myself~~ Sney and
myself, Mrs Sney came up as Sney ran
away, & after the fight was over, Mrs Sney
did not come back after the fight was over,
& as she came Charles and I went to our
house, she came about 25 minutes about 30 feet
of me, I was not any closer, she called me
a God damned old bitch, When Charles
asked for the pistol as above stated, he said that he
would shoot that dog, (meaning Sney's dog)
He is a very savage dog.

1
State of Missouri
against
Eunace Bissett

Deafare Sullivan
Jury Justice of the
peace

Evidence on the part
of the State

Gayel Hiney being duly sworn
on the part of the ~~defendant~~ and as follows
upon his oath deposes and says
~~Bissett~~ after he ^{Bissett} fired the second shot
I ran up towards him and got hold of
him and tried to take the pistol out
of his hand for I thought it was a six
shooter and he jerked it around ^{and}
I ^{jumped at my head several times} could not get hold of it in the
main time the his mother came
up she tangled me so that I could
not get the pistol, and I got several
blows from Bissett and his mother
with the pistol and a racket I jerked him
to the ground, and the first I knew
there was a man on top of me I
don't know how I got up the first
thing I knew when I got up the
old woman was standing before
me hacking away at me and
from a lick on my head I felt
addled and my skull was broken
I called back and struck her and
thinks maybe he knocked her down
I also had received a shot in the thigh
and in the side of the head from the
woman I was about two weeks under
the doctor hands

my rose run ^{water} Bloath for several days
 all this accured on my own premises
 brass examination

he further states there was a pig in my
 in but I caught it and throwed
 it out side and I think it was Mrs
 Annee Bissetto at this time & H. Bissett
 came up and ordered ^{me} that to dog
 his bags I told him to go home and
 mind his own business I intended
 to drive the bags out he Bissett said
 if I did he would shoot the dog
 and if I did not mind he would
 shoot me as something to that affect
 from that he went tow the house and
 I went towards my home looking for
 more bags he Bissett came out 15 or 20
 steps from his house his pistol in
 his hand & he came in 10 or 15 steps
 of me and fallowed me at once
 the dog ~~had~~ was gone home before Bissett
 commenced firing I ^{am} certain there was
 no dog there when Bissett commenced
 firing I dont think I had any stone
 in my hand when Bissett commenced
 firing I did not throw a stone at
 Bissett until after he fired I did
 not see Mrs Bissett until after H.
 Bissett and I clinched while I was
 down some one struck me on the head
 I dont know that it was Mrs Bissett
 I cannot say that Mrs Bissett struck
 me at all while I was down and

Bisnett and me ~~was~~ was fighting
when you and Bisnett got up from
the fight did Mrs Bisnett strike at
you no the I call it scratching
I dont no whether she scratched me
in the face or not and this is the
time I struck her but my face
was scratched there was a great many
little stones piled up on the stumps in
the ~~the~~ field where we were ~~it is~~ it
was a clover lot and a good many
clacks ~~He examined~~ givers under

~~my~~ my hand this 5 day of
August 1864

Bazile Hines

Subscribed and sworn
to before me this 5th
day of August 1864
Sullivan Francis

The State of Missouri
against
Emace Bisnett

before Sullivan Francis
Justice of the peace & Evid
ence on the part of

the State Mariah Benson Being Sworn
on the part of the State deposes and
says I was at Mrs Bisnetts I heard a heavy
commence squeaking and Mrs Bisnett
went out in the yard and Mrs Bisnett
got up and went to the door and Mrs
Bisnett came and asked ~~for~~ ^{her to hand him his} pistol and
she went to the drawer and got it and
handed it to him and I got up and
went to the door and Mrs Bisnett

said shoot him. Will him and Mrs. Bissett
 then shot: at old Hiney I thought
 I thought he hit him. I saw Mrs.
 Bissett shoot twice. When Mrs.
 Bissett handed Bissett the pistol she
 went out at the door. Hiney fence
 is a few steps from Bissett's door.
 When Bissett shot he was in Hiney
 field there was no person else in the field
 at the time of the shooting but Bissett
 and Hiney I saw nothing else there
 to shoot at except old Hiney.
 After the second shot I saw old Hiney
 run down to where old Bissett
 then ^{was} as I left I looked back and
 saw Bissett and Hiney down on
 the ground. An old Bissett was just
 getting over the fence as I left into
 Hiney's field where the fight was
 brass examination.

~~She says~~ Bissett did not say what
 he asked for the pistol that he would
 shoot that dog. He did not state
 what he wanted with it at the time
 of the firing of the first shot. Mrs.
 Bissett was standing side ways ^{at the}
^{in the door} ~~door~~ ^{with her pistol} ~~the~~ side of the door and
 I was standing ^{against the wall} in front of the door
 a little back about three or four
 feet from the door. Mrs. Bissett ran
 to the other door and called for Andrew
 came. I did not go out of the
 door I was standing in stall neither.

while I stood in the door as aforesaid I saw no other person except Hiney and
 a Birsett, ^{in the field} when I first saw Hiney
 he was standing with his hands
 down, by his side and stood in that
 position until the second shot was
 fired then he stooped down and
 picked up something that I took to
 be clods of dirt and threwed at Bir-
 sett, as I was leaving the porch I saw
 two or three men and one of them was
 getting over the fence which I took to
 be Andrew James given under my
 hand this 8th day of August 1864
 Subscribed and

Sworn to before me

Maria Benson

this 8th day of August
 1864 Sullivan P Justice
 of the peace,

State of Missouri }
 against }
 George Birsett }
 before Sullivan
 Justice of the
 peace evidence on
 the part of the State

Ellen Hiney being duly sworn
 on the part of the State upon her oath
 deposes and says, I heard that ~~my~~
 my son told me that ~~Mr~~ ^{Mr} Birsett
 was shooting at Hiney I went
 down in the field where they was and
 when I got there Mr Hiney was stand-
 ing on his feet and Mr Birsett was
 standing immediately before him very
 close to him striking him

with both hands as fast as she could
 and Mrs. Bissett was standing behind
 her facing Mrs. Hiney and presented
 his pistol and I heard it click I
 thought he was trying to fire I saw
 Bissett strike Hiney on the left side
 of the head with the hand he had the
 pistol in and once on the shoulder
 Hiney's left eye was covered with
 blood I could not see it at all he was
 dead as to though he was stunned as
 did not know what he was doing
 he raised up his hands as though he
 was trying to knock the elbows off
 of Mrs. and Mrs. Bissett I caught
 Mrs. Bissett's right arm that he had
 the pistol in he jerked it away from
 me as quick as I caught it, and drew
 the pistol on me ~~and~~ presenting it at my
~~left~~ ear as he ~~then~~ then knocked me
 down with his arm while I was down
 Mrs. Bissett and Hiney got a part Mrs.
 Bissett was standing to the right opening
 a knife Mrs. Bissett and ^{gun} ~~claw~~
 together and I did not see Mrs. Bissett
 doing anything then Mrs. Hiney started
 and I did not see Hiney
 and Bissett down on the ground
 when I first went and saw Mrs. and
 Mrs. Bissett fighting Mrs. Hiney Mrs.
 Bissett had nothing in her hand was
 striking with her fist

Cross examination

when I got to ~~them~~ ^{where the was fighting} Mrs. Bissett was striking at Hiney as fast as she could with both hands and did strike him on his throat and shoulder she struck with her rite hand on Mrs Hiney left shoulder I never saw Hiney strike Mrs Bissett at all while I was there Mrs Bissett while standing between them was not trying to push Hiney away the place where Bissett and Hiney was fighting where I got there the was about halfway from Bissetts to the black House it may have been halfway and it may not I think the place where they were fighting was a little nearer and lot fence than Mrs Bissetts fence I think the lot in which the fight took place was a closer lot that had just been mowed I did not notice and clouds about there was rock except in the corner of the fence I was not looking for clouds nor rocks ~~there~~ did you see or know of any rocks being on the Stumps around in the field

at I did not see any rocks on the Stumps I saw ~~Mr~~ Bissett ~~Bissett~~ ~~snapped~~ ~~Hiney with the pistol twice after I got there~~ draw the pistol twice and I am ~~Bissett~~ ^{Hiney} and heard it click but cannot say that he snapped it

Subscribed and sworn to Ellen Hiney
before me this 8th day of August 1864.
Sullivan & Warrin Justice.

8—
State of Missouri
against
Emice Bennett

Before Sullivan
Justice of peace
Evidence is on the
part of the defend-
ant

Le H. Bennett being duly sworn on the
part of the defendant deposes and says
on the 13 day of June last at Victor-
ry Mineys dog was mearry mother
Shaats I was in the house with others
Bensan and mother I heard the
dog and bags squealing and went
out to see what was the matter
Hiney had caught one of the Shaats
and was putting it through the
fence and the dog still hold of its
year he ~~the~~ Hiney did not drive the
dog off until I got nearly to him
he then kicked the dog loose and
put the bag out I then asked Hiney
not to worry the bags if he wo-
uld fix his fence the would stay out
he said he would put the dog
on an when he pleased and if I did
not mind he would put the dog on
me I told him if he did I would
shoot the dog I picked up some thing
I think a chip and threw at Hiney
dog and then Hiney took some
rocks from a stump and threw one
at my dog and threw one at me
then I started for the house and
got to the fence and called my 9.

mother ~~and~~ the defendant and told
 her to hand me my pistol I would
 shoot that day. Hiney, followed me
 towards the house throwing some sto-
 nes at me as I went to the house
 I got the pistol and went toward the
 dog and shot at the dog twice. Hiney
~~was~~ was throwing at me at this time
 and still advancing towards me and
 one stone hit me on the leg I then turn-
 towards him he then threw another one
 that grazed my head I then shot at him.
 He Hiney run up and clinched me and
 in the scuffle for the pistol we both
 fell to the ground then James separated
 us and James then took me toward the por-
 ce I heard mother scream I looked ar-
 und and Sam Hiney had hold of her and
 his hand drawn back as if he was goi-
 ng to strike her I am not pas a ~~little~~
 The I struck her but I thought he did
 I ran up to mother and Hiney we
 went off towards his house I then went
 home with my mother after this I
 went back for my watch and vest I then
 saw Mrs. Hiney coming down from
 her house in the direction where we
 were she was screaming and seemed
 very much excited I was not making
 any demonstration against Hiney at
 that time. And that was the first
 time I saw Mrs. Hiney during the
 fight

I don't think I made any attempt to shoot Hiney while ~~or~~ in the stable or on the ground and am positive that Mrs Hiney was not there until after I came back from the house and the fight was over and my mother's face was bruised very much in the process a person standing three or four feet in the house from the back door could not see the partition of the lot up towards Hiney's stable when I shot at the dog he was jumping around there in the direction of the stable the lot in which the fight took place was a closer lot ~~or~~ that had just been mowed I saw no clods of dirt but there was stones piled up as the stumps ~~my~~ Hiney has not a lawful fence I did not see Mrs Burnett strike Hiney at any time and did not see her in the field until after we was separated. ~~my~~ my intention was to kill the dog when I got the pistol across the lane.

I think a person standing in the house three or four feet from the back door could see every thing that took place where the fight took place if a dog had been there he could ~~not~~ ^{have} seen ~~the dog~~ ^{but} the dog was 20 or 30 feet from ~~the house~~ ^{the house} ~~when I shot~~ ^{when I shot} the stable and when you are facing toward the back house from my house

and I think the dog was nearer to
 Hiney than he was to me this was
 at the first fire that the dog was in the
 is position I don't know that the dog
 changed his position much between
 the first and second fire I shot at
 Mr Hiney only once I don't know
 whether I hit him more than once I
 think I did not
 subscribed and
 sworn to before
 me this

Charles, H. Russell

Ellen Hiney recalled in recollection
 the dog ~~came~~ came home a few minutes
 before I was told of the difficulty and
 it was several minutes after this before I got to
 the place where they were fighting
 Hiney was that time one glancing shot in the side of
 the head and one in the thigh carried over to next page

Thomas Benson recalled in recollection
 I saw no dog there where the fight took
 place during the shooting if there had
 been a dog 20 or 30 yards towards
 the stable from where the fight took
 place I could have seen it

Maria Benson

how do you know the wound on the
forehead was a gun shot because it was
cut in pretty deep and the skin was pushed
over ~~and don't know~~ I thought it was cut
to the bone

Ellen Hiney

State of Missouri } before Sullivan
~~County of Jefferson~~ } Traeger's Justice of
 against } the peace evidence
 Emma Birrell } are the part of the
 defendant

I, J. Vinegar being duly sworn
 deposes and says that at the time of
 the fight between Birrell and Thiney
 I was in in our field and could
 see all over the lot in which the fight
 took place excepting behind Birrell's
 house I heard the firing of a pistol
 as gun I looked and saw Birrell
 climbing over his yard fence in to Thi-
 ney lot near about the same time I
 saw Mrs Thiney coming down through
 the lot she came on down and I he-
 ard her say something but could not
 understand what she said Birrell
 walked out so I could see
 him and Thiney went towards
 the Spring and turned around and
 came back then pretty soon him
 and Mrs Thiney started off to
 the house the fight was over at
 the time I seen this

Cross examination

I was ~~there~~ about three or four hun-
 dreds from where the fight took place
 when Mr Thiney and Mrs Thiney left
 the lot together I think Mrs Thiney
 was a little ahead

and the most on out of out of the
 crowd and left I could not see
 any blood on Hiney at that distance
 But could recognize persons that I did
 know very well at that distance I did
 not see Mrs. Bissett there as I recollect
 if Mrs. Bissett had been there
 I would have as likely to have re-
 cognized her as others

Suscribed and
 sworn to before me

John Vinyard

this 8th day of August
 1864 Sullivan Magistrate

Justice of the peace

State of New York } State of New York
 County of Jefferson } and Lawrence Bissett defendant

I Sullivan Magistrate a justice of the peace
 within and for Township of Cortland in the County
 of Jefferson do hereby certify the
 above and foregoing is the evidence is
 the evidence was given in the above case
 before me given under my hand this

The 11th day of August 1864

Sullivan Magistrate Justice of
 the peace

The State of Missouri } before Sullivan J. J. J.
 against } Justice of the peace
 Eunice Barrett } Evidence on the part of
 the defendant

Henry Smyth being duly sworn on the part of
 the defendant deposes and says

I heard ~~two~~ shots fired up
 in Hineys field I looked out at the
 window I seen E. Barrett and Hen-
 ry clinged in a fight and the soon
 fell to the ground there was no one
 present then, and I saw no one until
 this man run to ^{inside} separate them then
 I went to the door and they was sep-
 arated and both standing up and
 at that time Mrs Barrett was betwee
 n Hiney and Barrett I then saw
 Mrs Hiney coming after there was
 several persons had got there I then
 went back in the house and seen no
 more cross examination

it is as far as from my house to
 the place where the fight took place
 as from the court house to Peppys

~~the~~ Hiney and Barrett was clinch-
 ed when I first saw them and fell in
 a ~~minute~~ ^{few} minutes after and there was
 nothing ^{one or two} to obstruct her view from
 where she stood the first I saw of Mrs
 P. Barrett she was between Hiney and
 Barrett if Mrs Barrett went out at the
 back door I could not of seen her un-
 til she got there the man got to Barrett
 and Hiney before Mrs Barrett did

when Mrs. Bennett got there they
was parted I am certain they were
parted when Mrs. Hiney got there
they was just parted when Mrs.
Hiney got there there was three or four
other men there when Mrs. Hiney got
there, at that time Mrs. and Mr.
Bissett went to the house and Mrs.
Bissett came back again I think
Hiney went a head of Mrs. Hiney
to the house I saw Mrs. Bissett from
the first time I saw her until the
Bissett and his mother went to
the house I told Mrs. Hiney I
thought Mrs. Bissett was trying
to part them I could not tell
from that distance exactly what
they were doing Mary Lynch

I ~~had~~ handed him the pistol and said shoot
the ~~dog~~ him, from the Commencement of
the firing ~~and~~ till it was all over, I do not
think was two minutes.

9-1 When you gave ~~Mr Benson~~
Charles the pistol, where was Mrs Benson sitting?
(The Court refuses to permit the defendant to answer
this question)

9-2 While the shooting was going on
where were you and Mrs Benson ~~sitting~~ I
this question also refused - by the Court,

I have by deposing
~~the~~ that

Emma Bissett

Statement of the prisoners

The State of Missouri
Plaintiff and
Charles Bissett
Eunace Bissett
Defendants

Before George Wiley
a Justice of the peace
a action of assault
with intent to ~~kill~~
Kill affidavit filed
By Bazel Thiney June

14th 1864 and a warrant issued and deliv-
ered to J. B. Dones, Sheriff the warrant was
returned served by bringing defendants before
me on the 15th of June 1864 for trial
the case being called a motion was made to
try them separate and investigated by me
and Eunace Bissett case being called was
laid over until the 15th of July 1864 my regular
law day Eunace Bissett filed a affidavit
for a change of venue the parties in the above
to appear before Sullivan Teragies at his lawday
the 5th of August 1864 at his lawday

George Wiley Justice of the
August 5th 1864 the above bound prisoner
Eunace Bissett appears on this day before the
undersigned Justice of the peace of Central Jo-
urnship in Jefferson County in answer to
her recognisance and says she is ready for trial
the State being ready for trial the cause com-
ing on to be heard and examined one next
mess and the case was continued until the 8th day
of August 1864

August 8th 1864 the above cause
coming on to be heard after the court hearing
the evidence and making a careful exam-
ination of the same the court came to the con-
clusion that there was not probable cause

of the prisoner guilty therefore the prisoner
 Emma Bissett was acquitted } of the peace
 Sullivan Frayier Justice

The State against
~~Emma~~ Emma
 Bissett { Feebill costs before Wiley
 Justice Willys fees
 Warrent ————— .50 cts
 Affidavit to move trial .25
 Transcript & certificate .50
 Reconsan ————— 25
 \$1.50

J B Dones Sheriff fees to serving warrent \$ 5.00

Fees before Sullivan Frayier Justice
 Justice ~~Wiley~~ Frayiers fees 2 Subp .50 cts
 Entering Willys Transcript and docket .35
 Sincaring witnesses 4750 m. m. m. m. .40
 In writing down evidence & certificate \$ 5.00
 In Entering of cause on docket .35
 Transcript and certificate to same 1.00
 this feebill ————— 25
 \$7.85

Constable Wm S Bliss for serving 4 Subp — \$1.00
 September 2^d 1864 Sullivan Frayier Justice

State of Missouri {
 County of Jefferson { Sd
 I Sullivan Frayier a Justice of within and for
 the Township of Central in the County of Jeffe-
 son aforesaid hereby certify that the above and
 foregoing is a true and complete transcript of
 the case of the State against Emma Bissett
 as the same appears on my docket given under my
 hand this 2^d day of September 1864 Sullivan Frayier
 Justice of the Peace

2090

State

as } Commonwealth

Charles D. Roberts

Recd Sept 30 1864
Chas D. Roberts

State
 vs
 Eunice Bissett } charged before George
 Wilely and Sullivan
 Frazier Esqrs. for an
 assault with intent to Kill. Bazile Kanev
 and discharged by Sullivan Frazier
 Esqr. who certifies that there was not prob-
 able cause.

Fee. Bill

George. Wilely Justice		
Warrant for arrest.		\$0.50
affidavit for removal of		
examination	25	
Transcript of removal	50.	
Recognize defendant.	25	1.50
Sullivan, Frazier Justice		
Entering transcript of G Wilely	\$0.35	
2 Spas	e 25¢	.50
Swear & Witnesses e 5¢	" 40	
writing testimony 4750 words	475	
Judgment Entry	35.	
Transcript Certificate	100.	
make fee. Bill	25	60
Certificate to Evidence	25	7.85
Jerome B Dover sheriff		
Serve warrant of arrest.		1.00
William S. Bliss		
Subpoena 4 witnesses e 25¢		100
amt. carried over		11.30

Amount. Brought forward	\$ 11.30
John Vinyard witness 2 days	1 00
Mary Lynch " 1 "	50
E. J. Honey clerk	
make fee, Bill & Court of Judge Katty	75
copy same, 250 - words. Lett. Heald. 53	75
	\$ 14.30

We the undersigned Judge Horcutt attorney, hereby certify that we have strictly examined the foregoing bill of costs during the sitting of the Court, that the defendant was acquitted by the magistrate that the offence charged is punishable solely by imprisonment in the penitentiary. the services were rendered for which charges are made and compensation is given by law, for the services for which charges are made, the clerk will therefore certify the foregoing Bill of Dockets and 30/100 _____ dollars to the Auditor of Public accounts for payment Given under our hands in Terre Haute this day of.

A D 186

State

as per Bill

Cummi Popham

no 215