

Jefferson County Circuit Court
Case Files - Criminal

August 1866

State
vs

Grubb, Henry

Arson

Set fire to one stack of oats
and one rick of straw belonging
to William H. Washburn

Box

17

Folder

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State of Missouri }
County of Jefferson }

Be it Remembered that on this
8th day of August 1866 before
me the undersigned Justice of the
Peace personally came W. H.
Washburn who being by me duly
Sworn on his oath says that on
the 6th day of August 1866 at
and in the County of Jefferson
aforesaid one Stack of oats
one Rick of Straw and some
fence the property of W. H. Washburn
and Wm. Base was ~~set on fire~~
unlawfully and feloniously set
on fire and thereby burned
up And that said W. H. Wash-
burn verily believes that Henry
Strubbe is & was guilty of said
act

Sworn to and
Subscribed before
me this 8th of August-
1866

Geo. W. Sublett
Justice of the Peace

W. H. Washburn

Sketch
Gravel

Officiant

The State of Missouri
To the Sheriff or any Constable
Of Jefferson County Greeting
Whereas W H Washburn hath
this day made oath before me that
Henry Grubb did as he verily
believes ^{unlawfully and feloniously} set fire to and burn
up one Stack of oats and one
Rick of straw and some fence
the property of W H Washburn &
Wm Baze in said County of Jefferson
on the sixth day of August 1866

These are therefore to com-
mand you to take said Henry Grubb
and him forthwith bring before me
at Wellsboro in said County of
Jefferson to answer said Compl-
aint and to be dealt with
according to Law

Given under my
hand this 8th day of August 1866

Geo W. Sublett
Justice of the Peace

I executed this writ in Jefferson
 County Missouri on the 8th day of
 August 1866 by arresting the within
 named Henry Grubb and delivering
 his person to G. W. Sublett the justice who
 issued said writ

August 8th 1866

S. C. Medley
 Dist Constable

Justice Fees

For issuing warrant - 35-

" 3 Oaths - 15-

Docketing - 10-

Affidavit - 35-

Bond - 35-

Writing evidence \$13.00

Constable Fee \$3.40

For serving warrant - 75-

x Wilbur Fees \$2.00

x Geo. Washburn 1.00

Medley 1.00

\$2.95

x Geo. Washburn 1.00

Medley 1.00

\$2.95

x Geo. Washburn 1.00

Medley 1.00

\$2.95

x Geo. Washburn 1.00

Medley 1.00

\$2.95

x Geo. Washburn 1.00

Medley 1.00

\$2.95

x Geo. Washburn 1.00

Medley 1.00

\$2.95

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Writ

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

for

Grubb

Warrant

State of Missouri Evidence on the
part of the State
Henry Grubb vs Wm W. Washburn of

I aforesaid being duly sworn saith
that on the Night of the 6th of August 1844 a Stack of Oat
and one Hick of Straw was burned and some fence I suppose
between forty & fifty Pannels of the Stack of Oats I believe
about 65 or 70 bushels and I suppose the Hick of Straw
was from one hundred & five bushels of wheat I suppose
the Stacks were about a mile and a quarter from where
I live in Jefferson County Missouri Mr Grubb lives
about four hundred yards from where the grain
was burned Mr Grubb lives the nearest of any one
to where the grain was the Oat Stack and the
Straw Hick was inside of the field the outside field
fence formed one line of the fence which inclosed the
Stacks the next day after the fire I discovered that the
Stacks were burned and I examined and found that
the fire did not approach from the woods or any direction
I then found where some one had tore down the fence to
prevent the entire fence from burning on the string of
fence which ^{formed} a part of the fence which inclosed the Stacks
~~and the field fence~~ being the outside string of the field
fence was burnt about about 60 yards In examination
of the premises I discovered a track which looked like a
Man's track from its side which was a bare footed track
the track was a few steps from the bars and the track
was about ten steps from the Stacks there appeared to be
several tracks but all of the same person the first tracks

That I saw was approaching the stacks and they were coming from the direction of the defendant's house and I discovered also tracks going from the stacks towards the defendant's house I followed them until I got to the defendant's field fence I got over the fence and followed them and they went down towards the defendant's house and I followed them within fifty or sixty yds of the house the track which I am speaking of I am confident I have seen before I think I know the defendant's track the defendant's ~~footprints~~ different from most of people the footprints makes a very flat track I have seen tracks made by him bare footed frequently and from the tracks that I have seen I should judge ~~thru~~ his tracks that I had seen near the stacks the stack of oats and kick of straw belonged to myself & William Page it was in Page's field rented of Mr. The state of my feelings towards Mr. Grubb is not very good I do not know how his feelings are towards me

Crop Examination

The stacks were about 20 steps from the road leading from the Platin to ~~him~~ the road is considerably traveled I discovered ~~that the stacks were burned on the afternoon of the seventeenth of August~~ ^{in the afternoon} that the stacks were burned. ~~But~~ I have never measured the defendant's foot I have never closely examined defendant's foot I don't know that I have seen him barefooted more than once but I have frequently seen when he had been going about barefooted I saw him barefooted fall before last for the first time I believe, but I think I saw him barefooted last fall and I saw him barefooted last night I measured the track with a stick, Inside of Mr. Grubb's field I saw tracks going towards the house and to the stacks I saw several tracks on the road W. H. W. W. W.

Sworn to and subscribed before me this the 8th day of August
1866 Geo. W. Sublett

Justice of the Peace

J. C. Medley being of lawful age being duly sworn
says I am acquainted with Mr Grubb ever since he came to the
country I know of a stack of oats & a Rick of straw belonging to
Mr Washburn & Wager being burnt on the 6th of August 1866
between the hours of five & six o'clock in the morning of the seventh
I saw the stacks burning the fire was still burning I threw down
the fence at ~~the~~ ^{the north end some 30 yds from the stack} and the bars at the other ^{I suppose 20 yds from the stack} in order to put out the fire
I saw no person present I put the fire out I passed where the
stacks were on the evening of the 6th I saw no signs of fire
when I passed ~~the~~ where the stacks were on the morning of the 7th
I was going to Hemetite to work for Jerome Dover the Defendant
was working with me at Hemetite when I got to Hemetite I found
the Defendant there I saw tracks ~~about~~ ^{from} a rod ~~of~~ the stacks the tracks
were barefooted tracks The tracks which I speak of were the
nearest to the stacks closer to the stacks than where I saw
them tracks could not be discovered it being grassy I
measured that track it appeared to be made that night
I measured it with a stick the measure is here

The Defendants foot is measured by the witness in presence of the
court by the witness with a measure taken by the witness
from the track which he found near the stacks this measure
is measured on the floor The measure which was taken at the
stack is about the eighth of an inch longer than the measure
made upon the floor in presence of the court The dust where
I took the measure near the stacks were I suppose about two
inches deep I measured the tracks near the stacks on the top
of the ground from the outside breaks of the tracks

The same track that I measured I followed to Mr Grubb since
I had a conversation with Mr Grubb on the 6th of August and he told
me that he had had a difficulty with Mr Washburns son about
Dying some Hogs

Crop Examination

The witness says Defendant had shoes on when I saw him at
Hemite on the seventh I have not had this measure in my possession
~~or all the~~ time I left the measure in Mr Washburns Store at
Hemite and sent for it on the 8th August I suppose Mr Washburns
son brought the measure from Hemite I sent him for it I will
swear that it is the same measure
Sworn to and subscribed to before me this 8th
August 1866 Geo W Sublett J Peace

George Washburn being of lawful age being duly sworn
says I saw Mr Grubb on the 6th August I met him in about
a hundred yds of the field where the stacks were Mr Grubbs Hogs were
in the field then we had some short words in relation to it
Sworn to and subscribed to

G W Washburn

before me this 8th August 1866

Geo W Sublett

Justice of the Peace