

Jefferson County
Case File - Criminal

Circuit Court

Box

19 Folder 39

September 1867

State

vs

Reid, Joseph

Petit larceny

Change of venue from Iron County;
stole \$5 from Robert Reible

State of Missouri } Iron County Cir-
 vs } cent Court April
 Joseph Reid } Term 1867.

Now at this day comes Joseph Reid
 Defendant in the above intitled Cause
 and Petition, The Honorable Circuit Court
 aforesaid for a Change of Venue in
 this Cause for the reason

That the inhabitants of
 the County of Iron aforesaid are prej-
 udiced against this Defendant

Whereon he prays &c

State of Missouri } Joseph Reid
 Iron County } SS

I Joseph Reid the
 Defendant aforesaid being duly sworn
 says on his oath ~~says~~ that the facts set-
 forth in the above and foregoing Application
 for a Change of Venue in the above intitled
 Cause are true to the best knowledge and be-
 lief of this Affiant, and that he has
 just Cause to believe and does believe
 that he can not have a fair trial on acc-
 ount of the Cause alleged in his said
 petition for Change of Venue
 subscribed and sworn to Joseph Reid
 before me this 26th April 1867 -
 J. H. Huff Clerk

State of
Missouri
vs
Joseph Reid

Application
for Change of
Venue.

Dated April 26. 1867

For Plaintiff

Filed Sept 17 1867
C. F. Henry Clerk

State of Missouri }
Iron County } For Defendants
J. S. Lupton }
Two Creditable Citizens resi-
dent of the County of Iron aforesaid make
oath and say that the within petition and
application of Joseph Reid for change of ven-
ue in the within cause of the State vs Jo-
seph Reid and the matters and things therein
as stated they believe are true.

Subscribed and sworn to Geo S Evans
before me this April 27/67 John B. Doyle

Justiff Clerk

By J. G. Aike 20.6

State of Missouri s. s.
Iron County

Be it remembered that on
the 26th day of April A. D. 1867 there
was filed in the office of the clerk
of the Circuit Court in and for
Iron County in the State of Missouri
an indictment in words & figures
as follows to wit:

Copy of
Indict

The State of Missouri
Fifteenth Judicial Circuit
In the Circuit Court of Iron County
at the April A. D. 1867.

The Grand Jurors of the
State of Missouri empaneled sworn
and charged to enquire & examine
within & for the body of the County
of Iron upon their oaths do
present that Joseph Reid at
the County of Iron on the 1st day
of April A. D. 1867. then and
there the sum of five dollars being
personal property, belonging to one
Robert Reible then and there being
found, then and there unlawfully
did steal take and carry away
against the peace and dignity of

the State

A. N. Smith

her atty

upon the back of which indictment
is the following endorsement to wit;

"No 34 State of Missouri vs Joseph
Reid. Witnesses Michael ^{his} Breerton
A. N. Smith prosecution. _{marks}

Witnesses. Michael Breerton, Mrs
Robert Reibb, Mr Robert Reibb
M. Weiss, John Breslin, Patrick
Crugley. A true bill James Lindsay
Foreman. Filed April 26. 1867.
Josephuff CLK by J. T. Ake D.C."

And also on the said 26th day of
April A.D. 1867 at the April Term 1867
of the Iron County Circuit Court being
the 5th day of said Term was the following
to wit;

State of Missouri } Indictment for
vs } Petit Larceny
Joseph Reid }

Now at this time comes
the State of Missouri by her attorney

Arraigned & plea not guilty Abraham N. Smith prosecuting for
the 15th Judicial Circuit and the
said defendant in his own proper person
as well as by attorney also Comes
and being demanded of and Concerning
the premises and how he will acquit
himself thereof, for plea thereto says
that he is not guilty in manner
and form as charged in the Indict-
ment against him. And thereupon
Comes the said Joseph Reid as
principal and John D. Layman
as security and acknowledge them-
selves heret in open Court bound
and stand indebted to the State of
Missouri in the sum of three hun-
dred dollars to be levies of their
respective goods and Chattle lands
and tenements to be void however
if the said Joseph Reid shall be
and appear from day to day during
the present term of this Court before
the Hon Judge thereof to answer
said Indictment and not depart
the Court without leave thereof
otherwise this recognizance shall
remain in full force and effect."

And afterwards on the 27th day of
said month and on the 6th day of
the April Term of said Court was the
following to wit;

State of Missouri Indictment for
vs Petit Larceny
Joseph Reid

Order for
Change

Now at this day Comes
the State by her attorney prosecuting
for the 15th Judicial Circuit and the
said defendant in his own proper
person as well as by attorney also
Comes and presents to the Court his
petition and affidavit for a Change
of Venue in this Cause stating
among other things that the minds
of the inhabitants of Iron County
are so prejudiced against him
that he cannot have a fair and
impartial trial therein and prays
the Court to Change the Venue in this
Cause to some County in this
Circuit where such prejudice does
not exist. Whereupon it is ordered
by the Court that the Venue in this
Cause be Changed to the County
of Jefferson in this Circuit, and

that the Clerk of this Court make
out and send certified to the Clerk
of the Circuit Court of Jefferson
County aforesaid a full & complete
transcript of the records and pro-
ceedings has herein together with
the original papers filed and not
forming a part of the records,
and thereupon comes the said Joseph
Reid as principal and James Reid
and John D. Layman as securities
and acknowledge themselves in open
Court to owe and stand indebted
to the State of Missouri in the sum
of three hundred dollars to be levied
of their respective goods and chattels
lands and tenements, to be void
however if the said Joseph Reid
shall be and appear at the Circuit
Court of Jefferson County Mo. before
the Hon Judge thereof on the first
day of said Court to be begun and
held at the Court house in said County
on the Sixth Monday after the
4th Monday of September 1867,
being the 4th day of November 1867,
and not depart said Court without
leave thereof otherwise this Recognizance

shall remain in full force and effect.

Which said petition and affidavit
for Change of Venue are in words
and figures as follows to wit:

Copy of " State of Missouri } Iron County Circuit
Petraffh vs } Court April Term 1867.
for Change Joseph Reid }

Now at this day Comes
Joseph Reid defendant in the above
entitled Cause and petitions the Hon-
orable Circuit Court aforesaid for
a Change of Venue in this Cause for
the reasons:

That the inhabitants of the
County of Iron aforesaid are prejudiced
against this defendant. Therefore he
prays &c. Joseph Reid.

State of Missouri } s. s.
Iron County }

Joseph Reid the defendant
aforesaid being duly sworn says on his
oath that the facts set forth in the
above and foregoing application for a
Change of Venue in the above entitled

cause are true to the best knowledge
and belief of this affiant and
that he has just cause to believe and
does believe that he cannot have a
fair trial on account of the cause
alleged in his said petition for
Change of Venue.

Subscribed and Sworn to } Joseph Reid
before me this 26th April 1867. }

Joel Huff Clerk

Which said petition is sustained by the
following affidavit to wit:

Affidavit

Sustaining

Pet for change

State of Missouri }

Drow County }

Geo. S. Evans x

J. T. Taylor two Creditable Citizens
resident of the County of Drow aforesaid
make oath and say that the within
petition and application of Joseph
Reid for Change of Venue in the
within cause of the State vs Joseph
Reid and the matters and things
herein as stated they believe are true

Subscribed and sworn to } Geo. S. Evans
before me this April 27. 67. } John T. Taylor

Joel Huff Clerk

By J. T. Ake D.C.

State of Missouri 3 s.s.
County of Iron

I Joseph Huff Clerk of
the Circuit Court in and for Iron County
in the State of Missouri do hereby certify
that the foregoing is a true & complete
transcript of the record and proceedings
in the foregoing Cause as fully as the
same remains of record and on file in
my office.

In Testimony whereof I hereto
set my hand and affix the
seal of said Court at office
in Ironton Mo this 16th Sept 1867.
Joe Huff Clerk

Bill of Costs

1867	Joe Huff clerk Iron Co.	
April 26	For the Indict 50. Filing same 5	55
" "	" Capias	100
" "	" The issue of facts fines	25
" "	" Taking & entering Recog. of Prisoner	50
" "	" Filing Petition for change venue	5
" "	" 2 aff'davits & Certificates thereto 15	30
" 27	" Order for change 15 Recog. of Prisoner 50.	65
Sept 16	" Making Transcript 1960 words @ 10¢	196
" "	" Certificate & recd thereto	50
" "	" Postage to Jefferson County	9

1867 Morgan Mace Sheriff Iron Co.
 April 26 For Serving Capias

100
 \$ 6.85

Attest: Joe Huff clerk
 Iron County Circuit Court Mo

State
no

Joseph Reid

2007

Miss Lane

the Ball

Transcript

Filed Sept 17 '96

C. D. Stoney

By Admone & H

In the Circuit Court of Iowa Co. Mo.
April Term April 27. 1867.

State of Missouri }
vs } Petit Larceny
Joseph Reid }

Now at this time comes
Moritz Weiss and Michael Borton
witnesses on the part of the State
in the foregoing Cause and acknowledge
themselves to owe and stand indebted
to the State of Missouri in the sum
of One hundred dollars each to
be levied of their respective goods
and Chattels lands and tenements.
To be void however if the said Moritz
Weiss and Michael Borton shall
be and appear in their own proper
persons before the Hon Judge of the
Jefferson County Circuit Court on
the first day of next term thereof
to be begun and held at the Court
house in said County of Jefferson on
the Sixth Monday after the 4th
Monday of September 1867 and not
depart said Court without leave thereof
otherwise this recognizance shall
remain in full force and effect.

State of Missouri ³ S.S.
Iron County

I Joseph Huff Clerk
of the Circuit Court in and for Iron
County in the State of Missouri
do hereby Certify that the foregoing
is a Correct Copy of the open
recognizance of Moritz Weiss and
Michael Brenton taken in said
Cause at the April Term 1867 of
the Iron County Cir Court as fully
as the same appears of record in my office.

In Testimony whereof I hereunto
set my hand and seal of office
hereto affixed at office this 23rd
day of September A.D. 1867.
Joe Huff Clerk

Bill of Costs (Additional)
Joe Huff Clerk Iron Co
For taking recog. & witnesses

\$ ⁵⁰
~~1.00~~

Attest

Joe Huff Clerk

State 19-224
 44 95.8 838.50
 22 + 13

Joseph Reid

Supplemental Claims

Filed Sept. 30th 1867,
 E. J. Downey & Co
 Bay of Islands, N.Y.

State of Missouri } Plff In the Circuit-
24 } Court of Jff.
Joseph Reid } Deft - same County
} Mo Nov 1869.
Petit Larceny -

Now at this time comes the Deft and
moves the Court to Quash the
Indictment in the above entitled
cause for the following reasons -

1st - Because there is no Prosecutor
indorsed on said indictment
Nor is there a statement at the end of
said indictment signed by the fore-
man of the grand jury to the effect
that the same was returned upon the
information or knowledge of two or
more of the grand jury or on the inform-
ation of some public officer ~~in~~
the necessary discharge of his duty.
Nor does it appear ~~other~~ than this
is the first offence of Petit Larceny
committed by this Deft.

2nd The indictment does not allege that
Deft stole &c personal property of a
less value than ten Dollars, - Nor
does it allege that Deft stole &c
lawful money &c of a less amount
than ten Dollars -

3 There is no value placed upon
the thing alleged to have been taken
Ouzman & Dinning
Fly's for drift

State
Ride

Johnson to Church

Oriskany Ave Co 4863
E. J. Downey Clerk