

Jefferson County Circuit Court
Case Files - Criminal
November 1867, No. 6

Box 19 Folder 55

State

vs.

O'Leary, Jerry
O'Leary, Cornelius
O'Leary, Daniel

Assault with intent to commit
great bodily harm

Shot pistol at Robert J. Boas;
also "O'Leary", "O'Leary"

State of Missouri }
County of Jefferson } ss In the Circuit Court
• of the County and State aforesaid At the Nov term 1867
The Grand Jurors of the State of Missouri
upon their oath do present that John Elmore
Cornelius O'Searie and Daniel O'Searie of the
County and State aforesaid on the 1st day of
September 1867 - then and there in and upon
~~one~~ Robert J. Boas in the peace of the State then
and there being then and there unlawfully and pe-
lunious did make an assault. and he the said
Cornelius O'Searie then and there with a pistol
loaded and charged with gunpowder and divers
leadens balls then and there had and held
in the hand of him the said Cornelius
O'Searie then and there unlawfully and
feloniously did discharge and shoot off
to at upon and against the said Robert
J. Boas then and there by means of the leadens
bullets aforesaid unlawfully and felon-
iously giving and inflicting ~~great bodily~~
~~harm~~ in and upon one wound in
and upon the right wrist of him the
said Robert J. Boas then and there by means
one of said means ^{unlawfully & feloniously} giving and in-
flicting great bodily harm in and
up the said Robert J. Boas, and the
jurors aforesaid upon their oath
aforesaid do further present that
the said Henry O'Searie and Daniel O'Searie

them and then unlawfully and felon-
 iously men present aiding assisting
 abetting counselling exciting and advising
 him the said Cornelius Horner the
 felony of said in manner and
 form of said by means of said
 to do and commit against the
 peace and dignity of the State
 and the rights of the

State of
 New York

Henry Horner
 Cornelius Horner
 David Horner

Asst. Sec. & Comm.
 of the State
 of New York

A true bill
 Samuel O. Wright

Attorney

William
 Aspinella Cole
 John Cole
 Frederick Cole
 Robert L. Brown
 John W. Connelly

Filed Nov 7 1867
 A. J. Stoney, Clerk

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting :

We Command you to take

Daniel O. Larry
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 4th day of May 1868,*

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 *an assault,*

with intent to great bodily harm,

contrary to the form of the Statute in such case made and provided, and against the peace and dignity
of the State.

E. J. Honey

WITNESS, ~~SAMUEL A. GERRY~~, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this

Eleventh day of *March*

A. D. 1868

E. J. Honey

Clerk Circuit Court.

Per E. J. Honey
Verina Deft

I Return this capias not served the Within
named Daniel O Lanny not found in my
County this 9th Day of May 1848

John Williams Sheriff

Capias

State

Daniel O Lanny

Sheriff's fee 50

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting :

We Command you to take *Jerry O'Larry*
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 4th day of May 1868,*
at Hillsboro, within and for the County of Jefferson, then and there to answer unto an Indictment
found against *his* by the Grand Inquest for the body of the County of Jefferson, for *an*
assault with intent to commit great
bodily harm
contrary to the form of the Statute in such case made and provided, and against the peace and dignity
of the State.

E. J. Honey
WITNESS, *SAMUEL A. REPPY*, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this

Eleventh day of *March*

A. D. 186*8*

Chas L Honey
Per C. L. Honey Depy
Clerk Circuit Court.

I Return this Capias not served the Within
Named Janny & Larry not found in my
County this 4th Day of May 1868

John Williams Sheriff

Capias-

State
no

Jenny O'Larry

Sherriff 50

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting :

We Command you to take *Daniel O'Larry*
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 *within 4 days of 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 *an assault*
with intent to commit great bodily harm,
contrary to the form of the Statute in such case made and provided, and against the peace and dignity
of the State.

C. A. Honey
WITNESS, *SAMUEL A. DEPPY*, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this
Eleventh day of *March*

A. D. 1868

Chas F Honey
Clerk Circuit Court.

Per C. A. Honey Depy

Captain

State

Samuel D. Jones

Stonington 57



A.D. 1861

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting :

We Command you to take

Daniel O'Leary

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 sixteenth day of November 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 *an assault with intent to commit great bodily harm,* contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State.

Elias H. Honey

WITNESS, ~~SAMUEL A. REPPA~~, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this

Twenty sixth day of *June*

A. D. 1868,

Elias H. Honey

Clerk Circuit Court.

By C. H. Honey Dep.



State
or
Dan O'Leary

J. D.

he is absent

to date -

John Williams
He will be
D. O'Leary

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting :

We Command you to take

Daniel O'Leary

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 16th day of November 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 an *assault*
with intent to do great bodily harm,

contrary to the form of the Statute in such case made and provided, and against the peace and dignity
of the State.

Elias Haney

WITNESS, ~~SAMUEL A. REPPY~~, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this

Twenty sixth day of *June*

A. D. 1868,

Elias Haney

Clerk Circuit Court.

By Thos. H. H. Deph

State
as
Daniel O'Leary
he is absent
Deputy
John Williams
Sherriff fee
five

I executed the Within in Jefferson County
Mo having Daniel O'Leary before the
Court



Know all Men by these Presents, That Daniel O'Leary

as principal, and

J. N. Whithead Sam Donovan
as securities, are held and firmly bound unto the State of Missouri, in the full and just sum of
three hundred.....dollars, for the true payment whereof, well and truly to be made,

we bind ourselves, jointly and severally, firmly by these presents. Sealed with our seals and dated this
.. 28... day of .. July A. D. 186 6

The Condition of this Obligation is such That if the above bounden..... Daniel
O'Leary.....shall personally be and appear before the Circuit Court of Jefferson county, on the
first day of the next term thereof, to be begun and held at the Court House, in the town of Hillsboro,
within and for the county of Jefferson, on the ^{16th day} ~~first Monday~~ of November next, to answer an
indictment preferred against him for... an assault with intent to do
great bodily harm
and from day to day and from term to term, and not depart said court without leave thereof, then this
bond to be void; otherwise to remain in full force and effect.

Daniel O'Leary [SEAL.]

J. N. Whithead [SEAL.]

Sam Donovan [SEAL.]

TAKEN and approved by me this first day of August, 186 6

Wm S Howe J. C. C.

Deputy Clerk of the Circuit Court
St. Louis
Missouri

These are good and true Samuel A. Smith Atty

Know all Men by these Presents, That Daniel O'Leary

as principal, and

J. K. Whitehead & J. M. Monahan

as securities, are held and firmly bound unto the State of Missouri, in the full and just sum of

three hundred dollars, for the true payment whereof, well and truly to be made,

we bind ourselves, jointly and severally, firmly by these presents. Sealed with our seals and dated this

28 day of July A. D. 1868.

The Condition of this Obligation is such That if the above bounden Daniel

O'Leary shall personally be and appear before the Circuit Court of Jefferson county, on the

first day of the next term thereof, to be begun and held at the Court House, in the town of Hillsboro,

within and for the county of Jefferson, on the ^{16th day} ~~first Monday~~ of November next, to answer an

indictment preferred against him for an assault with intent to do great

bodily harm

and from day to day and from term to term, and not depart said court without leave thereof, then this

bond to be void; otherwise to remain in full force and effect.

Daniel O'Leary [SEAL.]

J. K. Whitehead [SEAL.]

J. M. Monahan [SEAL.]

TAKEN and approved by me this First day of August 1868.

Wm B Howe 1868

Securities are good

J. E. L. May
Circuit Clerk

I waive writ of habeas corpus

Wm B Howe
Circuit Clerk

COUNTY OF JEFFERSON.

The State of Missouri,

To *Mrs. McConnell, R. B. Bone, & Aquilla Bates*

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 *16th 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

Plaintiff, and *The State of Missouri* 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 *12th* day of *October* A. D. 186*8*

Clerk.

Elias F. Honey
By *Edw. Morris Deale*

2269
SUBPOENA.

To Jefferson Circuit Court.

Nov

Term, 186

State

vs

Daniell A. Larn

For State

Wm M. Cornell &

R. J. Davis

Aquilla Cole

John Williams

Sherrill
fee \$1.50

I herby do certify in the above named case on the 9th
day of November 1865 in the presence of
John Williams
Sherrill

COUNTY OF JEFFERSON,

The State of Missouri,

To

Samuel Phelps McArthur Phelps
vs
John Reynolds & Co Merchants

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 *16th day of November* *1866* 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

Plaintiff, and

The State of Missouri is

Samuel Phelps 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 *12th* day of *October* A. D. 186*6*

Elias F. Honey Clerk.

By John McArthur Phelps

SUBPOENA.

To Jefferson Circuit Court.

Nov Term, 1868

State
vs
Paul A. Lusk

~~For Deft~~

Duo State

Henry Lepp

Mathias Lepp

Wm Reynolds

J C Kendrick +

John Williams

Sheriff fee \$2.00

Appear the within in Jefferson County Court on
the 12th day of October 1868 on Henry Lepp
Mathias Lepp Wm Reynolds and J C Kendrick
etc by checking the same to each of them

John Williams
Sheriff.

COUNTY OF JEFFERSON.

The State of Missouri,

To *John Cole, David Goff & Buckley*
v. Wm Roberts

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 *16* day of *December* *1868*, 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

Plaintiff, and *the State of Missouri*
David Roberts 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 *12* day of *October* A. D. 186*8*

Elias F. Honey Clerk.

By *Elias F. Honey*

SUBPOENA.

To Jefferson Circuit Court.

Nov Term, 1868

State
vs
Danl O Lusk

Deor State
Wm Cole
David Goff +
Dr Bunkley
H M Roberts

John Williams
Sheriff fee

\$2.00

I served the within in Jefferson County Mo on the
14th day of September 1868 on Wm Cole
David Goff Dr Bunkley H M Roberts by
Recalling the same to each of them

John Williams
Sheriff

COUNTY OF JEFFERSON.

The State of Missouri,

To.

I am *James T. Leavelle* *and John Martin*
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 *first week*

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 *State of Mo.*

Plaintiff, and

is *Daniel O Leary*

Defendant, on the part of

Defendant

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 *17th* day of *Nov* A. D. 1868.

Elias F. Honey Clerk.

SUBPOENA.

To Jefferson Circuit Court.

Nov. Term, 1868.

State
vs

Daniel O. Leary
for Deft.

Sam. Duvivier
Jane O'Leary
John Martin

John Willenius
Sheriff. fee \$1.50

I hereto the Within in & Election County, Mo on the
17th day of October 1868 on Duvivier Duvivier
and Jane O'Leary and John Martin by
meeting the State to each of them

Attest My Hand
John Willenius
Sheriff