JUSTICE OF THE PEACE COURT

OCTOBER 1854

Platte County Circuit Court
Justice of the Peace
No term given. October 1854

Box 29 File 1

State of MO
vs.
Pope, Mary Ann
Mitchell, Robert
Sam, A Slave

Attempting to Entice, Decoy, Persuade + Carry Away Slaves

- Theft of slaves: Ellen, Martha, Anna, Henry, Charity + an infant.
- Slaves property of Howell Jenkins
- Case transferred to Platte County Circuit Court
- Defendants charged separately. Unable to separate due to possible inaccurate division of documents

The State of Missouri
To the Sheriff of Platte County— or
To any Constable of the County of
Platte ——————— Greeting

Whereas Howell Jenkins of Platte County
Missouri hath this day given information upon
oath to me the undersigned Justice of the Peace
within and for the County aforesaid, that
on the 3rd day of October A.D. 1854 at the
County aforesaid one Robert B. Mitchell of said
County did attempt to entice, persuade, and carry
out of this State certain Slaves towit, Ellen, Martha
Ann, Henry, Charity, and an infant Child, Slave, the prop
erty and in the possession of one Howell Jenkins
of Said County with intent to deprive the
owner thereof of the Services of such slaves

Thus are you therefore to Command you, forthwith
to apprehend the said Robert B Mitchell and
bring him before me, to answer the premises, and
further to be dealt with according to law

Given under My hand and Seal
at the County of Platte aforesaid, this 3rd day
of October 1854

Galatia Spragues, Justice of the Peace

The within warrant executed on the within named defendt R B Mitchell by arresting said Robert Mitchell and having him person in Court this 6th day of October 1854

W M Adams Sheriff

R B Mitchell

W M Adams

Sheriffs fees

$1.15

State of Missouri

To the Sheriff or any Constable of the County of Platte — Greeting

Whereas Llewell Jenkins of said County hath this day given information upon oath, unto the undersigned Justice of the Peace of said County, that on the 4th day of October A D 1854, at the County aforesaid, one Mary Ann Pope of said County, did attempt to entice, decoy, persuade and carry away out of this State certain Slaves to wit Ellen, Martha Ann, Henry, Charity, and an infant Child Slaves the property and belonging to said Jenkins, with intent to deprive the owner thereof of the Services of such Slaves —

These are therefore to Command you forthwith, to apprehend the said Mary Ann Pope and bring her before me, to answer the premises and further to be dealt with according to Law —

Given under My hand and Seal at the County of Platte aforesaid on this 4th day of October 1854.

Galatia Sprague. Justice of the Peace

The within writ of Fieri Facias on the within named defendant & against the lands and tenements in Court on the 6th day of Sept 1851

Wm B Spratt Sheriff

May Aug Term 1851

Writ Returned

Received $1.02

State of Missouri } SS
County of Platte }

This affiant being Sworn States that a Slave Named 'Sam' the property of Robert Mitchell of Said County and State did on the 5th day of October 1854 in Platte County and State aforesaid attempt to entice, persuade and carry out of this State Certain Slaves to wit; Ellen Martha Ann, Henry, Charity, and an infant Child Slaves the property of the undersigned, That the Said Slave did with intent to deprive the owner thereof of the Services of Such Slaves

Harrison Watkins

Sworn and Subscribed to by me the Undersigned Justice of the Peace within and for Said County on this 5th day of October 1854

Galatia Sprague, Justice of the Peace

Robt B Mitchell

Information

February 6th
1854

State of Missouri } ss
County of Platte }

This affiant being Sworn makes oath and Says that Robert B. Mitchell of Platte County and State of Missouri did on the 5th day of October 1854 attempt to entice, persuade and Carry out of this State Certain Slaves the property of the undersigned. The Names of the Slaves were as follows Ellen — Martha Ann, Henry Chany — and an infant Child Slaves, that the Same was done in Platte County State aforesaid, with intent to deprive the owner thereof of the Services of Such Slaves.

Daniel [illegible] Jinkens

Sworn and Subscribed to before me the undersigned Justice of the peace on this 5th day of October 1854

Galatia Spraggens J.P.

Howard Public
Information

Filed Oct
4th 1884

State of Missouri } ss.
County of Platte }

This affiant being Sworn States
May Ann Pope of Platte County and State of Missouri
did on the 5th day of October A.D. 1854 did at-
tempt to entice, decoy, persuade and carry out of this
State the following Slaves, the property of the
undersigned of said County & State, to wit a Slave named
Ellen and her Child Martha, Ann, [redacted] Stanly,
and an infant Child Slaves, in the possession and
belonging to the undersigned, that the same was
done in Platte County and State aforesaid
with intent to deprive the owner thereof of
the services of such Slaves.

Howell Jenkins

Sworn and Subscribed to before the undersi-
gned Justice of the Peace on this 5th day of
October 1854

Galetia Sprague, Justice of the Peace

Ephraim Scribner Library
Ohio Wesleyan University
Delaware, Ohio

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Mary Ann Pope

Information

Peter Oct 4th
1854

Know all men by these presents that we Robert B
Mitchell as principal and Pleasant Thornburg
as security are indebted to the State of
Missouri in the sum of One thousand Dollars
Lawful money of the United States to the payment
of which well and truly to be made
we bind ourselves our heirs executors and administrators firmly
by these presents Signed Sealed and dated this
6th day of October AD 1854

The condition of this obligation is such that
whereas Sam a Slave the property of Robert B
Mitchell Stands Charged before Nicholas Sprague
a Justice of the Peace of Platte County with attempting to entice decoy persuade and carry away
from this State certain Slaves the property of and
in the possession of Hiram Jenkins with intent
to deprive the owner thereof and the services of
such Slave, And whereas the consideration
of said Cause against the said Sam has
been by said Justice postponed until the 14th
day of October AD 1854 Now therefore if the said
Robert B Mitchell shall have the body of the
said Slave Sam before the said Justice on
the said 14th day of October AD 1854 to
answer the charge aforesaid then and in that
case this recognizance to be void else to
main in full force and effect Signed Sealed
and dated the day and year aforesaid

R B Mitchell Seal
P L Thornburg Seal

The State of Nipon

vs Recognizance

of

Amos Slave

Utica Oct 6. 1854

G. Sprague J.P.

The State of Missouri.

TO Sam Withers ~~Co how of Forbus Wright & Foster~~

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatea Sprague a Justice of the Peace within and for Carroll Township, in Platte county, ~~on the day of~~ September ~~185~~ ~~at ten o'clock in the forenoon of that day~~, at The Court House in Platte Ct, in the same township, to testify the truth of your knowledge, touching a certain matter of controversy before me depending between The State of Missouri plaintiff, and Sam a Slave defendant on the part of the Defendant

Hereof fail not at your peril. Given under my hand, this 6th day of October 1854

Galatea Sprague **Justice of the Peace.**

Due notice of the above
application will be made
to the Hon. Samuel Mayo
Judge of the Court of Pleas
for Pleas Term
of October 1824

Pltf's Attorneys

Pltf's Declaration

Filed 24 October 1824

Writ issued 5th November
Returnable to the January
Term 1825

Warrant
Sheriff

The State of Missouri.

TO Laban Withers, Edwin W. Forbus, Hugh B. Todd and D. Parkard, William Perdue

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll Township, in Platte county, ~~in the day of~~ on the fourth Monday ~~185 at ten o'clock in the forenoon of that day~~, at the County House in Platte City, in the same township, to testify the truth of your knowledge, touching a certain matter of controversy before me depending between The State of Missouri plaintiff, and Robert B. Mitchell defendant on the part of the Defendant

Hereof fail not at your peril. Given under my hand, this 6th day of October 185 4

Galatia Sprague **Justice of the Peace.**

State of Missouri
vs. Eupenia
R. B. Mitchel

Subpoena for Deft
Saban Withers
John W Forbus
Stark B Todd
Co Pinkard
Wm Person

Sheriff fees
$2.50

The State of Missouri.

TO Laban Withers John W Forbus Augs B Todd Pinkard and William Perry

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll township, in Platte county, ~~on the~~ ~~day of~~ forthwith ~~185 at ten o'clock in the forenoon of~~ ~~that day~~, at At the Capt House in Platte City in the same township, to testify the truth of your knowledge, touching a certain matter of controversy before me depending, between The State of Missouri plaintiff, and Mary Ann Pope defendant on the part of the Defendant. Hereof fail not at your peril. Given under my hand this 6th day of October 1854

Galatia Sprague **Justice of the Peace.**

The State of Missouri.

TO P S Forbus & A P Rice & James Hale

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll Township, in Platte county, ~~on the~~ ~~day of~~ forthwith ~~185 at ten o'clock in the forenoon of~~ ~~that day~~, at the Capt House in Platte City in the same township, to testify the truth of your knowledge touching a certain matter of controversy before me depending, between The State of Missouri plaintiff, and Mary Ann Pope defendant on the part of the Defendant hereof fail not at your peril. Given under my hand, this 6th day of October 1854 Galatia Sprague **Justice of the Peace.**

State of Missouri
vs
Mary Ann Pope

Murder
Dec 30, 1870

Witness for State

Laban Mitchell
John W Forbus
Hugh B Todd
Dr Pinkard
Wm Perry

The petition and writ
were executed
on the within
named defendants
by reading the same
to them in the
County and State
aforesaid this 6th
day of Sept
1871

Jno Abbott
Sheriff

The State
vs
Mary Ann Pope

Witnesses for Defts
L F Forbus
A P Rucker
James Dale

Sheriffs fees
$1.50

The State of Missouri.

TO Andrew Fuck. Charles Payton. Violett Murray

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll township, in Platte county, on the 7th day of October 1854 at ten o'clock in the forenoon of that day, at Grant House in the same township, to testify the truth of your knowledge, touching a certain matter of controversy before me depending, between State of Missouri plaintiff, and Robt B. Mitchell defendant on the part of the defendant Hereof fail not at your peril. Given under my hand this 7th day of October 1854

Galatia Sprague **Justice of the Peace.**

The State of Missouri.

TO Luke Green Dick Wilson. Howard Murray

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll Township, in Platte county, on the 7th day of October 1854 at ten o'clock in the forenoon of that day, at Grant House in the same township, to testify the truth of your knowledge, touching a certain matter of controversy before me depending between State of Missouri plaintiff, and Robt B Mitchell defendant on the part of the defendant

Hereof fail not at your peril. Given under my hand, this 7th day of October 1854

Galatia Sprague **Justice of the Peace.**

Upon motion ordered that Execution issue

State
vs
P. Whitehead

Affidavit
Luke Brien
Peter Brien
Amanduellum

Sheriff's Fee
3 00

Returned
October 1st 1824
Paid

State
vs
P. Whitehead

Affidavit
Luke Brien
Peter Brien
Amanduellum

Sheriff's Fee
3 00

Returned
October 1st 1824
Paid

Upon motion ordered that Execution issue

The State of Missouri.

TO D. R. Atchison Wm B. Almond and O Jesse Morin

YOU are hereby commanded that, all excuses and delays set aside, you be and appear before me Galatia Sprague a Justice of the Peace within and for Carroll Township, in Platte county, on the 12 day of October 185 4 at ten o'clock in the forenoon of that day, at the Court House in the same township, to testify the truth of your knowledge touching a certain matter of controversy before me depending, between the State of Missouri plaintiff, and R. B. Mitchell defendant on the part of the deffendant hereof fail not at your peril. Given under my hand, this 12th day of October 185 4

Galatia Sprague **Justice of the Peace.**

State of Missouri
Os Cooper
R. B. Mitchel
D. R. Atchison
Wm B. Almond
Jesse Morin

Sheriffs fees
$1.10

The within subpoena executed on Mary Williams by reading the same to her in Platte County October 19th A.D. 1872 and D. R. Atchison and Wm B. Almond by reading the same to them in Platte County October 19th A.D. 1872

Know all Men by these presents
that Alamanda Pope as principal
and Mason Busby & Pinckard as
Security are held and firmly bound unto
the State of Missouri in the just and full
sum of five hundred dollars to be levied
of our respective goods and Chattels Lands
and tenements, Monies and effects for
the payment of which sum we bind our-
selves our heirs administrators and assigns
firmly by these presents— Sealed with
our Seals and Subscribed this 15th
day of October 1845

The condition of the above obligation
is as follows Whereas Mary Ann Pope
has been Charged with an attempt to entice
decoy persuade and carry out of this State or
cause Negroes, Slaves, so as to deprive their owner
thereof of the services of such Slaves— Infor-
mation having been filed upon Galatia Sprague
a Justice of the Peace of Platte County and State of
Missouri and a warrant having been issued by
said Justice thereupon and the said Mary Ann
apprehended thereon, And the said Justice having
enquired into the said Charge and having found
that there is probable cause to believe the said
Mary Ann guilty thereof— Now if the said
Mary Ann Pope shall personally be and appear
before the Circuit Court within and for said
County and State on the first day of the next
term thereof to answer said Charge and not
depart the Court without leave then this obliga-
tion to be void otherwise to remain

in full force and virtue

Alexander Pope [seal]

Mason B. Tinsley [seal]

A. Pinchard [seal]

Mary Ann Pope

Mary Ann Pope

Mary Ann Pope

Bond of Alexander Pope

Know all Men by these presents that we Howell Jenkins as prosecutor Isaac Howen Wm Lenier James Mulky Wm Hartley William Lipton as Witnesses on the case of State against Robert B Mitchell State vs Mary Ann Pope State vs Sam are held and firmly bound unto the State of Missouri in the sum of fifty dollars each to levied of their respective goods and chattels lands & tenements Monies and effects the payment of which sum we bind ourselves heirs administrators & assigns - Sealed with our seals and subscribed this 13th day of October 1854

The Condition of the above is that whereas Robert B Mitchell, Mary Ann Pope and Sam a Slave have been bound over to the Circuit Court of Platte County Missouri to appear at the 1st day of the next term to answer unto a Charge of an attempt to persuade entice decoy and carry out of this State certain negroes slaves so as to deprive the owner thereof of the services of such slaves. Now if the above Prosecutor shall personally be and appear at the next term of said Circuit Court on the first day thereof to testify & prosecute and the said Howen Lenier, Mulky Hartley & Lipton shall personally be and appear at the 1st day of the said Circuit Court at the next term thereof to testify in the above cases then this obligation to be void & otherwise to remain in force

his
Howell Jenkins Seal
mark
Isaac Howen Seal

Know all men by these presents that I Mr Robert B. Mitchell as principal and James S Owens as Security, are held and firmly bound unto the State of Missouri in the just and full sum of One Thousand dollars lawful money to be levied of our respective goods & Chattels, Monies and effects, for the payment of which sum we bind ourselves our heirs administrators & assigns firmly by these presents Witness our hands and Seals and Subscribed this 13th day of October 1854—

The Condition of the above is as follows Whereas said Robert B Mitchell has been Charged of an attempt to entice decoy, persuade and carry out of this State certain Negroes, Slaves so as to deprive the owner of the services of said Slaves— Said Charge having been on the information of Worrell Jenkins of Platte County and Territory aforesaid and enquired into by Galatia Sprague a Justice of the Peace of said County & State, on a warrant first issued by said Justice, & said Mitchell having been apprehended, and the said Justice on enquiry into the said Charge against said Mitchell having found that there is probable Cause to believe the said Mitchell Guilty of said Charge— Now if the said Mitchell shall personally be and appear before the Circuit Court, within and for said County and State on the first day of the next term thereof and not depart said Court without leave, then this obligation to be Void— otherwise to remain in full force and virtue

R. B. Mitchell Seal

James S. Owens Seal

Know all men by these presents that We Robert B Mitchell as principal and James L Orrick as Security - are held and firmly bound unto the State of Missouri in the just and full sum of one thousand dollars to the which of our respective goods and chattels lands and tenements heirs and effects, for the payment of which sum we bind ourselves our heirs, administrators and assigns - Sealed with our seals and subscribed with our names this 13th day of October 1854

The Condition of the above is as follows, that Whereas "Sam" a slave the property of said Mitchell, has been apprehended on a charge of an attempt to persuade, decoy, entice and carry out of this State, certain Negroes, Slaves, so as to deprive the owner thereof of the services of such slave, said charge being on the information of Hiram Fenton of Platte County - Missouri, and said charge having been enquired into by Galatin Sprague a justice of the peace of said county & State, on a warrant first issued by said Justice & said Sam having been apprehended thereon, and the said Justice on an enquiry into the said charge having found that there is probable cause to believe the said Slave Sam guilty of said charge - Now if the said Slave "Sam" shall personally be and appear before the Circuit Court of Platte County - and State aforesaid on the the first day of the next term thereof and not depart said Court without leave then this obligation to be void —— otherwise to remain

in full force and virtue — in law

R. Baillie Smith

James L. Queen

State of Missouri } An. attempt to decoy entice
vs persuade and carry out of the State
B. B. Mitchel } certain Slaves the property of
H. Jenkens. Information under
oath given by H. Jenkens and filed on Oct 5th 1854
Warrant issued same day against defendant returnable
forthwith. Warrant returned on the 6th of Oct 1854
by bringing the body of defendant into court witnesses
appeared in persuance of Supenias issued and enquiry had
after hearing the testimony the court was of the opinion
that there was probable cause to believe the deft.
guilty of the said crime as charged and Judgement
given accordingly. and deft required to enter into
bonds for his appearance at the next March term
of the circut court of Platte Co, Mo, on the first
day thereof. or in default thereof to Stand committed
defendant gave approved bond (James A Owen) for
his appearance which was filed and deft permitted
to go hence

I certify the above and foregoing as being
all and correctly the proceedings in the above cause
accompanyed with the evidence as taken down in my
presance and signed by the witnesses

Galatia Sprague J. P.

Justice fees $ 3.30
taken down evidence 4.20 — $ 7.50
Sheriffs fees — 4.20
$12.70

Transcripts

State
vs
R. L. Mitchell

Filed Dec. 26 1884
W. C. Rimmer
Clerk

State of Missouri } An attempt to decoy entice persuade
Vs } and carry out of the State certain Slaves
Sam. a. Slave } the property of H. Jenkens. information
under oath given by H Jenkens and
filed of Oct 5th 1854 Warrant issued same day against
defendant. returnable forthwith. Warrant returned
on the 6th of Oct. 1854 by bringing the body
of deft into court. on being required gave bonds
for his appearance on the first day of the next
term of the circuit court of Platte County Mo.
bond approved and filed and deft permitted to
go hence

I certify the above and foregoing to be
all and correctly the proceedings had in the
above case

Saladia Sprague J. P.

Justice fees. 2,00
Sheriff " 1,50
$ 3,50

State
№ 3

Sam, a Lane)

Fhan Dec 26 1852
N. 6. Running
Clerk

State
vs
R B. Mitchell

Defendant charged with attempt to decoy and take away Slaves belonging to H Jenkins

Mary Ann Pope being duly sworn deposeth — I was in Platte City last 18th and came with the intention of selling the property belonging to me & my children. The slaves Martha ann Henry Charity Ellen. and an infant slave — Those slaves were in the possession of Mr Jenkins Mr Mitchell asked to help me he had no hand in the matter at all he did not come all the way with me. I came by Mr Mitchells directly after supper did not have time to hitch — I came boldly. Mr Mitchell got on his horse & came part of the way. He had no hand in it — I don't know what time I got here — I live about 8 miles

The negroes were anxious to go with me. I had not intention to run them off — a couple of negro boys came with me

Question. Was not a negro man belonging to R B. Mitchell with you to aid you in carrying off those negroes? Objected to by defendant — Objection overruled

We did come — I told the negro I would give him $2/100 to come with me. Capt Mitchell knew nothing of it — I spoke to the negro about sundown in the evening I was passing along the road from one

Farm of Capt Mitchell to another. I dont know where Capt Mitchell was at the time - A negro was at Capt Mitchells son in Law 1/2 miles from Capt mitchells House. He was in the kitchen at the time I supposed he was going to stay all night. He started when we did & came behind that boy of mine -

I started after supper from my house before it was entirely dark and came on by Capt Mitchells - When we got on to the capts I told him I would be back about a few ~~$2.50~~ to go. I Remained at ~~Capts~~ Mitchells a second

I spoke to Capt Mitchell to come at his house & asked him to ride a little ways with me - When I spoke to him he caught his horse took it & came on with me I did not get down & go into the house - I did not get down. I dont know who caught his horse - I dont know whose horse he caught. I waited after I got off a piece for Capt Mitchell - When I asked him to go. He asked me where I was going. I told him down this way a piece. He said he would have no part or hand in the matter if he was likely to be involved - I dont Recollect whether I told him I was coming to Platte City or going to Weston a little way -

How come him to say he did not wish to be involved? I dont know unless he had gotten an intimati

of it from some place - She news had arrived here before I got here - Mitchell said he was not to engage in any matter any way wrong - I told him I did not suppose my coming down to get my property would not injure any one - I recon he had heard of the matter by his Reply & by my saying I was coming here - I did ~~not~~ have a conversation about the matter with him ~~had any to get them~~ that I would have them at any hazard of Jenkins was at the door - We talked about many matters - I did not tell him the manner I was to get them - I learned from my negro boy Dave Jenkins lives - I had no talk with Mitchell how I was to get them - ~~negroes~~ as that I recollect -

Mitchell knew I was coming after negroes. He said he would not have any hand in it more than as a friend that he came merely as accommodation

When the men first arrested you ~~me~~ X ~~was at the Bridge~~ - Defendants objected at this stage of proceedings to impeaching the witness & that it had nothing to do with case of Mitchell - Objection Sustained

When I was arrested I did not see any one at the bridge - I did not see the Capt after I came to Platte City - When I got to Platte city I recon I got off the horse & hitched horse to the fence - I don't know how

for the Capt came with me – Mr Allen how for you came with Capt in Company –

I am getting tired of answering so many foolish questions – I wish well nothing but the truth but you seem to want more – did Capt Mitchell come within sight of Platte city with you? – I must answer that question – He was not near enough to get any of the negroes – I dont know whether Capt Mitchell son Platte city or not – I dont know whether he was in sight of Platte city or not

It was a good while after Capt Mitchell stopped before I arrived –

Capt Mitchell did not say any reason why he stopped – Said he supposed he had gone for Enough – I never saw him any more – The negro boy of Capt Mitchell got a horse some where I dont know where – He stopped in the Parlour of Capt Mitchell – I dont know what horse it was. It was not mine – (Some corn being put by)

Those negroes I came after were mine at least I was told so – My husband sold those negroes to Mr Jenkins & some while of Mr Jenkins have the money of sale – And a deed of gift of the negroes came to me & my children – I know my husband sold them & got as much pay as he contracted for – but neither of us know the existence of the deed of gift – It has been 3 years this winter since they were sold – I dont know whether Mr Jenkins was acquainted of the deed of gift or not

The deed of gift was prov. by
Pope's sister to me & my children
it is about 6 or 7 years ago
I have the deed of gift & dont
wish it destroyed — (The deed of gift
to be copied & the copy substituted
exact) Mr Pope had the negro woman
~~at the~~ time we raised her — I thought my
brother had given the negro to Mr Pope &
She was in the possession of Mr Pope
until he sold — She was about 10 or 11
years old when we first got her —
She was sold in July — on account of
Pope's debt & my sister bought her.
My sister, a widow, did not sell the negro. The
negro came back in less than a year
It was about 8 or 10 years ago this
sale took place

Cross Examined

My sister in law was single when she
bought the negro. Her husband's name
was Miller — (Defendants offered deed
of gift as evidence was read in open
Court) My husband name is Alamander
Pope — My name is Maryann Pope —
The girl Ellen, who I undertook to carry away
& the other negroes are children of some
Mr Mitchell Refused to have any
thing to do with the carrying of negroes
away — Mr Mitchell saw the deed of
gift & that was before I came down
I told Capt Long coming after
the negroes he said he would have

nothing to do with it would not implicate himself one way or another

Arrangements were made to pay Jenkins back the purchase money — some time before this and arrangements are now made for same — When the Capt started with me he had no intention to come all the way down nor to have anything to do with it

I have consulted with counsel and they told me to go & take the negroes

I told Mr Doke & others that I did not want Jenkins deprived of any of his money — Hudgens Leonard — Mr Donahan were the lawyers I consulted —

The Capt never told his negro to come nor did I tell the Capt. The negro was behind me to get the horse — He overtook me a little way this side of Capt Mitchell — I intended sending word to Mr Jenkins the money which he gave for them was Ready for him — I intended to keep the negroes for myself & Children I did not intend running them off out of Platte County for speculation or otherwise — I live 8 miles from here — I came at the time I did because I thought then would be a disturbance if done in daylight as Mr Jenkins was I was then a working man — I Reckon as it was moonlight I thought it was the best time — I was afraid the negroes would be run

The Report I was going to take them was in circulation — I had but one hour to work & Report & would lose no time — The neighbors generally knew I was coming after them I made no secret of the matter — My husband is able to pay back the purchase money & has more property than is sufficient to pay it — After the Capt left me it took me an hour to come to Platte City I reckon —

I traveled in a slow walk all the way — After the purchase of them at her sale by my sister in Law she married Cyrus Miller and that Miller then signed this deed of gift Conveying negroes to Me & my Children

Main Examination Resumed

I knew it was Reported I was coming after negroes because I heard them speak of it — They did not know when I was coming after them — It was Reported I intended to contend for my rights — but that I intended to take negroes away forcibly —

Mary A Pope

John Arrier
~~Anderson~~ being duly sworn deposeth and says — I went up to Caleb Mitchells house in Company with Hosea Mulky Sunday one o'clock I suppose when I left here — ~~[illegible]~~

I first went first with Hosea in Company across the bridge & found 3 Horses tied in the brush about 100 yds from Road & Mare about 50 yds from Pasture fence — We brought those horses back to town — Mr Mulky Hosea & myself then went to Mitchells

We went into the House. I rapped at the door. Called for Mitchell he answered came to door I told him the Pass Word gotten into a difficulty & wanted him to go with us to Roper & get him to go down to Belle City ~~for Mitchell also to go~~

Mitchell consented to go & went to get his horse. When he came back he said he had neither bridle nor saddle on the beast & could not go — Then he proposed to my House to take two of the horses with us & for him & House to go over to Roper — Mr House did not Reply whether he would go or not. I told Mr Mitchell one more after him that the Pass Word said he was implicated & Mitchell went off and got his saddle & bridle found it quickly — He brought out a small sorrel horse or mare good Traveler

I was not at the time of the arrest - Mitchell was in drawers & shirt & when he came to the door it was about 3 o'clock I suppose

We got on horses & came about ½ mile & told Mitchell I believe he & Hodgens owe this Lady right hundred dollars - at least the Lady makes out so - In what particular Mitchell inquired: I replied in getting those negroes. He did not Reply - Nothing more was said for some time. I then told Mitchell, Sir if you are in this transaction you are not a good woman as I am going I took your wife with her I would like much to see her to the last - and if Mr Jenkins had come I would have knock him down & kicked the Hell Out - & the woman & let the negroes go to the Devil. I would not have left the woman there. He Replied "He don't know her as you & that quit" - The first thing I saw in the transaction was Mrs Lady Mrs Pope and two negroes at my gate. - She ~~told me her name was~~ Mrs Pope - I ~~took~~ the negroes who were ~~belonged to~~ - I knew belonged to this woman Mrs Pope - I did not know the other negro - ~~This~~ White woman & two negroes were taken to Shapes office. They & Shapes officers left there in hopefering -

John Ferrier - Continued - Question. What transpired at the office - The lady and negroes were then kept in custody - Query? What did Mrs Pope and the negroes say in Regard to Mr Mitchell being engaged in the transaction? Objected to by the defendants. Objection Sustained -

Isaac Howe duly sworn deposeth & says. I was present on the night of the arest of Mrs Pope and others - I went to Capt Mitchells after the arest - We started from Lee between 1 & 2 o clock. When we got to Mitchells Ferrier went to door & called for Mitchell. Mitchell got up & came to door with shirt & drawers on. I dont think he was asleep or if he was he is easily awakened. He came out and we told him that Mrs Pope & some negroes had been caught running off negroes & we wanted him to go down & let Pope know it & for Mitchell to go down & see about his negroes. Mitchell said he would go & started after his horse. He went as I supposed to the stable & came back & said he could not find his saddle nor bridle. He came back & proposed that he should take a couple of our horses & go over to Pope's - When he was dressed fully. I told him I

was tired & had been riding all day & did not feel like going over to Polks Ferrier then told him it was no use to be mealy mouthed about nor to dodge the Bush that he might as well tell him ~~what he came for~~ for the consequences first as last— Ferrier told him that this Lady & the negroes had gotten into a snap down here and that Mitchell was accused of leaving a hand in it— Mitchell said he would come down & see about it— Mitchell then sent a boy to catch his horse & when horse was caught he started on down— The boy was not long catching the horse. not longer than a few minutes.

I dont recollect of seeing the boy until he came up with the Horse— dont know where the boy was when we got there

The Horse was a small heavy boned mare— I did not notice the saddle & blanket so as to see whether it had been lately rode—

I heard no remarks made coming down— as I am hard of hearing. Ferrier & Mitchell rode down together—

We got here about break of day as I near as I recollect

I was in the bridge the night of the arrest— I saw no horses hitched here— I saw some buggies on the other bridge. took it to be

on horse - I dont recollect how far on the other side of the bridge I had to attend to the negroes & had no time to pay much attention to anything else - When I saw the man he was I think to the left of the Road from here to Morton - near the Road - He was travelling when I saw him pretty fast as I thought - I merely got a glimpse of him — I dont know how far he was from the bridge - about 50 yds more or less. When the arrest took place the Lady called for some one - I called for protection I then heard the horses feet & that is what made me look

I dont recollect who the Lady called for - She cried out they were about to take her negroes & she called upon her friend or friends I dont Remember which. The Lady's husband was not there at least I never saw him - I have seen him since the occurrence but not before

The Lady called only tolerably loud but in an extreme loud tone of voice - She did not call for her husband at any time that I know of - The night was very light - It was clear & the moon shone very highly. It was full moon - I suppose it was about 12 o'clock at night at the time of the arrest - When I was at Mitchells I saw one horse besides

the one Mitchell rode, running outside the fort. I did not examine particularly but thought it had the appearance of being recently rode

I thought the horse a dark bay it may have been Brown -

I could not distinguish the color of the horse the man on the other side of Bridge rode - I am certain it was not a light colored horse - I saw no other horses at Capt Mitchells but the one I have named - When Barnes did not Hem, Mrs Pope - say Tennessee two whitemen in waiting? objected to by Defendants - objection sustained

I think some one spoke at Capt Mitchells house - The largest sub of the door did not know who it was It was not long until Capt Mitchell came to the door

The horse rode by Capt Mitchell rode very well did not seem - in a Hurry - but pretty fast. He rode best coming down - I did not see over his eyes often

Cross Examined - nothing

Isaac Howe

James McMurray being duly sworn
& deposeth & says. I was not
present at arrest at Bridge
I went to Mitchells with Horse &
Ferrier - Went to Mitchells about 3 o'clock
in the morning - Ferrier went to door
& knocked. Mitchell came to the
door. He told him of circumstance
here & wanted him to go to Paper
He said he would go & started
after his horse & said few minutes
came back & said he could not
find saddle nor bridle -

He did not seem advised to
say anything about the circumstance that
had happened nor to ask any
question about it. He seemed to
listened to
what we said - Then when he could
not make the arrangement to go with
us to Paper. Ferrier told him we had to
come to get him to go to Platte city that
this body had said he was here and
was suspected of being engaged in
this transaction - Mitchell only said
He would like to know whether this
body owned one of it. Ferrier told him
he did not know but to come down
I could not tell whether he manifested
any surprise or not He seemed to
take it all very coolly - He did not
express himself as being in any surprise
He then procured a horse & became
down with us. He was about the usual
time in having a horse caught. only
a few minutes

He rode down with Mitchell. He said nothing to me & I say little to anyone — I did not ~~go to bridge~~ after the horses — I saw Sprate & Ferrier bring over 3 horses —

Crop Examiner

When Ferrier told Mitchell this woman had implicated him. Mitchell asked. "Will she swear it?" —

Albert G Fisher sworn & deposeth and says. I dont know when I learned of the arrest of Mrs Parke & the others I got it from an unknown traveller who told me a little before day light that the letters in the above floor. This man hallooed to me — Question. Was not Wm Franklin Rabt B Mitchell? It was not

Did you know the man who told you? I did not nor had ever seen him before — He was an unknown traveller. Dont know whether I had seen him before — I did not recognize the voice of the man — I did not see the man & did not know him

I dont know what object this man had in giving me this information

I had made no arrangements with any one to let me know the result of this transaction —

This traveller told me when I put my head out the window that my sister was down here in distress

He said nothing else — I got two Lapairs here as soon as I could and came down here —

I had no horse of my own there.

This unknown traveller was about 150 yds from the house I was asleep. Mr Logan hallooed there was a man out there wanted me — I dont know who the unknown traveller was — I dont know which way he came nor which way he went.

I had no idea of any one would come to give me information — It was a short time before day — the man was 150 yds from me — Called me — I was in upper story of house — Did not know him nor which way he came nor which way he went —

no cross Examination —

John Ferris Examination Resumed

Refer to Pages 8, 9, & 10

I was not with Capt Mitchell all the time I was at his house. He went to the stables & I was not with him. He left me on several occasions I was with him all the time with the exception of a few moments — I saw a young man there nearly grown I supposed was Mitchells son. I left him there when I left. I dont know whether his son came out of the House or not, I just saw him I think after the Capt came back from the stables while Capt was gone The Capt was gone to the stable about 10 minutes — I also saw a black boy — Saw no others — While I was there I saw some horse animals

outside the fence - Mulkey & Horse went out to examine them I did not. The Horse Mitchell Rode down was a good riding horse owned freely - I was not present at the arrest I went out after the horses on the other side of bridge

These negroes in controversy have been in the possession of Mr Jenkins.

Jenkins had a bill of sale of these negroes from Pate - Valued all considered for said negroes. Woman & two children for nine hundred dollars - (Bills of sale produced & Read in Court)

The woman has had a child since Jenkins bought her

Cross Examined

I do not know this young man whom I now was Mitchells son. Mitchell called him his son - I dont know that he has other sons. I never saw any others that I know of - I was aware Mrs Pate & others were coming after the negroes - I heard it the same day -

Main Ex Resumed

This information about their coming down came to me secretly. Jenkins told me he wished me to assist I did not assist & knew not of the arrest until I was called to my door - Cross Ex

I dont know how many Mr Jenkins told Horse & myself were present when Jenkins told me -

Main Ex

Jenkins telling me induced me to aim
& thought it was a hoax & did not
believe what Jenkins told me would
transpire, until I saw the offenders
at the gate —

State
vs
R B Mitchell } Defendants Cause

~~James Mitchell~~, ~~sworn~~ ~~deposeth & says~~
nothing Isaac Horse – I dont recollect
of Hearing Capt Mitchell say he would
send his son or any one else over to
notify Pape – at the time we broke
to Mitchells to go to Papes – How did
you come not ~~to go to~~ Mitchells I told I
was ~~directed~~ not hear any Remarks
made Crop Ex
I dont nothing about sending
son or any one else over to Papes

Jas M. McKay – I do recollect
of some of us saying something about
sending some one to notify Pape – I
dont recollect who named it –
It seemed to be the understanding
when we left that a black boy was
to go over. This was about half
past three oclock A.M.
Crop Examination None

~~John Ferris Examination Continued~~
Dave Mitchell being duly sworn deposeth
and says – I recollect the night My
Father went with Mrs Pape a little distance
I went home that night. My Father
Returned about 10 oclock. I am
a daughter of R B Mitchell
We have no clock – I suppose
I had been in bed about an hour

and a half supposed it was about
Ten oclock. That night my Father rode
a sorel mare — I think my Father
was gone about one hour & a half —
I recollect distinctly about my
Father returning — My Father rode the
same horse back home next morning
that he rode with Mrs Pope — Returned
no clock — I was not awake when my
Father came home — My Father does not
own any bay or brown horse — His horses
are mostly sorrel. I recollect when
officers came after Mitchel some
3 or 4 hours after Father returned.
Cross Examined (none)

~~Deanna Elizabeth Mitchell duly sworn to says~~
~~My Father returned about ten~~
~~oclock at night — I am a daughter~~
~~of R. Mitchell~~ — Name Mitchell

Deanna Elizabeth Mitchell duly sworn & says. — My Father returned
about ten oclock at night — I am —
a daughter of R Mitchell

I heard the conversation between My Father
and the men who came after ~~him~~
— My Father told those men he would
send his son to tell Mr Pope. Three
men were present I dont know their names
Mr House was one of the three — My brother
went to notify Mr Pope — He returned
I think about half after 2 — Returned
no time since — My Father rode a
sorrel ~~horse~~ that evening with Mrs Pope

Lessee not own a dark bay or brown horse, He rode the same mare next morning — It was 3 or 4 hours after my father returned before these men came after him —

Cross Examined (~~name~~ —

My father has said nothing to me in relation to this matter down here had no conversation about it —

Elisa E Mitchell

Jesse Morin being duly sworn deposeth and says — I am acquainted with R B Mitchell, probably since 1839 or 1840

He has been a good citizen — Law abiding as far as I know think him a substantial good citizen — I have never lived in his immediate neighborhood

Cross Examined

I never lived in the immediate neighborhood — I have never been a neighbor to him, and know him passing only as a citizen never ever lived nearer than 7 or 8 miles.

Jesse Morin

Dr Pinkard duly sworn deposeth & says —

I have known Mr Mitchell 2 years, his general character so far as I know has been good

I live in Vicinity of him — I have lived in that distance of him next december will be two years.

Cross Examined none

A Pinckard

Dr Pinckard –

I have known Mrs Pope
near
some 2 years – I have heard nothing
against her character as to propriety or
honesty. She is regarded as a lady

Cross Examined

I have learned she has been in the
County some 2½ or 3 years

Main Ex

I am their family Physician
& have had good opportunities to
be well acquainted with them

A Pinckard

Mason & Dooley –

I have known Mrs Pope
since 1851. I have had a slight
acquaintance with the family during
this time Mrs Pope is recognized
as a lady Her character as to propriety
& honesty is good so far as I know –
I think her reputation is good
among her neighbors –

Cross Examination

I think they had come here in
1850 at least I had heard so

Mason & Dooley

Levi Long.

I dont recollect how long I have known Mrs Pope, I have been at her house several times I have never heard anything said against her honesty or chastity

I have never been intimately acquainted with Lev. I live about 2½ miles from Mrs Pope —

Crop Ex

I dont recollect when Mr Pope moved to this county — I think they have been here some 4 years —

Levi Long

State
vs
Mrs Mary Ann Pope [redacted] charged with attempt to decoy away Negro belonging to one Dennis Jenkins

Isaac House being duly sworn deposeth and says— One night last week dont recollect when. Mr Jenkins called on me to watch that he expected his negroes would be run off that night— We went down into the bridge— We got into the Bridge about the time we entered this end of Bridge I saw 3 persons come in at the further end— & we advanced & got about 1/3 into the Bridge

We then stopped until they came into the Bridge. They came on the Hill by Mr Jenkins & turned to the right— We did not know who they were their backs were to us. a woman & two men could not tell who— I then sent my nephew to follow & see who they were— Before he got back to us to tell who they were I saw the same 3 persons coming back with Mr Jenkins negro woman & 3 children

They came into Bridge & got through to the other end. I held Mr Jenkins as he wished to arrest them in the bridge until they could get to the light as I wished to see who they were—

Then we stopped them took the negroes from them & came them back. We bought them to Mr Ferriers two negro men & Mrs Pope — & then delivered them up to the Sheriff — The time of the arrest as near as I can guess was about 12 O'clock at night.

I have heard Mrs Pope say these negroes of Jenkins mothers & that she had come to take them as she thought Jenkins would abuse her if she attempted it in daylight —

Cross Examined

Mrs Pope said the negroes were her's, deeded to her & her Children. I think she said she had a deed of gift to negroes from her brother in law or sister in law or by both dont recollect which — I dont recollect that she said she had that deed of Gift with her. She did not say when she was going to take the negroes. She thought no body would hinder her from taking her property whenever she could find it — all this occurred in the same conversation with her around to get
that she took the negroes — This conversation took place at Mr Ferriers — Mr Ferrier was giving her a political ~~Religious~~ Lecture, also on morality —

Jenkins told me after night on the night of the arest that he wanted me to watch for those who were going to steal his negroes =

Mr Jenkins told me he had understood they were going to come that night to run away his negroes

I dont recollect who was going to do it. He said these people that he bought them of — He might have said Mr or Mrs Pope but dont recollect that he did — I think he told me the woman claimed them — I did not stay long to hear the conversation

He said they had sent down once before in the day time to get them — to speak to Mrs Pope — He said they had sent their negro man down to get them unbeknown to him —

I dont recollect that he said when this was — I dont recollect that he told me he had fixed a plan to catch them —

He told me he expected them that night. He did not say what time

I thought it was all a hoax & did not pay much attention to it

I have never known Mr Jenkins ever attempted to sell the negroes or get them away — I offered him last Spring six hundred dollars for the little boy — Jenkins told me he found out this proposed running away.

from his negro woman
Isaac Howse
State here closes Rebt case

State
vs
Mary Ann Pope
Defendant's Case

Statement of Mrs Pope

These negroes I came to take were
deeded to me and my children—
I thought if it was the truth that these
negroes belonged to me and my children
they ought to be in our possession
and I thought the best way to get
them was to get them in my possession
I sent a negro man & Lane down
in the day to get them by Mrs Jenkins
consent these negroes should come
up & when I had gotten them in
my possession Mr Jenkins might
sell me about them— I learn
Jenkins had heard of this & made
attempt to run them off & sent a
negro boy to see if they had not
already gone— When I found
they were not gone, I told this
negro he should come down after
them He refused on account of
his fear of Patrols. I told him I
was not sure the negroes were
mine as I had been told by 3 different
persons & that I ought to go & take

take them, and as for stealing
I never thought of that for I knew two
men were in the Bridge when I
passed as I saw them and smelt the
Tobacco smoke— I would have
taken them if Jenkins had been
in his yard I was not afraid
or scared — I marched up to the
yard, The negro woman was ready
& willing to come. & had sent me
word she wanted to come — I knew
if I did not get them that night
they would be run off as Jenkins
knew the state of the property — I
expected & want it understood
that I intended buying Jenkins
wheat before the negroes. I
have stated the truth as near as
I can — When I got to the end of
the Bridge I saw about [illegible] or a dozen
by stripping men ~~negroes~~ well men able
to tie a dozen like me. and I saw
two pistols drawn & also sticks &
cried put my finger on the gentlemen
Mr Jenkins had a Knife & stabbed
it at me 2 or 3 times I told him
to cut away if he felt like it. another
gentlemen had a pistol — I know
his name as I afterwards inquired
in regard to him — Mr Jenkins cursed
me as long as he felt like until he
got ashamed if he has any shame
He thought he could scare

but I had presence of mind enough not to be frightened— I had no intention to run the negroes off as I wanted them for myself & my children Judge Leonard, Denniken & Hudgens were the lawyers that told me I could take the property any time I owned them. That they were mine— I owned not have the negroes under any consideration than having Mr Jenkins what he gave for the negroes'—

I Galatia Sprague Examining magistrate in the Case of the State vs Mary Ann Pope do certify the above are substantially the statements as made by Mrs Pope— Given under my hand this 13th day of October 1824

Galatia Sprague J. P.

State
vs
Mary Ann Pope

Defendants Case
On part of defence

Holt Jones being duly sworn & examined and says— (Question, Did you hear Mr Jenkins say he had drawn a knife on Mrs Jenkins? Objected to ~~by Deft~~ Objection sustained. ~~On motion of Plaintiff's attorney to be examined~~

Statements of R. B. Mitchell

The charge against me is all wrong — I have had no agency in ~~causing~~ procuring requests from Mrs Jenkins either directly or indirectly

I was at home ~~& was able to show conclusively~~ & was at the time the charge was made against me but I was said to be down here — (Defendant's Counsel stated Defendant's Counsel was proceeded examining defendant further in regard to his statements. Counsel on part of state objected — Objection sustained) —

The Defendant adds to his statements

Some time after night Mrs Pope came to me & asked me to ride a piece with her — I told her I had nothing to do with the matter & Refused at first to come — I finally consented by her importunities to ride with her 3 or 4 miles, During this time Mrs Pope & myself were entirely alone — I left her at the end of some 4 miles and returned home & reached home between 11 or 12 o'clock —

I hereby certify the above to be the ~~Statements~~ of R. B. Mitchell charged with decoying away negroes as sworn by him before me. Oct 12th 1854

Galatia Sprague J. P.

By Commonwealth's Counsel