PLATTE COUNTY CIRCUIT COURT
Circuit Court

BOX 1 FILE 58

JULY TERM 1839

STATE OF MISSOURI

VS.

MULLIKIN, JOSEPH

LARCENY

Case initially heard by Justice of Platte County Court (acting as Circuit Court)
Charged with "feloniously stealing taking and carrying away anegro woman slave named
Harriet and her infant child"
Slave property of John D Mullikin
Held at Clay County Jail as Platte County had no jail

Know all men by these presents that we Joseph Mullikin Margaret Mullikin and William Duff of Platte County in the State of Missouri, acknowledge ourselves indebted to the State of Missouri in the following sums to wit Joseph Mullikin as principal in the sum of seven hundred dollars and Margaret Mullikin and William Duff as securities each in a like sum of seven hundred dollars; for the payment of which well and truly to be made we bind ourselves our heirs exetors &c firmly jointly and severally by these presents—

Signed with our hands and sealed with our seals this twenty fifth day of April AD 1839

The condition of the above obligation is nevertheless such that if the above bound Joseph Mullikin shall be and appear at the next Platte circuit court on the first day thereof to be holden at the falls of Platte in said County on the fourth Monday in July next to answer to such charges as may be preferred against him & particularly to a charge on indictment for feloniously stealing taking and carrying away a negro woman slave named Harriet and her infant child, personal property of John D Mullikin on the night of the 20th of April inst and not depart the court without leave then this obligation to be void otherwise to remain in full force and virtue—

Joseph Mullikin Seal

Wm Duff Seal

her
Margaret X Mullikin Seal
mark

Taken and acknowledged before me one of the Justices of the County Court in & County

Wm Mc Gaffenty Seal

Filed the 25th day
of April AD 1839
J Morin clerk

Recognizance of
Joseph Mullkins
Wm Duff and
Morgant Mullkins

State of Missouri
County of Platte

In the Circuit Court
of July Term Eighteen hundred and thirty nine
Platte County Court.

The Grand Jurors for the State of Missouri for the body of the County of Platte aforesaid upon their oath do present, That Joseph Mullikin late of said County of Platte on the first day of June, in the year of our Lord Eighteen hundred and thirty nine with force and arms at the County of Platte aforesaid, two negroes, slaves, to wit, one negro woman named Clarrent and her child of the value of seven hundred dollars, of the goods and chattels of one John Mullikin, there and then being found, feloniously did steal take and carry away against the form of the Statute in such case made and provided and against the peace and dignity of the State.

William T. Wood
Circuit Attorney.

Filed 22nd July
1839 J. Morrisey

State
vs
Larcency
&
Joseph Mullekin

A True Bill
Thomas Edwards

Foreman
of the Grand
Jury.

Witnesses
John Morris
John Milligan
Edward Wilcoxon
M. Glover
Thos Ferguson
James Morton

State of Missouri } ss
County of Platte } The State of Missouri
To the Sheriff of Platte County Greeting
You are hereby Commanded to take
Joseph Mullikin if he be found
in your County and him safely keep
so that you have his body before
the Judge of our Platte Circuit Court
on the first day of the next ~~October~~
November Term of said Court to
be holden at the Falls of Platte on
the fourth Monday of November next
it being the 25th day of said Month
To answer unto the State of Missouri
For Larceny of which he stands indicted by the Grand Jury of the County aforesaid. And have you then and there this writ

Witness Jesse Morin Clerk of said Circuit Court with his private seal affixed the seal as yet no seal of said Court provided— At office this 26th day of July A D 1839

Jesse Morin Clerk

State of Missouri }
County of Platte } ss The State of Missouri to the Sheriff of Platte County Greeting: You are hereby commanded to take Joseph Mulligan, if he be found in your County, and him safely keep, so that you have his body before the Judge of our Platte Circuit Court on the first day of the next November term of said Court to be holden at the Hall of Platte on the fourth Monday of November next, to answer unto the State of Missouri for Larceny of which he stands indicted by the Grand Jury of the County aforesaid. And have you then and there this writ.

Witness Jesse Morin Clerk of said Circuit Court, with his private seal affixed, there being as yet no seal of said Court provided, at office this 28th day of July A.D. 1839.

Jesse Morin

Clerk.

Seal.

State
of
Mississippi

Filed this 15th day of November
1839

State of Missouri
County of Platte, Sct.

Executed the within writ by arresting and taking into custody the body of the within named Joseph Mullikin in Platte County on the 26 day July 1839. And there being no Jail in said County of Platte, further executed the said writ by applying the Sheriff of Clay County, to take and confine for safe keeping the body of the said Mullikin in the Jail of said County of Clay which he is the day executed together with the writ aforesaid, July 27th 1839.

I was Fee Sheriff
By John E Owens Dep'ty of Platte

The State
vs
Joseph Mullikin

Ind. Affi. Nov. 15th 1839

To Jos Turnham a Justice of the County Court of Clay County your Petitioner Joseph Mullican begs leave to represent to your honour, that he is now illegally confined as a prisoner in the Jail of Clay County, by Samuel Hadley the Sheriff of said County, Your Petitioner is informed that he is in prison by virtue of a writ of Capias directed to the Sheriff of Platte County and issued by the Clerk of the Circuit court of said County, commanding the said Sheriff to take the body of your Petitioner and him to safely keep, so that your Petitioner should be and appear before the Platte Circuit Court at the next November term thereof, to answer to an Indictment preferred against him for Larceny, a copy of which Capias is here to your honour shown and marked, A. and by virtue of said Capias your Petitioner was taken and there being no Jail in the County of Platte your Petitioner was delivered into the custody of the Sheriff of Clay County; now your Petitioner prays your honour to grant him a writ of habeas corpus, so that your Petitioner may be brought before your honour so that your Petitioner may be discharged or bailed or be dealt with according to law, and your Petitioner will ever pray &c

Joseph Mullican

I Joseph Mullican the Petitioner aforesaid do State that the facts set forth in the foregoing Petition are true in substance.

Subscribed and sworn to before the undersigned Justice of the peace this 29th July 1839

Abraham Shafer J.P.

Joseph Mullican

Petition for Habeas Corpus

Filed this 15th day of November 1834

State of Missouri }
County of Clay } Sct

The State of Missouri to the Sheriff of Clay County Greeting you are hereby commanded to have the body of Joseph Mullican before me at the office of the clerk of the circuit court in the town of Liberty forthwith, together with the time and cause of his imprisonment and detention in the Jail of Clay County, and to do and receive what shall then and there be considered concerning the said Joseph Mullican, and hereof fail not give under my hand this 30th July 1889

Lock Trimble One of
the Justices of the Clay
County Court

D Mullican

Writ of Habeas Corpus

By the Habeas

Corpus act

Filed this 15th day of November 1859

[illegible] the within writ by bringing into the Court
of Fourth Chancery District Sitting at Bath
Court House on the 30th of May 1860 and
[illegible] the authority [illegible] the Commissioners of
Said Mullican in the Petition [illegible] that said Mullican
was taken by the Sheriff of Platte County by virtue of a writ
of Capias ad Respondendum issued from the Circuit Court
of the State of Clay County for the Recovery of Damages
in Action of Trespass Vi et Armis [illegible]
[illegible] Mutually Court [illegible] the Petition [illegible]
[illegible] Petition [illegible] by [illegible]

Liberty July the 30th 1839

The State of Missouri }ss
against
Joseph Mullikin defendant upon a writ of Habeas Corpus
Said and at the Instance of Said defendant upon
His petition for Release he being Confined in the
Clay County gaol upon a writ of Capias Issued
by the Clerk of the State Circuit Court on an Indict-
ment preferred against the Said defendant by the
grand Jury of Said County for larceny

The Only point to be decided in this Cause is
whether the prisoner is entitled to bail under the
laws of this State aforesaid
The Court is of opinion that it is a bailable case
It is therefore ordered that whenever the defendant
shall enter into a recognizance in the Sum of three
hundred dollars to appear on the first day of the
next November term of the State Circuit Court before
the Judge of the said Court at the Courthouse
in the City of the Falls of Platte which will be
the 25th day of said month and also offer good & sufficient
Security in the Sum to any person authorized
by law to take Said recognizance they are hereby
directed and required to take the recognizance
and discharge the Said prisoner out of custody
Given under my hand and Seal as Clerk of the
Clay County Court at the office of the Circuit Court
for Said County this 30th day July A.D. 1839

Lee Cunningham Clerk Circuit &
Clay County Court

The State of Indiana
vs
Joseph Mulbeker
Treas Order
J Bair

Filed this 15th day of November
1839 —

Be it known Joseph Mullikin as principal and
Robert R. Dunn as securety
acknowledge our selves to owe and
be indebted to the State of Missouri, that
is to say the said Joseph Mullikin in
the sum of Three hundred dollars and
the said Robert R. Dunn
in the like Sum of Three hundred dollars
to be levied of their respective goods and
Chattels lands and tenements upon
this condition nevertheless
That if the said Joseph Mullikin
shall make his appearance before the
Judge of the Circuit Court of Platte County
State aforesaid at the Courthouse in said
County on the fourth monday of November
next being the 25th day of said month
and the first day of the next term of said
Court, then and there to answer to an
Indictment pending against him in
said Court for Larceny and not de-
part said Court, without leave then
this recognisance to be void else to remain
in full force and effect,
Witness our hands and Seals this 2nd day
of August. A.D. 1835

Joseph Mullikin (Seal)
Robert R. Dunn (Seal)
(Seal)

State of Missouri
County of Clay Set.

Taken and certified, by and before me Joel
Turnham one of the Justices of the County Court of said
County of Clay this said Mullikin being brought before me
by writ of Habeas Corpus from the Jail of said County, and
on his offer to bail — Joel Turnham Sen. Justice Clay County Court

State
vs
Middleton

Filed this 15th day of November 1839

State of Missouri } Sct.
County of Clay }

The State of Missouri To Isaac Brock Hall Medlin Mathew M. Hughes Thomas Edwards Thomas Ferguson Manasseh Bertha Margaret Mullikin and William O. Tate Jack Drake and Newton Mobly and Samuel A. Brown

You are hereby commanded to be and appear before the Judge of our Platte Circuit Court at the Court house at the Falls of Platte in said County on the first day of the next November term of said Court it being the 25th day of November inst 1839 to give evidence in a certain matter of Controversy in said Court depending wherein The State of Missouri is Plaintiff and Joseph Mullikin defendant on the part of the defendant — Herein fail not at your Peril

Witness Jesse Morrin Clerk of said Court with my Private Seal affixed (there being as yet no public Seal of Office provided) At office this 18th day of November 1839

Jesse Morrin Clerk
By Ira Morris D. Clk.

I Isom N. Owen Sheriff of Pleasant Co
Executed The within Subpoena on
the within named persons By Reading
the Same in their hearing on differ
ent days This 19 day of Nov 1839

Isom N Owen Sheriff P C

Sheriffs Fees $5,00 by J R Owen Deputy

The State of Mississippi
vs. Subpoena
Appeal. Miller Co.

Issued Nov. 18th 1839

State of Missouri } Sct.
County of Platte }

The State of Missouri To ~~Parris~~
~~Cooley~~ Harrison Norton

You are hereby Commanded to be and appear before the Judge of our Circuit Court at the Falls of Platte in said County on the first day of the next November term of said Court it being the 25th day of November inst. 1839 to give Evidence in a certain matter of Controversy in said Court depending wherein The State of Missouri is Plaintiff and Joseph Mulliken Defendant on the part of the defendant Hereof fail not at your peril

Witness Jesse Morin Clerk of said Court with my private Seal affixed (there being as yet no Public Seal of Office provided) At Office this 18th day of November 1839

Jesse Morin Clerk

By Ira Norris D. Clk

The State of Missouri
vs. Wm Hopkins
Affidavit Attachment

Sworn Nov. 18th 1837

The defendant named person
not found in Platte Co
Sheriff's
Jan 13 1838 Clerk's fees

State of Missouri } Sct.
County of Platte }

The State of Missouri To John Morin. Zador Martin. Isaac Martin. Edward Wilcox Robert A. Dowell Doctor Ewell Hiram Wilburn and Richard D. Taylor

You are hereby commanded to be and appear before the Judge of our Platte Circuit Court at the Court house at the Falls of Platte in said County on the first day of the next November term of said Court it being the 25th day of November inst. 1839 To give evidence in a certain matter of Controversy in said Court depending Wherein the State of Missouri is Plaintiff and Joseph Mullikin is defendant. on the part of the Plaintiff Herof fail not at your peril

Witness Jesse Morin Clerk of said Court with my private seal affixed (there being as yet no Public Seal of Office provided)

At office this 21st day of November A.D. 1839

Jesse Morin Clerk

By Isa Morris D.C.C.

I Executed the within
ed person by Reading the same in
all done in Battle County this 19 day
of Nov 1839

James Howard Sheriff
Sheff Fee 3,50 by J R Rees Dpty

The State of Alabama
24, 3 Section
Battle Attalla Co

Sum Rec'd Nov. 21st 1839

Ala 350

State of Missouri } Sct.
County of Platte }

The State of Missouri To
Abijah Withers, James Roberts, Johnson Williams
and Robert Atkins and Count Roberts

You are hereby commanded
to be and appear before the Judge of our Platte Circuit
Court at the Court house at the Sally of Platte in said
County on the first day of the Next November term
of said Court it being the 25th day of November inst. 1839
to give evidence in a certain matter of controversy in
said Court depending wherein The State of Missouri is
Plaintiff and Joseph Mulliken defendant on the
part of the defendant. Herof fail not at your peril
Witness Jesse Morin Clerk of
said Court with my private
seal annexed (there being as yet no
public seal of office provided)
At office this 23rd day of November 1839
Jesse Morin Clerk
for Ira Morris D. Clk.

State of Mississippi
Madison Co

To the Sheriff of Clay County
Mississippi

I do certify that I Executed the within Subpoena on Johnson Williamson by Reading the Same in his hearing this 23 day of November 1839

John H. Overshiner
By J R Dunn Deputy

State of Missouri } Sct.
County of Platte }

The State of Missouri To Lydia Yale ——

You are hereby commanded to be and appear befor the Judge of our Platte Circuit Court at the Court house at the Falls of Platte in said County on the first day of the next November term of said Court it being the 25th day of November inst. 1839 To give cordium in a certain matter of Controversy in said Court depending wherein the State State of Missouri is Plaintiff and Joseph Mullikin defendant. On the part of the defendant. Herein fail not at your Peril

Witness Jesse Morin Clerk of said Court with my private seal affixed there being as yet no public Seal of Office provided) At Office this 23rd day of November A. D. 1839

Jesse Morin Clerk
By Ira Morin D. Clk

I Executed the within on Eldridge
Date by Reading the within in
hearing in the [redacted] 25 day of Nov 18
39

I am of C. Owens & Co
Lyf J R Owen Dep Sh

Shff Fees 50

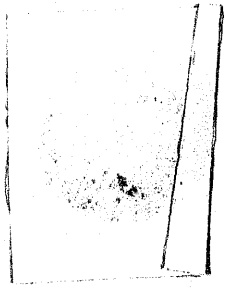
State of Ala
Madison
Sct 50

State of Missouri, } Sct.
County of Platte, }

The State of Missouri to John Morin
James Martin and Isaac Martin
and Edward Willcox

You are hereby commanded to be and appear before the Judge of our Platte Circuit Court, at the Court-house, [redacted] at the Falls of Platte on the first day of the next March term of said Court, to give evidence in a certain matter of controversy in said Court, depending between The State of Missouri plaintiff, and Joseph Hubbell defendant, on the part of the Plaintiff

hereof fail not at your peril.



WITNESS, Jesse Morin with my private seal thereto affixed (there being no public seal as yet provided) this 29th day of February A. D. 1840

Jesse Morin Clerk.

By Jas Morris D. Clk.

Executed on the Within Capias
Martin [illegible] by reading the same
in their hearing on the 12th Inst— in
Platte County Mo—

Jas Martin not found in the County
March 20th 1840 John H Owen Sheriff
of Platte County Mo
By Jno Ross Deputy

$4.00

The State of Missouri
vs
Capias
Martin Murphy
Platte County
Sheriff's Fees $1.12½



Executed on J. H. Spratt on the 24 of June 1840
on Dana Hunt same day S. A. Brown on same
day James Mobley on same day & Charles
Wells on the [illegible] day Judge by Reading the
within in three Counties in Platte County
Mo. Joseph Mullikin & Robert R Dowell
not found in Platte County
Fee 6 00

Louis H Dunn Sh'ff Pla

Wright & Co

47

94

94