Platte County Circuit Court
Circuit Court
Special Term, May Term 1853

Box 25 File 65

State of Missouri

vs

Abe, a slave

Murder

- Accused of stabbing to death Daniel, a slave
- Both slaves property of Nathan Newby
- Defendant found guilty; punishment issued was death by hanging

The State of Missouri } ss

To Mr Simeon Scruggs constable of ~~Platte County~~ [illegible] Township Platte county Missouri and the Keeper of the jail of said County Greeting

These are to command you the said constable forthwith to convey and deliver into the custody of the Keeper of the jail of the county of Platte aforesaid the body of Abraham a slave belonging to Nathan Neeley of said county taken and brought before me Mayor of the city of Weston and county aforesaid and charged before me upon the oath of Nathan Neeley of the county aforesaid with the crime of murder

And you the said Keeper of the said jail are hereby commanded to receive the said Abraham into your custody in the said jail and him there safely keep until he shall thence be discharged by due course of law

Given under my hand
and seal at the county
aforesaid this the 5th day
of April 1853 Benjamin Wood mayor Protem

Writ of Commitment
of the Slave Abram

Filed April 5 1853
W. A. Pennington
Clk

In the Circuit Court
At a Special Term
Began on the 30th day of
May 1853

Platte County, To wit,

The Grand Jurors of the State of Missouri for the body of the County of Platte aforesaid upon their Oath present that "Abe" a Slave (belonging to, and the property of, one Nathan Newby) late of said County, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the Second day of April in the year of Our Lord One Thousand Eight hundred and fifty three, with force and arms, at the County of Platte aforesaid, in and upon one "Daniel" another Slave then and there belonging to said Nathan Newby, and then and there being, feloniously, wilfully, deliberately premeditatedly and of his Malice aforethought did Make an assault, and that he the said "Abe" with a certain knife, commonly called a pocket knife, of the value of fifty cents, which said knife he the said Abe then and there in his right hand had and held, the said Daniel in and upon the right side of the abdomen near the right groin of him the said Daniel then and there feloniously wilfully deliberately premeditatedly and of his Malice aforethought did Strike and thrust, giving to the said Daniel then and there with the knife aforesaid in and upon the aforesaid right side of the Abdomen near the right groin of him the said Daniel, one Mortal Wound of the breadth of two inches and of the depth of three inches, of which said Mortal wound the said Daniel on the said Second day of April in the year aforesaid, at the County aforesaid instantly died. And so the Jurors aforesaid upon their Oath aforesaid do say that the said Abe, him the said Daniel in the Manner and by the means aforesaid feloniously, wilfully, deliberately

premeditatedly and of his Malice aforethought did Kill and Murder, Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State

James Craig
Circuit Attorney

We the jury find the defendant guilty of Murder in the first degree in manner and form as charged in the indictment. Thomas Heiney foreman

The State
vs
Abe, a slave
Murder in 1st Degree

A True Bill
W. Woodward, D. Solr.
Witnesses for the
State
Dan Long

Witnesses
Nathan Bowdy
Sam Heiney

The State of Missouri To the sheriff of the County of Platte Greeting Whereas at a special term of our Platte Circuit Court begun and held on the fifth Monday in May in the year 1853 and on the 2nd day of said term being the 31st day of said month. Athe. a slave was convicted of the willfull deliberate and premeditated murder of one Daniel also a slave and was sentenced by said court to be hanged by the neck on Friday the 24th day of June 1853 untill he should be dead. Now on therefore we hereby command that on Friday the 24th day of June 1853 you execute the sentence aforesaid by hanging the said Athe by the neck untill he be dead.

Witness William C. Remington Clerk of our said Court with his official seal hereto affixed at office in Platte City this 13th day of June 1853.

Wm C. Remington
Clerk

Executed the within warrant by taking the body of Abe the within named slave to a Gallows near the Jail of Platte County Missouri on the 24th day of June 1853. at about the hour of 2 oclock of the afternoon of that day, and there and then hanged said Abe by the neck until he was dead.

L. Shepard Sheriff.

Sheriffs fee $15.00

Court Warrant
Abe a slave

The State } Murder
vs
Abr }

Given A Master has the ~~Legal~~ right in this State to inflict any punishment upon his Slave (Not ~~amounting~~ effecting life or limb) which he May think necessary, and for that purpose May call to his assistance another Slave, And if under such Circumstances the Slave about to be so punished resist & Kill either the Master, or any Slave who is assisting the Master, Such Killing is Murder, and not Manslaughter

Given 2d If they believe from the evidence that the accused wilfully & Maliciously Killed ~~the person~~ "Daniel", at the time specified in the indictment, in Platte County, and That he intended to Kill before he Struck the Blow, even if he conceived the design to Kill but a Moment before he put it into execution, they will Convict him of Murder in the first degree

Given 3d The ~~intention~~ premeditation May be proved by Circumstances Attending the transaction

Given 4th What the accused said at the time & afterwards May be Considered by the Jury as Explaining the intentions, and the Condition of Mind of the accused at the time of the Killing

5 ~~The Killing itself with a suspected dangerous weapon is~~

We the Jury find the defendant Guilty
of murder in the first degree
Thomas Henry foreman