Worth County Circuit Court
Criminal Case
Sept Term 1864

Box 17 File 82

State of MO
vs
Swader, Joseph
Nutt, Moses
Rickabaugh, William

Assault with Intent to kill

of Willhite, Steve on 1864/07/10, while walking from Sabbath School along Platte River, Union Twp.

Note- Appears Steve Willhite was a negro
- victim accused of calling a member of the Rickabaugh family a rebel
- Union Township

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Grand Jury "ignores indictment" by JOP & case dismissed

Witnesses: Martha Pryor, Amanda Jones, James Jackson
John Roblett, George Voris, Aaron Bull,
Milo Farris, Charles Farris

State of Missouri }
County of Worth } ss

Personally appeared
John Whitten and Makes Statement on
Oath that on the tenth day of July
1864 Joseph Swader Moses Pitt &
William Rickabaugh Did Commit
an assault on the Person of Steve
Willhite with intent to Do on
Platt River Worth County Missouri
This 11th day July. John Whitten
1864 Subscribed and
Sworn to

J. M. Neely
Justice of Peace

4 0 State of Missouri
County of Wayne } ss

The State of Missouri to any
Constable of the County of Wayne
Greeting Whereas
James Whitten of said County
hath this day given information
upon oath to me Joseph Bell
a Justice of the Peace
within & for the County of Wayne
that on the tenth day of July
last past at the County
aforesaid Joseph Slaughter
Possessed Nicholas Bell
Reagan Slaughter did commit an
assault with the intent
the said the Person of
Nicholas Bell on the said
and of the said Nicholas Shoe
Maker these are therefore
to Command you
forthwith to arrest the
the said Joseph Slaughter
Possessed Nicholas
Reagan and bring them
before me to answer the
Premises and further to
be dealt with according to
Law

Given under my hand
at the County of Wayne aforesaid
this 11th day of July 1844

Joseph Bell J P

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State of Missouri }
County of Scotland } ss.

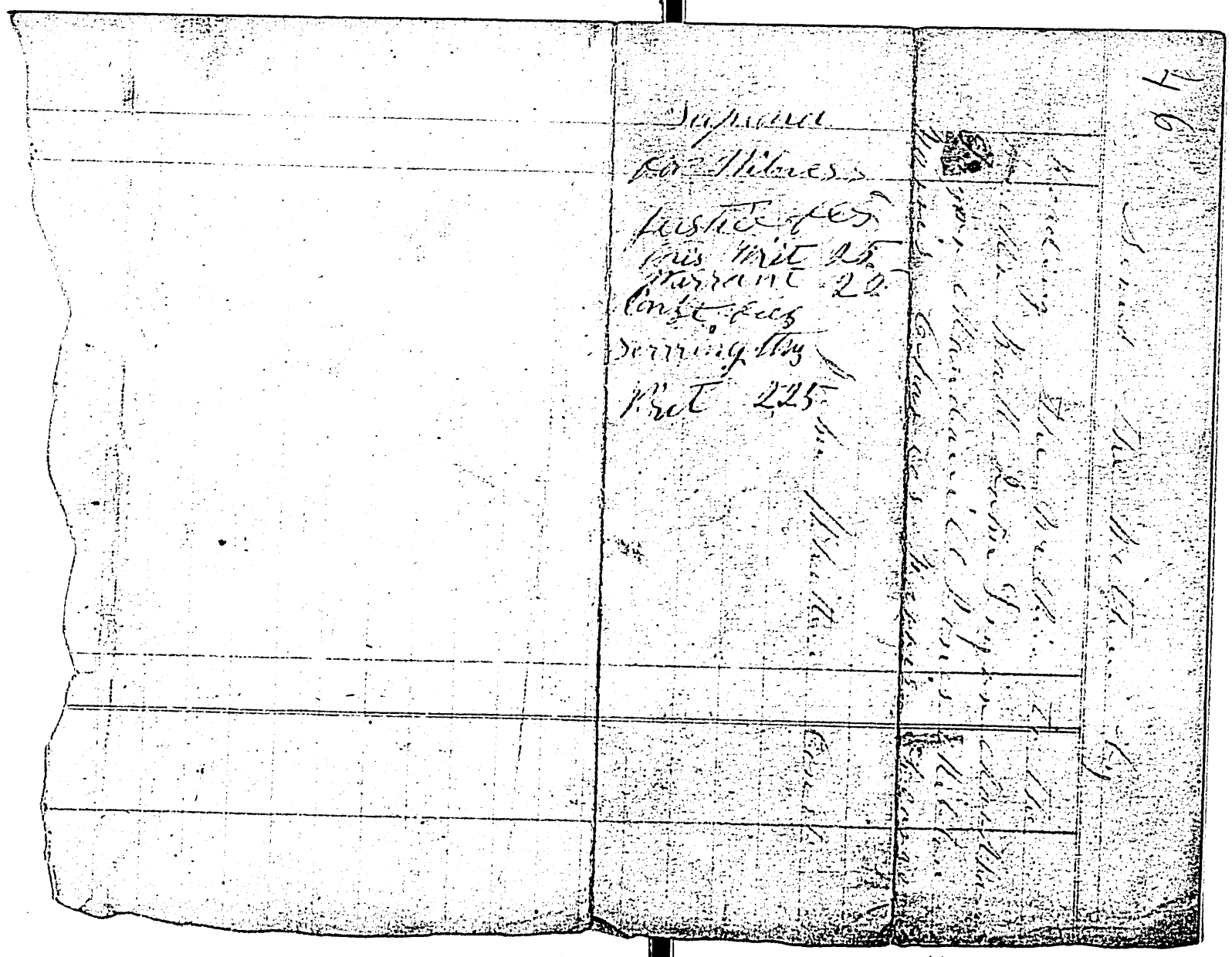
State of Missouri

To any Authorized Person Greeting
Whereas Isaac Bell of the County of Scotland
and State aforesaid hath this day
made application to me the undersigned
one of the Judges of the Circuit Court
within and for the County of Scotland
aforesaid for a writ of Habeas Corpus
directed to Joseph Moses Hall and
William Brockbaugh Defendants
in the Plea of Debt and
whereas it appears to me that
the said Isaac Bell is illegally
restrained of his liberty by the
said Joseph Moses Hall and
William Brockbaugh Defendants
as he the said Isaac Bell doth
allege

Witness my hand and seal this
11th day of June 1844

[illegible]

Imprimé
par Libres
Fusil Fers 25
Mousq. 20
Const. Fers
Serrurg. Ors
Fret 225



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Charles Harris being duly

2 Sworn deposeth and says.
As I was going home from School
School William Rickabaugh
followed me from the creek
home and I was afraid he would Kill
me & to get more with
Said he threw the first Rock.

Cross Examined
The boys were fifty yards
behind the wagon when Miles
first saw them followed home
which was their road Made no
attempts to hurt darkey.
Joe Shader made no motions
nor threats to hurt darkey

Charles + Harris
mark

Sworn and Subscribed
This 12th July 1864 J M Hibbs J.P.

Milo Harris being duly Sworn

3 deposeth and says
After coming from Tabb
School and getting to Mr Cases
William Rickabaugh said if he
Negro would come out of the yard
he would Mark his God damn
heart out of him.

Cross Examined,
When I saw these boys they were
following after us on their road home
He saw not responsible William
Rickabaugh.

Milo + Harris
mark

Sworn and Subscribed
this 12th July 1864
J M Hibbs J.P.

Martha Pegs being duly
Sworn deposeth and says
William Rickabaugh came
at Mr Cures if the darkey would
come out & Mr Cures Said he
would kill him come out and
fight he would kill him-Cantley
Also said if the darkey was home
by himself he would kill him before
he got home.
Cross examined.
The darkey was in the house
and William in the street Saw
no Weapons. dont think he could
have killed Mackey any how.
Re Examined
These boys might have had weapons
concealed about them did not see
them.
Subscribed and Martha A. Pegs.
Sworn to this 12th
July 1864 J. M. Hobbs J P

Amanda Ville Jones being duly
Sworn deposeth and says
After coming to Mr Cures William
said he would kill the Darkey
boys and that if he went home
that night alone he would kill him.
Amanda V. Jones

Aaron Batt being duly
Sworn deposeth and says
Cross Examined
Saw no persons around when
the darkey William told him
that Steve had called his brother
a damn Rebel and had threatened
to go home with his sister
William had something in his pocket
supposed to be stones. Aaron Batt
Sworn to and Subscribed
This 12th July 1864 J. M. Hobbs J P

Martha Page being duly
sworn deposeth and says
William Rickabaugh said
at Mr Cures if the darkey would
come out Mr Cures yard he
would kill him come out and
fight he would kill him in a minute
Also said if the darkey went home
by himself he would kill him before
he got home.
Cross examined.
The darkey was in the house
and William in the street & saw
no Weapons. dont think he could
have killed Harkey any how.
Re Examined
These boys might have had Weapons
concealed about them did not see
them.
Subscribed and Martha A. Page.
Sworn to this 12th
July 1864 J. M. Hobbs J. P.

Amanda ville Jones being duly
sworn deposeth and says
After coming to Mr Cures William
said he would kill the Lamb
Negro and that if he went home
that night alone he would kill him.
Amanda V. Jones

Aaron Batt being duly
sworn deposeth and says
Cross Examined
Saw no weapons. heard nothing
Mr Harkey William told him
that Steve had called his brother
a damb Rebel and had threatened
to go home with his sister
William had something in his pocket
supposed to be stones. Knew Harkey
Sworn to and Subscribed
This 12th July 1864 J. M. Hobbs J. P.

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James Jackson being duly
Sworn deposeth and Says
Saw Steve after he had traveled
about 3/4 of a mile from the Cave
after he was assaulted. The blood
had run down the back of his coat from
the wound in head and through the
Coat sleeve at the elbow. Saw a wound
on the Elbow and was still bleeding.
This was 10th July 1864.
Crop Examined
Scant Wind darker Mostly in
Langerable wounded this
James + Jackson
Mark
Sworn & Subscribed
This 12th July 1864
J M Hicks J. P

John Roberts being duly
Sworn deposeth and Says
Saw Steve half hour after
he came to School House and
blood was still running from
head from a gash on the back
of head 1 or 2 in of inch long and
not any how deep. Saw the blood
dripping through shirt at the Elbow
from wound on Elbow Considerable
blood in Coat and shirt

Crop Examined
Would not acknowledge he was
dangerously wounded.
July 12th 1864
John Roberts

Sworn to & subscribed
This 12th July 1864
J M Hicks J. P

Martin Allyn being duly
Sworn deposeth and Says
Steve came for me to
come home wounds received
10th July 1864 Martin Allyn
Sworn to & Subscribed
This 12th July 1864 J M Hicks J. P

State of Missouri
County of Polk

Be it remembered that on the 12th day of July 1845 William Rickabaugh of Polk county, Moses Mutt of Polk and David Rickabaugh & Joseph Graeler personally came before me J. M. Hibbs Justice of the Peace within and for said county, and acknowledged themselves to owe to the State of Missouri that is to say, William Rickabaugh the sum of Five Hundred dollars and the said Moses Mutt the sum of Five Hundred dollars and the said David Rickabaugh Two Hundred dollars and Joseph Graeler in the sum of Two Hundred dollars to be levied of their goods and chattels, lands and tenements, if the said William Rickabaugh & Moses Mutt shall fail in the condition hereunder written.

The condition of this recognizance is such, that if the above bounden William Rickabaugh & Moses Mutt shall personally appear at the circuit court on the first day of next term thereof, to be holden for the county of Polk on the day of next then and there to answer an indictment to be preferred to the grand jury against the said William Rickabaugh & Moses Mutt for an assault with intent to kill. Whereof they stand charged, and shall not depart the same without leave of the said court, then this recognizance to be void, otherwise to remain in full force.

William His X mark Rickabaugh

Moses His X mark Mutt

David His X mark Rickabaugh

Joseph His X mark Graeler

Taken certified the
day & year aforesaid

J. M. Hibbs Justice of Peace

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Filed July 16th 1864
P. M. Scott Clerk
By Jno H. Piner
D.C.

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July 12th 1864

State of Missouri Plaintiff
against
Joseph Swader
William Rickabaugh
& Moses Nutt Def

Suit for an assault with the intent to Kill on the Statement and affidavit of the

Justice fees

Warrant .25
Subpoena .25
Two Copying Writs .50

Written & Warrant was issued this 11th day of July 1864 and Directed to the Constable of Iquin Township North County Missouri Returnable forth with to the same being Returned by bringing bodies &

Constables fees

Serving Warrant .50
Sum Witnesses .125

Witness fees

John Ryan Maj .50
Martha Ryan .50
Amanda Jones .50
James Jackson .50
John Roberts .50
George Voris .50
Aaron Butt .50
Milo Harris .50
Charles Harris .50
Austin Allen .50

Joseph Swader
William Rickabaugh
& Moses Nutt on the
12th day of July 1864
and the Cause being
called the Defendants
Pleaded not guilty
to the charge preferred
against them and it
appearing to the satisfaction
of the Court that it had
the jurisdiction of the
aforesaid Proceeded to
take the Examination of
the Parties and witnesses in the Cause
and it appearing upon the hearing of
the Evidence that there was no offence
Committed by Joseph Swader but
there was an offence of an assault
With the intent to Kill Committed
by William Rickabaugh and Moses
Nutt Found the Court Held the
said William Rickabaugh & Moses
Nutt under Recognisance to appear
at the term of the Circuit Court
to be holden for North County to
answer to said charge of an assault
with the intent to Kill Given under my
this 12th day July 1864 J M Hobbs J P

State of Missouri }
County of Platte } S.S

Plaintiff
State of Missouri
Against
Joseph Swader William
Rickabaugh & Moses
Nutt } Defendants

I. J. M. Hicks a Justice of the Peace within and for the Township of Union and County of Platte aforesaid hereby Certify that the above and foregoing is a true and Complete Transcript of the Judgment Rendered in said Cause as the same appears in my Docket Relating to said Cause of State of Missouri Plaintiff against Joseph Swader William Rickabaugh & Moses Nutt Defendants and that such transcript is accompanied by all the Process and other Papers filed with the Justice Relating to the Suit

Given under my hand this 12th day July 1864

J. M. Hicks Justice of Peace

State of Miss
County of Hds

Be it remembered that on this 12th day of July A.D. 1864 at a Court of Justices of the Peace held for said County of Hds at the Court House in Pearl Town in Beat No 3 in said County of Hds before Robert Stamps, Benj Mumaville, Jno Mc Lean, Jas Jackson, Chas Harris, Thos Hawkins and Wm Rogers Esqrs Justices of the Peace in and for said County aforesaid and in their proper persons came and seated themselves and the State of Mississippi in the name of said State by Dallas H. Lewis Esq Dist Atty and Charley James and Tennent Pipes Constables of said County and the said Court then and there ordered the Sheriff of said County to bring before said Court at this term thereof to be holden at the Court House in said County of Hds then and there to testify and give evidence in behalf of said State against one William Richardson and Moses Platt and one Louis Chase for assault with intent to kill and murder and the said Wm Richardson and Moses Platt and one Louis Chase shall not depart the said Court without leave thereof first had and obtained upon the penalty of law and appearing at this term

Sworn & Subscribed
Thos H. Pipes.
Benj Mumaville Jones
James Jackson
John Roberts
Geo W Harris
Daniel Ball
Milo Harris
Charles Harris

Approved this 12th day of July 1864

J. M. Hicks Justice of the Peace