From: **B Nichols (Gmail)**
Subject: 1862 State of Missouri vs. Allen Malden
Date: November 7, 2024 at 3:33 PM
To:

Bcc:

NB

A disappointing court file. Other than the notations on the file cover, the file did not reveal anything about the slaves or why Malden was indicted. Although he was indicted, it appears the Sheriff never found Malden to arrest him.

No mention of Allen Malden in Paxton's Annals.

Wondering if witness "John Wright" was John B. Wright, who was indicted in 1858 for allowing slave "Dinah" to act and deal as a free person (see Oct. 25, 2024, email)?

The court file names 11 slaves but per the Oct. 29, 1850, Slave Schedule, Morton owned only 2 slaves in Carroll Township: a 14 yo Black female and a 12 yo Black female. No slaves listed in the 1860 Slave Schedule.

Per Paxton's Annals, Benjamin R. Morton was a carpenter for the Platte County Courthouse. In November 1868 he was elected a County Court Justice. On Sept. 14, 1894, the barn of Mrs. B.R. Morton "two miles south of Platte City" was struck by lightening and burned with its contents. Was a member of the Nebraska Lodge No. 12 I.O.O.F

(p. 376) Benj. R. Morton, b. in Montgomery Co., Ky., June 29, 1812; d. Dec. 7, 1881. Ben. R. Morton came to Independence, Mo., in 1832, and worked as a cabinet-maker; spent 1836 in St. Louis, working at his trade; came to Platte in 1837, and settled at Platte City, where, with Mr. Bishop, he built and conducted a carding machine, on Lot 11, Block 28. from 1840 to 1844; purchased land three miles south of Platte City, where he built a large brick house, now the homestead of the family; was elected county judge in November, 1868, with Talbott and Hamm as his associates; went to California for his health; in 1877 he had a long and severe spell of sickness, and partially recovered, with the loss of an eye. From this time until his death, he was seldom seen from his home. His judgment was sound, his industry indefatigable, and his reputation as an upright, honest, and honorable citizen was well established."

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Platte County Circuit Court, November Term 1862

State of Missouri vs. Allen Malden
"Enticing Slave Out of State"
"-Slaves: George, Mary, Matilda, Woodson, Pea, Jim, Bill, Jack, Josephine, Eliza & Ruth"
"-Slaves property of Benjamin R. Morton"

Dec. 4, 1862:

True Bill of Indictment for Enticing Slave out of the State, filed George W. Belt, Clerk

(no description of allegations, charges or indictment in file)

Francis M. XXXX, Foreman of Grand Jury

Witnesses:
Benjamin R. Morton
John Wright

John Wright
John B. Crowler

May 7, 1863:

Writ issued to Sheriff of Platte County to take Allen Malden into custody “and him safely keep” to appear on Monday, May 25th, before the Circuit Court on the charge of enticing a slave out of state as indicted by a Grand Jury.

May 25, 1863:

“The within Defendant Allen Malden not found in Platte County” by W.T. Woods, Sheriff

June 25, 1863:

Writ issued to Sheriff of Platte County to take Allen Malden into custody “and him safely keep” to appear on Monday, November 23rd, before the Circuit Court on the charge of enticing a slave out of state as indicted by a Grand Jury. Issued by Geo. H. Belt.

“The within Defendant not found in Platte County” by W.T. Woods, Sheriff

February 1, 1864:

Writ issued to Sheriff of Platte County to take Allen Malden into custody “and him safely keep” to appear on Monday, March 14th, before the Circuit Court on the charge of enticing a slave out of state as indicted by a Grand Jury. Issued by Geo. H. Belt.

(No Sheriff’s return in file)

Best,
Bill Nichols



1862 State of Missou...en.pdf