Criminal Case File

Case No. 800

No. 800

# Union Common Pleas.

## STATE OF OHIO,

*against*

John St. Robin.

*Defendant.*

Leave of Docket,

1889

*Journal No.* ..... *Page* .....

*Record No.* ..... *Page* .....

*Ex. Doc.* ..... *Page* .....

ORR & HARRIS, Blank Book Manufacturers and Legal Blank Publishers, Xenia, Ohio.

416

No 800

Union County Common Pleas.

THE STATE OF OHIO,

vs.

John St Clair.

# INDICTMENT.

— FOR —

Carrying Concealed Weapons.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Nathaniel C. Welch
Foreman of Grand Jury.

Filed 18

COM. PLEAS COURT, UNION CO. OHIO
FILED
NOV 9 1889
R. McCrory, Clerk.

Clerk.

Edward W. Porter
Prosecuting Attorney.

On this 18th day of Nov 1889, Defendant arraigned, and pleads guilty to this indictment.

R. McCrory
Clerk.

W. M. Wright - Deputy

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

John St. Clair

*late of said County, on the* 25th *day of* September *in the year of our Lord one thousand eight hundred and* Eighty-nine, *with force and arms, in said County of Union and State of Ohio,* unlawfully did carry concealed on and about his person a dangerous weapon, to-wit, a pistol, commonly called a revolver, and loaded with powder and ball,

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter
Prosecuting Attorney, Union County, Ohio.

## SHERIFF'S RETURN.

**FEES.**

| | |
|---|---|
| *Service & Return, $* | 30 |
| *Mileage, - -* | 16 |
| *Conveyance, - -* | |
| *Assistance - -* | |
| *Sustenance, - -* | |
| *Total, - -$* | 046 |

**THE STATE OF OHIO,** } *ss.*
Union *County,*

*By virtue of the commands of this Writ, I have arrested the said* John St John *and have his Body in the Jail of the County this* 12th *day of* November 1889

Thomas Marion Sheriff

*No.* 800 *Page*

*Doc.*

The State of Ohio
AGAINST
Robert St John

WARRANT ON INDICTMENT.

*Issued* Nov 12th, 1889

E. M. Porter
*Prosecuting Attorney.*

*Returned and filed*

*18*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 12 1889
R. McCrory, Clerk.

The Parrett Publishing Company, Springfield, Ohio.

# WARRANT ON INDICTMENT.

(Secs. 4959, 7229, 7230.)

THE STATE OF OHIO, }
Union County, }

**To the Sheriff of said County, Greeting:**

Whereas, At the November Term, A. D. 1889 of the Court of Common Pleas of said County of Union, an indictment was found by the Grand Jury thereof, against John St. John for a certain offense to-wit: for carrying concealed weapons

You are therefore commanded to arrest and safely keep the said John St. John so that you have his body before the said Court of Com Pleas to answer the charge of said indictment, and that you have with you then and there this writ.

Given under my hand and the Seal of said Court this 12th day of November A. D. 1889

B. McCrory Clerk.
By W. M. Wright Deputy

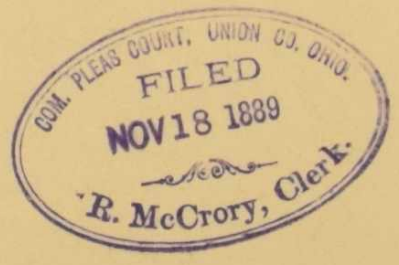
No. 888.

State of Ohio.

vs.

John St. Clair,

Entry.




J 15. Pag 189

Porter,
Pros. Atty.

No. 800.

State of Ohio.
vs.
John St. Clair.

Entry.
Carrying concealed weapons.

Now comes the Prosecuting Attorney on behalf of the state of Ohio, and the defendant being brought into the court in custody of the Sheriff, and arraigned upon said indictment for plea thereto, saith he is "guilty" and is remanded to the custody of the Sheriff until sentence.

E. K. Porter.
Pros. Atty.

WITNESS FEES.—Continued.

| NAMES OF WITNESSES. | Plff. | Deft. |
|---|---|---|
| | | |
| | | |
| | | |

(*7-1)-7-6-8. The Barrett Publishing Company, Springfield, Ohio

No. 800 Crim. Cost Bill Mar Term. 1890

Crim. App. Doc. Page

# THE SATE OF OHIO,

AGAINST

John St. Johns

County,

## COURT OF COMMON PLEAS.

Revised Statutes of Ohio, 1880, Secs. 1260-3.

| CLERK'S FEES. | | Plff. | Deft. |
|---|---|---|---|
| Doc. and app. plff. and one deft, | 12 | 12 | |
| additional, | each, 4 | 4 | |
| Entering finding indictment, | 8 | 8 | |
| Entering pleas, | each, 8 | 8 | |
| Indexing docket, | " 4 | 4 | |
| Index'g judgm'ts & final ord., each case. | 15 | 15 | |
| Index'g pend'g suits & liv. judg. " " | 15 | 15 | |
| Entering motion on docket and index, | 8 | | |
| Filing 4 papers & post. in app. doc. ea. | 12 | 48 | |
| Taking affidavits, | " 8 | | |
| Certifying " without seal, | 15 | | |
| " " with " | 35 | | |
| Filing prec., iss. capias, return & filing, | 37 | | |
| " " " Att., " " | 37 | | |
| Taking justification of bail, | 35 | | |
| Entering allowance of bail, | 4 | | |
| Spec. war. to bring before judge, ret.& fil. | 33 | | |
| Warrant to discharge prisoner, | 25 | | |
| Recog. of def't and filing | each, 29 | | |
| " wit. " " | 29 | | |
| Poling jury when required, | 25 | | |
| Impaneling jury & administering oaths, | 12 | | |
| Call and ent. tales jur. and cert., | each, 8 | | |
| Fil. prec., iss. sub. for 1 wit. & fil. | 16 | | |
| additional names. | each, 4 | | |
| Swearing witnesses, | " 4 | | |
| Ent. att. of " days, | " 4 | | |
| Certif. " | 4 | | |
| Qualifying jurors, | each, 8 | | |
| Ent. bar and court cal. & in., | each term, 8 | 16 | |
| Ent'g—orders on journal. | per 100 words, 8 | 24 | |
| " verdict on journal and filing, | 12 | | |
| " rule on journal, | 8 | | |
| " judgment on journal, | 8 | | |
| Surplus record on journal, | per 100 words, 8 | | |
| Indexing entries on journal, | each, 4 | | |
| Transcribing—orders on docket, | " 8 | 8 | |
| " verdict on " | 8 | | |
| " rule on " | each, 8 | | |
| " judgm't on " " | 8 | | |
| Copy of indictment and certificate, | 6 ws | 83 | |
| Continuance, | each, 8 | 8 | |
| Nolle pros., quashed or laid away, | 8 | 8 | |
| Ent. on cash book and index, | 12 | 12 | |
| " " ex. docket " | 12 | | |
| Notice of motion for new trial, | 8 | | |
| Cost bill and filing, | 29 | 58 | |
| Certificate of sentence, | 35 | | |
| Recording words at 8c. each 100, | | | |
| List for grand jur. and pros. atty., | | | |
| General index, | 8 | 8 | |
| | | 339 | |
| TOTAL CLERK'S FEES. | $ | | |

| SHERIFF'S FEES. | | Plff's. | Defts. |
|---|---|---|---|
| On attachment, | | | |
| On capias, | | | |
| Calling witnesses, | 5 | | |
| Calling jury, | 10 | | |
| Summoning jury, | 40 | | |
| Calling action, | 12 | | |
| Serving subpœna on witnesses, | 10 | | |
| miles travel, | each, 8 | | |
| copies for each 100 words, | 8 | | |
| Bringing / prisoner to court / times, | 60 | 60 | |
| Com. / prisoner to jail, / " | 60 | 60 | |
| Discharging prisoner, | 60 | | |
| Miles travel, | each, 8 | | |
| On fi. fa. serv., 30c miles trav. " | 8 | | |
| Forfeiting recognizance, | 10 | | |
| Serving indictment, | | 30 | |
| Transportation, | | 150 | |
| TOTAL SHERIFF'S FEES, | $ | 150 | |

NAMES OF WITNESSES.

| | | |
|---|---|---|
| TOTAL WITNESS FEES, | $ | |
| TOTAL FEES, | $ | 4,89 |

Criminal Case File

Case No. 801

No. 801

# Union Common Pleas.

## STATE OF OHIO.

*against*

John St Clair

*Defendant.*

Dec 3d 1889

Verdict - Guilty

Sentence 2 Years

in Pen

General Index

NOV TERM 1889

Journal No. 15 Page 205

Record No. 3 Page 176

Ex. Doc. 6 Page 230

Orr & Harris, Blank Book Manufacturers and Legal Blank Publishers

No. 801

State of Ohio.

vs.

John St. Clair.

Entry.

E. W. Porter.

Pros. Atty.

No.

State of Ohio
vs.
John St. Clair.
Entry-
Indictment for being a tramps, and threatening with firearms.

The defendant herein having been heretofore convicted of being a tramps carrying firearms and threatening to kill, was this day brought into court in custody of the sheriff, and informed by the court of the verdict of the jury, and inquired of if he had any thing to say why judgment should not be pronounced against him; and having nothing but what he hath already said:

It is therefore considered and adjudged by the court that the defendant John St. Clair, be imprisoned and confined in the penitentiary of the State, and kept at hard labor, but without any solitary confinement, for the period of two years, and that he pay the costs of this prosecution, for which execution is awarded.

E. N. Porter, Pros. Atty.
Union County Ohio,

Abstract
State of Ohio
Union Co
vs
John St Clare

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 5 1889
R. McCrory, Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 5 1889
R. McCrory, Clerk.

3 2
1 5
2
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9
3.9 2

Jailor. Thomas Martin with Whom I left a certified copy of this writ. Fees 85 cts Sam. Bonnell Constable.

R. D. Vangorden and T. F. Perdew give bond in the sum of $100 for their appearance on the first day of the next term of the Court of Union Pleas of Union Co. O. to testify in behalf of the State of Ohio touching such matters as shall then and there be required of them.

A. H. Tilton J.P.

Oct 25-1889. I certify that the above is a true transcript of my docket in case the State of Ohio vs. John St Clare, Docket A. Page 329.

Oct 25-1889

J. H. Tilton J.P.

No 3

State Ohio
Union Co O
vs

September 25th 1889

John St Clare } Complaint on oath in writing signed by R. D. Van Gorden filed with me stating that one John St Clare late of said County on or about the 25th day of September 1889 did unlawfully carry a dangerous weapon concealed on his person to wit: a pistol, commonly known as a revolver, and affiant further makes oath that the said John St Clare, on the day and year aforesaid at the County aforesaid did unlawfully threaten one T F Perdew in a menacing manner.

Sep 25th 1889. Issued warrant against the said John St Clare and delivered the same to Sam Bonnett Constable in and for Paris Township Union Co Ohio

Sep 25th 1889 Warrant returned. Constables return. "I have arrested the within named defendant John St Clare and now have him in Court. Fees $6.35 Sam. Bonnett, Const.

Sep 25th 1889. The said defendant being now before me and arraigned on said charges, he plead guilty to the first charge, in that he carried a dangerous weapon concealed on his person and to the second charge of unlawfully threatening of T F Perdew he plead not guilty - I then examined him and the said T F Perdew under oath - on the above charges and required the said John St Clare to give bail in the sum of two hundred dollars for his appearance before the Court of Comon Pleas of said County on the first day of the next term thereof, with which requisition he failed to comply - I then issued a Millimus for his commitment to the Jail of said County and delivered the same to Sam. Bonnett Constable.

Sep 25th 1889. Constables Return. I committed the within named John St Clare to the within named

Justice Fees
Warrant .40
Affidavit .40
Filing .20
Record 75
Transcript 75
Certificate 25
Millimus .40
2 Witnesses
Recognizance .50
Judgment .40
4.05

Const Fees
Warrant .40
Milage .20
Attendance 1.00
Conveyance 1.00
2 Assistants 3.00
Jail Fee 75
Millimus 60
Copy Millimus .25
$ 7.20
175
6.45
6.85
.35
40.
85
685
2.50
435

Sept 25th 1889 I have arrested the within named = John St Care and have him in Court

| | |
|---|---|
| Fees Service | 40 |
| Milage | 20 |
| attendance | 1.00 |
| Conveyance | 1.00 |
| 2. assistance | 3.00 |
| Jail fee | 75 |
| | $6.35 |

Sam Bonnett Constable
~~Marshal~~

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 5 1889
R. McCrory, Clerk.

**WARRANT.** REPUBLIC PRINTING CO., Legal Blank Publishers, Springfield, Ohio. [No. 252]

THE INCORPORATED VILLAGE OF

County of Union, State of Ohio } SS.

To Sam. Bonnett, Constable OF SAID County, GREETING:

Whereas, Complaint has been made before me J W Tilton Justice of the Peace ~~Mayor~~ of said ~~Village~~ County, upon the oath of R D Van Gorden that One John St Clare late of said Same County did on or about the 25th day of September, A. D. 1889, at said County did unlawfully carry a dangerous weapon concealed on his person to wit, a pistol commonly known as a revolver. And Affiant further make oath that the said John St. Clare on the day and year aforesaid at the County aforesaid did unlawfully threaten one T. F. Perdew in a menacing manner

These are therefore to command you to take the said John St. Clare if he be found in said County if he has fled, that you pursue after the said John St. Clare into any part of said County, and take and safely keep the said John St Clare so that you have his body forthwith before me at my office in said village to answer the said complaint, and be further dealt with according to law.

Given under my hand ~~and Seal~~, this 25th day of September, A. D. 1889.

J W Tilton J.P. ~~Mayor.~~

No. 801

Union County Common Pleas.

THE STATE OF OHIO,

vs.

John St Clair.

# INDICTMENT.

— FOR —

Being a Tramp.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Nathaniel C. Welch
Foreman of Grand Jury.

Filed 18

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 9 1889
R. McCrory, Clerk.

Clerk.

Edward W. Porter.
Prosecuting Attorney.

1 8
1 3
3.1 r

On this 18th day of Nov 1889, Defendant arraigned, and pleads not guilty to this indictment.

R

R. McCrory
Clerk.

By W. M. Wingel
Depy

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine.

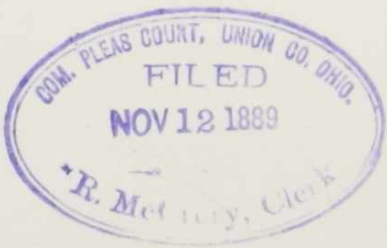
*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

John St Clair

*late of said County, on the* 25th *day of* September *in the year of our Lord one thousand eight hundred and* Eighty-nine, *with force and arms, in said County of Union and State of Ohio,* not being then and there a female, or a blind person, and not being in the county in which he usually lives or has his home, was unlawfully and wrongfully found going about begging in said county of Union, and asking subsistence by charity of the citizens thereof, and the grand jury find that said John St Clair was then and there a tramp; and the grand jury find and present that the said John St Clair so being a tramp as aforesaid, did then and there, unlawfully and wrongfully enter the yard and inclosure about the dwelling House, owned and occupied by Theodore F. Purdew, and against the will, and without the permission of said Theodore F. Purdew, and did then and there though requested to immediately leave said premises, refused so to do. And the said John St Clair was then and there, and at the same time found carrying a fire arm, to-wit: a pistol, commonly called a revolver, which said pistol was then and there loaded with powder and leaden bullets, and did then and there point and aim said fire-arm at and towards the said Theodore F. Purdew, and with said fire-arm the said John St Clair did then and there unlawfully, maliciously and feloniously threaten to do great injury and bodily harm to the person of him the said Theodore F. Purdew, to-wit: to shoot and kill the said Theodore F. Purdew, and then and there and at the same time the said John St Clair did unlawfully, maliciously, and feloniously threaten to do great bodily injury to the person of Mary E. Purdew who was then and there the wife of him the said Theodore F. Purdew to-wit, he the said John St Clair then and there unlawfully, maliciously, and feloniously threatened to kick off the head of her the said Mary E. Purdew, and he the said John St Clair then and there otherwise abused, threatened, and ill-treated the said Mary E. Purdew, and the said Theodore F. Purdew, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio

Prosecuting Attorney, Union County, Ohio

Edward W. Porter, Prosecuting Attorney,
Union County Ohio.


COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 12 1889
R. Mc[illegible]y, Clerk

No. .....

## Union County Common Pleas.

**STATE OF OHIO,**

*vs.*

John St- John

STATE OF OHIO,

Union County, ss.

*On the* 12 *day of* Nov

*1879, I served a certified copy of the Indictments in the above entitled case upon the defendant,*

.....

*by delivering to him said copy*

Thomas Martin *Sheriff.*

*By* ..... *Deputy.*

**SHERIFF'S FEES.**

| | |
|---|---|
| *Service of Indictment,* - - | 60 |
| *Mileage,* - - - - - - - | 16 |
| | 76 |

# RECOGNIZANCE OF WITNESSES.

State of Ohio
Union Co.
*vs.*
John St Clare

J. W. Tillotson J.P.
~~Mayor~~

*Doc.* ..... *No.* .....

*Returnable* ..... *, 18* .....

COM. PLEAS COURT. UNION CO. OHIO.
FILED
NOV 5 1888
R. McCrory, Clerk.

*Marshal.*

F. L. Barrett & Son, Stationers, Springfield, Ohio.

Incorporated Village of

County of Union State of Ohio, } SS.

Be it Remembered, That on the 25 day of Sep A. D. 18 89,

R. D. VanGorden and T. F. Perdew personally appeared before me J. W. Tilton

~~Justice of the Peace~~ ~~Mayor of the Incorporated Village of~~ in the County afore said, and did acknowledged themselves to owe the State of Ohio the sum of One Hundred Dollars, to be levied of their goods and chattels, lands and tenements, if default be made in the condition following, to-wit:

The condition of this recognizance is such, that if the above bound R D VanGorden and T. F. Perdew shall personally be and appear before the Union County Court of Common Pleas on the first day of the term thereof, next to be holden in and for the County aforesaid, then and there to give evidence and the truth to say, on behalf the State, touching such matters as shall then and there be inquired of them, and not depart the Court without leave, then, and as to such of the above bound as perform this condition, this recognizance shall be void; otherwise, it shall be and remain in full force and virtue in law.

Taken and acknowledged before me, on the day and year first above written.

R D VanGorden SEAL.

T. F. Perdew SEAL.

SEAL.

Mayor.

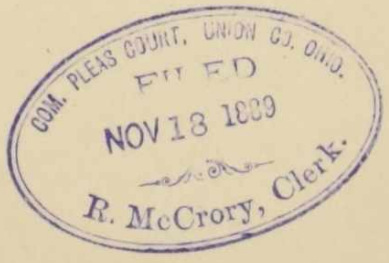
No. 600.

State of Ohio.

vs.

John St Clair.

Entry.




J-15-P 189

E. H. Porter.

Pros. Atty.

State of Ohio
vs.
John St. Clair,

Entry -
No. 801 -
Trans &c -

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "not guilty;" and puts himself upon the country, and the Prosecuting Attorney doth the like.

E. M. Parker.

Pros. Atty -

Jury



801

State vs John St Clair — Dec 3d 1889. 2 P.M. Jury Sworn — Being a Tramp

Nesbit - January ✓

Joseph Morris ✓

A. S. Turner ✓

Page 326

John Wiley ✓

Wm Howard ✓

J. J. Marlocke ✓

Alf Scott ✓

Danl Anderson ✓

John S. Moore ✓

Israel Slack ✓

John Van Barse ✓

Jas B. Whitsley ✓

~~C. Houston~~

~~George Edwards~~

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

John St Clair

**Subpœna for** pstff **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 2 1889
R. McCrory, Clerk

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Theadore F Purdue C | 6 |
| Mary Purdue C | 6 |
| James Poling Jr C | 15 |
| R D Van Gorden C | 16 |
| Saml Bonnett C | |

Thomas Marton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 40 |
| *Mileage* | 2 | 40 |
| *Copies* | | 40 |
| *Total* | 3. | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Hardee F Perdue Mary Perdue James Poling, Jr. R W Vangorden Samuel Barnett,

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of Dec A. D. 1889, at one o'clock P. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes John St Clair, on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28th day of November A. D. 1889

P. M. Cary

Clerk of Court of Common Pleas.

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
John St Clair

**Subpœna for** pltff **Witness.**

*Returnable* Dec 3 *1889*

*Ret'd and Filed*

*Clerk.*

E W Porter

*Att'y for* State

*Rec'd this Writ* *18*

*at* o'clock *M.*

*Sheriff.*

COM. PLEAS COURT, UNION CO. O.
FILED
DEC 2 1889
Clerk.

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Alex Evans P | |

Thomas Marten *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* | | 16 |
| *Copies* | | 10 |
| *Total* | | 36 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Alexander Davis,

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 3d day of December A. D. 1889, at 9— o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes John St Clair,

on behalf of the pltf; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 30th day of November A. D. 1889

W. M. Crow

Clerk of Court of Common Pleas.

# THE STATE OF OHIO,

*vs.*

John St Clair

Subpœna for State Witnesses.

*Returnable* 188

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 3 1889
R. McCrory, Clerk

*Att'y for*

I HEREBY CERTIFY this to be a true copy of the original Subpœna.

*Sheriff.*

B. F. WADE & CO., PRINTERS, TOLEDO

I served this writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names.

| NAMES OF WITNESSES. | Miles. | How Served. Person'l Service. | By Copy. |
|---|---|---|---|
| Mrs Maggie Sims | 10 | P | 1 |
| Lottie Sims | 10 | P | |
| Allen Edson | 4 | P | |
| John White | 4 | P | |

| SHERIFF'S FEES. | | |
|---|---|---|
| *Service,* | | 40 |
| *Mileage,* | 1 | 20 |
| *Copy,* | | 40 |
| *Total,* | 2. | 00 |

Thomas McCarton *Sheriff.*

*Clerk.*

Published by B. F. Wade & Co., Printers, Blank-Book Mfrs. and Stationers, 94 & 96 St. Clair Street, Toledo.

# Subpœna in Criminal Case.

STATE OF OHIO. }
UNION COUNTY, ss. }

To the Sheriff of said County---Greeting:

You are Hereby Commanded to Subpœna Mrs Maggie Innes
Lottie Innes. John White and
Allen Edson

to be and appear before the Court of Common Pleas of the County of Union, at the Court House in said County, on the 3d day of December A. D. 1887, at 9 o'clock P M., then and there to give testimony and the truth to say in certain case pending in said Court, wherein the State of Ohio prosecutes

John St Clair

on behalf of the State. Hereof fail not, under the penalty of the law, and have you then and there this writ.

WITNESS my hand and the seal of said Court, at Marysville, this 3d day of December A. D. 1887

R. McCorry Clerk.

W. M. Wright Deputy Clerk.

# THE STATE OF OHIO,

*vs.*

~~Adam Lessig~~

John St Clair

**Subpœna for State Witnesses.**

*Returnable* 188

COM. PLEAS COURT, UNION CO. O.H.O.
FILED
DEC 3 1880
R McCrory, Clerk.

*Att'y for*

I HEREBY CERTIFY this to be a true copy of the original Subpœna.

*Sheriff.*

B. F. WADE & CO., PRINTERS, TOLEDO

I served this writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names.

| NAMES OF WITNESSES. | Miles. | How Served. Person'l Service. | By Copy. |
|---|---|---|---|
| Thomas Martin | | P | |

| SHERIFF'S FEES. | | |
|---|---|---|
| *Service,* | | 10 |
| *Mileage,* | | 16 |
| *Copy,* | | 10 |
| *Total,* | | 36 cts |

*Sheriff.*

*Clerk.*

Published by B. F. Wade & Co., Printers, Blank-Book Mfrs. and Stationers, 94 & 96 St. Clair Street, Toledo.

# Subpœna in Criminal Case.

STATE OF OHIO. }
*UNION COUNTY, ss.* }

**To the Sheriff of said County---Greeting:**

**You are Hereby Commanded to Subpœna** Thos Martin

*to be and appear before the Court of Common Pleas of the County of Union, at the Court House in said County, on the* 3d *day of* Dec *A. D.* 1889, *at* 9 *o'clock* A *M., then and there to give testimony and the truth to say in certain case pending in said Court, wherein the State of Ohio prosecutes* ~~Cortis Towers~~ John St Clair *on behalf of the* State. *Hereof fail not, under the penalty of the law, and have you then and there this writ.*

*WITNESS my hand and the seal of said Court, at* **Marysville,** *this* 3d *day of* Dec *A. D.* 1889

R. McCrory *Clerk.*

W. M. Wiseman *Deputy Clerk.*

THE STATE OF OHIO,

*vs.*

.....

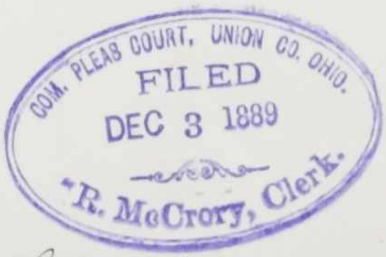
.....

*No.* .....

..... *Term, 187*....

# VERDICT.

*Filed* ..... *187*...




D-15-P. 205-

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. [25.]

**THE STATE OF OHIO**
*vs.*
John St Clair

# COMMON PLEAS,

Union County, Ohio.

No. 801 November Term, A. D. 1887

*Indictment for* Being Tramps

*We, the Jury in this case, find the Defendant* John St Clair ~~_____~~ *Guilty, in manner and form as he stands charged in the* Indictment. ~~Counts of the Indictment.~~

J. R. Whelpley
**Foreman.**

PENITENTIARY No. _____

# CERTIFICATE OF SENTENCE

—AND—

# COST BILL IN PENITENTIARY CASES

Union County.

THE STATE OF OHIO

vs.

John St Clair

Sentence Two Years.

I hereby certify the within Cost Bill to be a true copy of the original, on file in my office.

R M Curry

Clerk Union County.

JOHNSON & WATSON, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio.

## CERTIFICATE FOR ALLOWANCE OF GUARDS.

**Whereas,** At the present _____ Term of the Court of Common Pleas, begun and held at the Court House, in the County of _____ and State of Ohio, more than one person, to-wit: _____

were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court being of opinion that it is such an extraordinary case as requires the allowance of _____ guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said _____ guards for the purpose aforesaid.

**I Certify** the above to be a true copy of the opinion of said Court, made at its said _____ Term, A. D. 18__

Given under my hand and seal of said Court, this _____ day of _____ A. D. 18__

_____ Clerk.

By _____ Deputy Clerk.

## CERTIFICATE OF ISSUING EXECUTION.

**The State of Ohio,** Union County, } ss. I, R M Curry

Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the **State of Ohio** vs. John St Clair

an execution called a FIERI FACIAS, issued on the 5th day of Dec 1889 against the said

for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendant to satisfy any part of said costs.

**Witness** my official signature, and the Seal of said Court at Marysville in the County and State aforesaid, this 5 day of December 1889

R M Curry Clerk.

By _____ Deputy Clerk.

JOHNSON & WATSON, Blank Book Manufacturers, Legal Blank Publishers, Stationers and Printers, Dayton, O. **Clerk 44.**

# CERTIFICATE OF SENTENCE.

At a term of the Court of Common Pleas, begun and held at the Court House in Marysville within and for the County of Union and State of Ohio, on the third day of December A. D. 1887

Present, the Hon. John A Price, Judge.

In the Record and Proceedings of said Court, then and there had, among other things is the following Judgment and sentence, to wit:

**The State of Ohio,**

vs.

John St Clair

Indictment for Being a Tramp

The said John St Clair,

having plead not guilty and Standing Trial

It is therefore the sentence of the Court that be imprisoned in the Penitentiary of this State and kept at hard labor (NO PART OF SAID TIME TO BE KEPT IN SOLITARY CONFINEMENT)

for the term of three years and that he pay the costs of this prosecution, taxed at Forty Seven dollars and Eighty three cents

**In Witness Whereof,** I hereunto set my hand and affix the Seal of said Court, at Marysville this 6th day of December A. D. 1887

J W Cherry Clerk.

Deputy Clerk.

**The State of Ohio,**

To Sheriff of County, Dr.

| | | | |
|---|---|---|---|
| For Prosecuting Charges as per within account | | | |
| For Transportation Charges, as follows: | | | |
| Travel for self ___ miles each way, ___ miles at 8c. per mile | | | |
| " " ___ guard ___ miles each way ___ miles at 6c. per mile | | | |
| Transporting ___ convict ___ miles one way ___ miles at 5c. per mile | | | |
| Total Charges | | | |

**Received,** Columbus, O., ___ 18__, of the Warden of Ohio Penitentiary, a certificate of allowance on the State Auditor for the above amount.

Sheriff.

Revised Statutes of Ohio, Secs. 1260-3.

No. 801

THE STATE OF OHIO, } IN THE COURT OF COMMON PLEAS,
Union County, ss. } Nov Term, A. D. 1889

THE STATE OF OHIO,
vs.
Johndt Blair

Indictment for Being a Tramp

Crim. Docket, No. 6 Page 230

# COST BILL.

NOTE--Clerks should be careful to fill ALL blanks and insert no "lump" charges.

| | | | | | |
|---|---|---|---|---|---|
| **CLERK,** | | | | | |
| Doc. and Appear. Pl'ff and 1 Def't, 12, each add'l, 4 | | | 12 | | |
| Ent. finding Indictment, | | 8 | | 8 | |
| " Pleas, | 2 each | 8 | | 16 | |
| Indexing Docket, | | 4 | | 4 | |
| Indexing Judgments and Final Orders for each case, | | 15 | | 15 | |
| Index. Pending Suits and Living Judg'ts, each case, | | 15 | | 15 | |
| Rule for Motion and filing, | | 8 | | | |
| Entering Motion on Docket and Index, | | 8 | | | |
| Filing 10 papers | each | 4 | | 40 | |
| Taking Affidavits, | " | 8 | | | |
| Certifying Affidavits without Seal, | " | 15 | | | |
| " " with Seal, | " | 35 | | | |
| Filing Prec., Issuing Capias, Return and its filing, | | 37 | | 37 | |
| " " Attachment, Return and its filing, | | 37 | | | |
| Taking Justification of Bail, | | 35 | | | |
| Entering Allowance of Bail, | | 4 | | | |
| Recog. def't and filing, | each | 29 | | | |
| " witnesses and filing, | " | 29 | | | |
| Polling Jury when required, | | 25 | | | |
| Impaneling Jury and Administering Oaths, | | 12 | | 12 | |
| Calling and entering 10 Tales Jurors and cert., | each | 8 | | 80 | |
| Filing 4 Prec., issuing 4 Sub. for 1 wit. and filing, | | 16 | | 16 | |
| Additional names, 7 | each | 4 | | 28 | |
| Swearing 11 witnesses and making entry of same, | " | 4 | | 44 | |
| Ent. att. of 11 witnesses, | " | 4 | | 44 | |
| Issuing Certificate for witness fee, 11 | " | 4 | | 44 | |
| Qualifying Jurors, | " | 8 | | | |
| Ent. on Bar and Court Cal., and Ind. each term, | | 8 | | 8 | |
| Entering 2 Orders on Journal per 100 words, 500 | | 8 | | 40 | |
| " verdict on Journal and filing, | | 12 | | 12 | |
| " rule " | | 8 | | | |
| " judgment " | | 8 | | 8 | |
| Indexing 4 ents. on Journal, | each | 4 | | 16 | |
| Trans. 2 orders on docket, | " | 8 | | 16 | |
| " verdict on docket, | | 8 | | 8 | |
| " rule " | | 8 | | | |
| " judgment " | | 8 | | 8 | |
| Copy of Indictment each 100 words, 500 | | 8 | | 40 | |
| Continuance, | each | 8 | | | |
| Nolle Pros. or laid away | | 8 | | | |
| Entering on ex. docket and Index, | | 12 | | 12 | |
| Notice of Motion for New Trial, | | 8 | | | |
| Cost Bill and filing, | | 29 | | 29 | |
| Recording 2500 words, at 8c. each 100 | | | 2 | 50 | |
| Indexing Record—Direct and Reverse, | | 8 | | 8 | |
| Certificate of Sentence, | | 35 | | 35 | |
| " allowance of guard, | | 35 | | | |
| " to Auditor of Assignment of Counsel, | | 35 | | 35 | |
| Prec. for Fi. Fa, issue, docketing, index, return, filing, | | 53 | | | |
| Certificate of Issuing Fi. Fa., | | 35 | | 35 | |
| Copies 2 cert'fs words at 8c. each 100 | | | | 80 | |
| | | | 9 | 36 | |

| | | | | | |
|---|---|---|---|---|---|
| **SHERIFF,** | | | | | |
| On Attachment, | | | | | |
| On Capias, | | | | | |
| Calling Action, | | 12 | | 12 | |
| Calling 11 witnesses, | | 5 | | 55 | |
| " Jury, | | 10 | | 10 | |
| Summoning Jury, | | 40 | | 40 | |
| Serving Subpoena on 11 witnesses, | | 10 | | 110 | |
| 49 miles travel, | | 8 | | 392 | |
| 11 copies per 100 words, | | 8 | | 88 | |
| Committing 1 prisoner to jail, | | 60 | | 60 | |
| Attending prisoner before Court 2 times, | | 60 | | 120 | |
| Discharging prisoner , | | 60 | | | |
| Serving and returning Order of Court, | | 30 | | 30 | |
| Miles traveled 2 | each | 8 | | 16 | |
| On Fi. Fa. Serv., 30c., miles travel, | " | 8 | | 46 | |
| Forfeiting Recognizance, | | | | | |
| Serving Indictment, 2 | | | | 60 | |
| Transportation, | | | | | |
| | | | | 10 39 | |

| | | | | | |
|---|---|---|---|---|---|
| MAYOR, | | | | | |
| JUSTICE, | | | | | |
| Affidavit, | each | 40 | | | 40 |
| Warrant, each defendant named therein, | | 40 | | | 40 |
| Continuance, | | 20 | | | |
| First Mittimus, | | 40 | | | 40 |
| 2d " | | 40 | | | |
| Subpoena for 2 witnesses, 25c. for one, and 5c. for each additional, | | | | | 35 |
| Recognizance—1 witness 40c., each add'l. 10c.. 2 | | | | | 50 |
| Swearing witnesses, | each | 5 | | | 10 |
| Judgment, | | 40 | | | 40 |
| Transferring Judgment, | | 15 | | | 15 |
| Recognizance defendants, | each | 40 | | | |
| Transcript—15c. per 100 words, 500 | | | | | 75 |
| Certifying Transcript, | | 25 | | | 25 |
| Final Mittimus, | | 40 | | | |
| Filing Papers, 4 | each | 5 | | | 20 |
| Recording 572 words, 15c. per 100, | | | | | 75 |
| Order on Jailor for prisoner, | | 40 | | | |
| Appointment of Special Constable, | | 40 | | 4 | 60 |
| SUP'T OF POLICE, | | | | | |
| MARSHAL, | | | | | |
| CONSTABLE, | | | | | |
| Serving 1 warrant on each def't., | | 40 | | | 40 |
| Travel 1 miles—20c. for 1st, 5c. for each additional, | | | | | 20 |
| Serv. Sub. on wit., 25x10, | | | | | |
| Copies " each | | 25 | | | |
| Travel miles--25c. for 1st, 5c. for each additional, | | | | | |
| Serving 1 Mittimus on each, | | 40 | | | 40 |
| Copy 1 " for 1st, | | 25 | | | 25 |
| Travel miles—20c. for 1st, 5c. for each additional, | | | | | |
| days attendance before J. P., | | 1 00 | 1 | | 50 |
| Com. 1 to Jail on warrant, | | 40 | | | 40 |
| Travel miles—20c. for 1st, 5c. for each additional, | | | | | |
| Con's bring. out prisoner for ex., | | | | | |
| Marshal " " " | | 20 | | | 20 |
| Travel miles—20c. for 1st, 5c. for each additional, | | | | | |
| Transporting and sustaining prisoner, which is allowance made by Magistrate and certified by him. | | | 1 | | 50 |
| | | | 3 | | 85 |
| 2 = Assistant 1 day, | | 1 50 | | 3 | 00 |
| " " | | 1 50 | | | |
| " " | | 1 50 | | | |

RECAPITULATION.

| | | |
|---|---|---|
| Clerk, | 9 | 84 |
| Sheriff, | 10 | 39 |
| Mayor or Justice, | 4 | 60 |
| Marshal, Constable or Supt. of Police, | 3 | 85 |
| Witnesses, | 16 | 15 |
| Official Stenographer days, | | |
| " " Transcript 100 words, | | |
| Total Costs, | 47 | 83 |

ATTEST: W. M. Curry Clerk.

This Cost Bill is correct and allowed.

December 1889

John A. Price Judge.

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed **both ways,** at 5 cts. per mile and the **whole distance** should be stated and not **one** way at 10cts. per mile.

| | NAMES. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|---|
| | | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| 1 | Theodore Perdue | 1 | 6 | 1 | 6 | 1 | 90 | |
| 2 | Mary L Perdue. | | | 1 | 6 | 1 | 30 | |
| 3 | James Poling | | | 1 | 15 | 1 | 75 | |
| 4 | R D Vangorden | 1 | 16 | 1 | 16 | 3 | 10 | |
| 5 | Samuel Bennett | | | 1 | — | 1 | 00 | |
| 6 | Mrs Maggie Dines | | | 1 | 10 | 1 | 50 | |
| 7 | Miss Lottie Dines | | | 1 | 10 | 1 | 50 | |
| 8 | John White | | | 1 | 4 | 1 | 20 | |
| 9 | Ellen Edson | | | 1 | 4 | 1 | 20 | |
| 10 | Alexander Davis | | | 1 | — | 1 | 00 | |
| 11 | Thomas Martin | | | 1 | — | 1 | 00 | |
| 12 | | | | | | 16. | 15 | |
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*TO THE AUDITOR OF STATE—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100*

*Sheriff of ..... County, Ohio, for the sum of .....*

*being the amount of the costs in the foregoing case.*

*Clerk of ..... County, O.*

Criminal Case File
Case No. 802

No. 802

# Union Common Pleas.

## STATE OF OHIO.

*against*

C. Fred Fuller

*Defendant.*

Nov 23rd 1889

Plea of Guilty

Fine $15.00

General Index.

NOV TERM 1889

## General Index.

*Journal No.* 15 *Page* 198

*Record No.* 3 *Page* 181

*Ex. Doc.* C *Page* 229

ORR & HARRIS, Blank Book Manufacturers and Legal Blank Publishers, Xenia, Ohio.

[91]

# RECOGNIZANCE.

State of Ohio

*vs.*

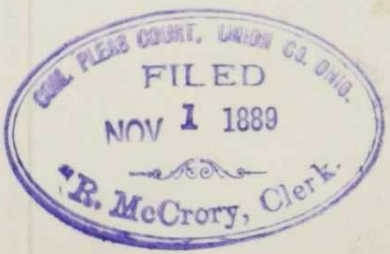
C. F. Fuller

Joseph Comer

Justice of the Peace.

*Doc.* ..... *No.* .....

*Returnable* ..... *188* ....




E. L. Barrett & Sons, Publishers, Springfield, Ohio

RECOGNIZANCE AFTER TRIAL. (91) E. L. Barrett & Sons, Publishers and Stationers, Springfield, Ohio.

**THE STATE OF OHIO,** )
Union COUNTY, ) **SS.**

**Be it Remembered,** *That on the* 28th *day of* October *in the year one thousand eight hundred and eighty* eight F. C. Fuller E R Holsenpiller *personally appeared before me* Joseph Conner, *one of the Justices of the Peace in and for the County aforesaid, and jointly and severally acknowledged themselves to owe the State of Ohio, the sum of* Two Hundred *Dollars, to be levied of their goods and chattels, lands and tenements, if default be made in the condition following, to-wit:*

*The condition of this recognizance is such that if the above bound* F. C. Fuller ~~E R Holsenpiller~~

*personally be and appear before the* Court of Common Pleas, *in and for the County aforesaid, on the first day of the next term thereof, then and there to answer a charge of* Stealing goods under false pretenses

*and abide the judgment of the Court, and not depart without leave, then this recognizance shall be void; otherwise it shall be and remain in full force and virtue in law.*

E R Holsenpiller Seal.

Seal.

Seal.

*Taken and acknowledged before me, on the day and year first above written.*

Joseph Conner **Justice of the Peace.**

No 802

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

G. Fred Fuller

# INDICTMENT.

— FOR —

Obtaining Goods by False Pretenses.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Nathaniel C. Nichols

Foreman of Grand Jury.

*Filed* FILED 18

NOV 9 1889

*Clerk.*

Edward L. Porter

Prosecuting Attorney.

*On this* 23" *day of* November *1889, Defendant arraigned, and pleads* — *guilty to this indictment.*

P. M. Cherry

Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

C. Fred Fuller

*late of said County, on the* ~~First~~ *day of* ~~August~~ *in the year of our Lord one thousand eight hundred and* Eighty-nine, *with force and arms, in said County of Union and State of Ohio,* unlawfully and falsely did pretend to Fred S. Hall and Oliver D Browning that he, the said C. Fred Fuller, was then and there engaged in managing a hotel called the Park Hotel, situate and being in the Village of Magnetic Springs in Union County, and did then and there unlawfully and falsely pretend to the said Fred S. Hall and Oliver D. Browning that one Edward Holtzinpiller was then and there the proprietor of the said Park Hotel, and of the business done therein, and that he the said C. Fred Fuller was in the employ of said Holtzinpiller as manager as aforesaid, And said C. Fred Fuller did further unlawfully and falsely pretend and represent to the said Fred S. Hall and Oliver D. Browning, that the said Edward Holtzinpiller paid all bills and expenses in keeping up, and running said Park Hotel, including provisions for the table, and all other expenses, and that said Edward Holtzinpiller would be liable for, and would be responsible for all bills for provisions &c. obtained and procured by the said C. Fred Fuller: by means of which, said false pretenses the said Fuller then and there unlawfully did obtain from the said Fred S. Hall and Oliver D. Browning one hundred pounds of beef of the value of Fourteen ~~Ten~~ dollars, of the personal property of the said Hall and Browning, with intent then and there and thereby, by means of the false pretenses aforesaid, to cheat and defraud the said Fred S. Hall and Oliver D. Browning. Whereas in truth and in fact the said C. Fred Fuller was not managing the said Park Hotel at said Magnetic Springs under the employment of said Holtzinpiller, and whereas in truth and in fact the said Holtzinpiller was not the proprietor of said Park Hotel, nor any of the business of said Hotel, and whereas in truth and in fact said Holtzinpiller had nothing whatever to do with said Park Hotel or with running the same, or the business of said Park Hotel of paying any of the bills or expenses of said Hotel, whether for the purchase of provisions or otherwise, and was not paying any of the bills or expenses of running said Hotel, and was not liable or responsible for any of the bills or expenses, for meat or provisions or any other matter or thing to be used in said Hotel. And the said C. Fred Fuller at the time he so falsely pretended as aforesaid, well knew all of said false pretenses to be false, ~~contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Ohio~~ contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Prosecuting Attorney Union County Ohio

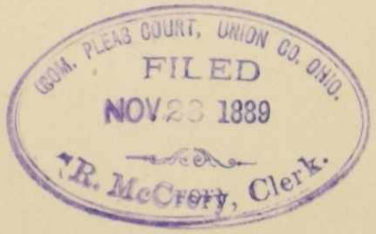
Edward W. Porter, Prosecuting Attorney.
Union County Ohio.

No. 802.

State of Ohio
vs
C. Fred Fuller.

Entry.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 23 1889
R. McCrory, Clerk.



J-15-P-198

E. W. Porter.
Pros. Atty.

No. 802.

State of Ohio
vs.
C. Fred Fuller.

Obtaining goods by false pretenses.

Entry

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "guilty": thereupon, after being fully advised in the premises, it is ordered and adjudged by the court that the said defendant, C. Fred Fuller, pay a fine of Fifteen dollars, and the costs of this prosecution, and execution is awarded.

E. N. Porter. Pros. Atty.

## SHERIFF'S RETURN.

**FEES.**

| | |
|---|---|
| *Service & Return,* | $ 30 |
| *Mileage,* | 321 |
| *Conveyance,* | |
| *Assistance* | |
| *Sustenance,* | |
| Return | 26 |
| *Total,* | $3,75 |

**THE STATE OF OHIO,** Union *County,* } *ss.*

*By virtue of the commands of this Writ, I ~~have~~ ~~arrested the said~~* the within named Lo. Fred Fuller left State of Ohio and was not found in My County

Thomas Morton Sheriff

*No.* 802

*Doc.* *Page*

The State of Ohio
AGAINST
Lo. Fred Fuller

WARRANT ON INDICTMENT.

*Issued* Nov 12th, 1892

E. M. Porter
*Prosecuting Attorney.*

*Returned and filed*

*18*

*Clerk.*

COM. PLEAS COURT, UNION CO., OHIO.

FILED
DEC 22 1892
R. McCRORY Clerk.

The Barrett Publishing Company, Springfield, Ohio.

Clk. 301. 7-9-4. The Barrett Publishing Company, Springfield, Ohio

# WARRANT ON INDICTMENT.

(Secs. 4959, 7229, 7230.)

THE STATE OF OHIO,
Union County,

**To the Sheriff of said County, Greeting:**

Whereas, At the November Term, A. D. 1887 of the Court of Common Pleas of said County of Union. an indictment was found by the Grand Jury thereof. against C. Fred. Fuller for a certain Offense to-wit: for Obtaining goods by false pretenses

You are therefore commanded to arrest and safely keep the said C. Fred. Fuller so that you have body before the said Court Com Pleas to answer the charge of said indictment, and that you have with you then and there this writ.

Given under my hand and the Seal of said Court this 12th day of Nov A. D. 1887

R. McCrory Clerk.
By W. M. Winget Deputy

WITNESS FEES.—Continued.

| NAMES OF WITNESSES. | Pltf. | Deft. |
|---|---|---|
| | | |
| | | |
| | | |

Clk. 355.

(*7-1)-7-6-8. The Barrett Publishing Company, Springfield, Ohio

No. Crim. Cost Bill Nov Term.

Crim. App. Doc. Page

County,

# THE SATE OF OHIO,

AGAINST

C Fred Fuller

# COURT OF COMMON PLEAS.

Revised Statutes of Ohio, 1880, Secs. 1260-3.

| CLERK'S FEES. | | Plff. | | Deft. | |
|---|---|---|---|---|---|
| Doc. and app. plff. and one deft, | 12 | | 12 | | |
| additional, each, | 4 | | | | |
| Entering finding indictment, | 8 | | 8 | | |
| Entering pleas, each, | 8 | | 8 | | |
| Indexing docket, " | 4 | | 4 | | |
| Index'g judgm'ts & final ord., each case. | 15 | | 15 | | |
| Index'g pend'g suits & liv. judg. " " | 15 | | 15 | | |
| Entering motion on docket and index, | 8 | | | | |
| Filing 5 papers & post. in app. doc. ea. | 12 | | 60 | | |
| Taking affidavits, " | 8 | | | | |
| Certifying " without seal, | 15 | | | | |
| " " with " | 35 | | | | |
| Filing prec., iss. capias, return & filing, | 37 | | 37 | | |
| " " " Att., " " | 37 | | | | |
| Taking justification of bail, | 35 | | | | |
| Entering allowance of bail, | 4 | | | | |
| Spec. war. to bring before judge, ret.& fil. | 33 | | | | |
| Warrant to discharge prisoner, | 25 | | | | |
| Recog. of def't and filing each, | 29 | | | | |
| " wit. " " | 29 | | | | |
| Poling jury when required, | 25 | | | | |
| Impaneling jury & administering oaths, | 12 | | | | |
| Call and ent. tales jur. and cert., each, | 8 | | | | |
| Fil. prec., iss. sub. for 1 wit. & fil. | 16 | | | | |
| additional names. each, | 4 | | | | |
| Swearing witnesses, " | 4 | | | | |
| Ent att. of " days, " | 4 | | | | |
| Certif. " | 4 | | | | |
| Qualifying jurors, each, | 8 | | | | |
| Ent. bar and court cal. & in., each term. | 8 | | 8 | | |
| Ent'g—orders on journal, per 100 words, | 8 | | | | |
| " verdict on journal and filing, | 12 | | | | |
| " rule on journal, | 8 | | | | |
| " judgment on journal, | 8 | | 8 | | |
| Surplus record on journal, per 100 words, | 8 | | | | |
| Indexing entries on journal, each, | 4 | | 4 | | |
| Transcribing—orders on docket, " | 8 | | 8 | | |
| " verdict on " | 8 | | | | |
| " rule on " each, | 8 | | | | |
| " judgm't on " " | 8 | | 8 | | |
| Copy of indictment and certificate, | | | 67 | | |
| Continuance, each, | 8 | | | | |
| Nolle pros., quashed or laid away, | 8 | | | | |
| Ent. on cash book and index, | 12 | | 12 | | |
| " " ex. docket " | 12 | | 12 | | |
| Notice of motion for new trial, | 8 | | | | |
| Cost bill and filing, | 29 | | 29 | | |
| Certificate of sentence, | 35 | | | | |
| Recording — words at 8c. each 100, | | 2 | 40 | | |
| List for grand jur. and pros. atty., | | | | | |
| General index, | 8 | | 8 | | |
| | | 5 | 63 | | |
| TOTAL CLERK'S FEES. $ | | 5 | 63 | | |

5.63
8.00
19.18
32.81

| SHERIFF'S FEES. | | Plffs. | | Defts. | |
|---|---|---|---|---|---|
| On attachment, | | | | | |
| On capias, | | | | | |
| Calling witnesses, | 5 | | | | |
| Calling jury, | 10 | | | | |
| Summoning jury, | 40 | | | | |
| Calling action, | 12 | | 12 | | |
| Serving subpœna on witnesses, | 10 | | | | |
| miles travel, each, | 8 | | | | |
| copies for each 100 words, | 8 | | | | |
| Bringing 1 prisoner to court 1 times, | 60 | | 60 | | |
| Com. prisoner to jail, " | 60 | | | | |
| Discharging prisoner, 1 | 60 | | 60 | | |
| Miles travel, each, | 8 | | 16 | | |
| On fi. fa. serv., 30c miles trav. " | 8 | | | | |
| Forfeiting recognizance, | 10 | | | | |
| Serving indictment, | | | 30 | | |
| Transportation, | | 1 | 78 | | |
| Joseph Comer JP | | 7 | 50 | | |
| P S Mulgan | | 6 | 30 | | |
| John Cunningham | | 1 | 50 | | |
| | | 15 | 30 | | |
| TOTAL SHERIFF'S FEES, $ | | | | | |

| NAMES OF WITNESSES. | | | | |
|---|---|---|---|---|
| Fred S Hall | | 50 | | |
| D Browning | | 50 | | |
| E R Hutzenpiller | 1 | 10 | | |
| M Waldron | | | 1 | 10 |
| P Lynn | | | 1 | 10 |
| John Trickey | | | 1 | 10 |
| W King | | | 1 | 10 |
| F Thornhill | | | | 50 |
| J Embry | | | | 50 |
| B S Rust | | | | 50 |
| E E Moon | | | | 50 |
| B Buba | | | | 50 |
| Fred Leonard | | | 1 | 10 |
| TOTAL WITNESS FEES, $ | 2 | 10 | 8 | 00 |
| TOTAL FEES, $ | 19 | 18 | 8 | 00 |

Criminal Case File

Case No. 803

No 803

# Union Common Pleas.

## STATE of OHIO.

*against*

William G. Ayers

*Defendant.*

Dec 5 1889.
Plea Guilty
Fine $1.00 & Jail 5 days

Genera! Index

NOV TERM. 1889

Journal No. 15 Page 210

Record No. 3 Page 180

Ex. Doc. 6 Page 232

C. E. ARROGUST & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

No. 803

State of Ohio

vs.

William G. Ayers.

Entry.

E. H. Porter
Pros. Atty.

State of Ohio. } No.
vs. } Indictment for Adultery -
William G. Ayers. } Entry -

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is guilty; thereupon after being fully advised in the premises, it is ordered and adjudged by the court, that the said William G. Ayers pay a fine of one dollar, and be imprisoned in the jail of Union County for the term of five days; and that he pay the costs of this prosecution, for which execution is awarded.

E. H. Parks.

Pros Atty -

## SHERIFF'S RETURN.

**FEES.**

| | |
|---|---|
| Service & Return, $ | 3 00 |
| arrest | |
| Mileage, | 1 60 |
| service of Indictment | 50 |
| Conveyance, Mileage | 1 60 |
| Bond | |
| Assistance - - | 35 |
| Sustenance, - - | |
| Total, - - $ | 1 57 |

THE STATE OF OHIO, } ss.
Union County,

*By virtue of the commands of this Writ, I have arrested the said* William G Ayers
the name of his Bond is
William G Ayers, I herewith
return said Bond

No. 203
Doc. Page

The State of Ohio
AGAINST
William G Ayers

WARRANT ON INDICTMENT.

*Issued* Nov 25th, 1889
E. M. Porter
*Prosecuting Attorney.*

*Returned and filed*
18
*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 20 1889
R. McCrory, Clerk.

The Barrett Publishing Company, Springfield, Ohio.

7-9-4. The Barrett Publish ng Company, Springfield, Ohio

# WARRANT ON INDICTMENT.

(Secs. 4959, 7229, 7230.)

THE STATE OF OHIO, }
Union County, }

**To the Sheriff of said County, Greeting:**

Whereas, At the November Term, A. D. 1887 of the Court of Common Pleas of said County of Union, an indictment was found by the Grand Jury thereof, against William E. Ayers for a certain Offense to-wit: for

Living in a State of Adultery

You are therefore commanded to arrest and safely keep the said William E. Ayers so that you have body before the said Court of Com Pleas to answer the charge of said indictment, and that you have with you then and there this writ.

Given under my hand and the Seal of said Court this 20th day of November A. D. 1887

R. McCoy Clerk.

W. M. Winget Deputy

No. 803

# COURT OF COMMON PLEAS,

Union County.

THE STATE OF OHIO,

*vs.*

William G Ayers

## BAIL BOND.

*Filed* ..... *A. D. 188* ....

..... Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 20 1889
R. McCrory, Clerk.

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. 

# SHERIFF'S BAIL BOND.

Revised Statutes, Sec. 7172.

THE STATE OF OHIO, }
Union County, ss. }

**Be it Remembered,** That on the 21st day of November A. D. 1889, personally came before me, ~~Thomas~~ Thomas Martin Sheriff, of the County of Union William G Ayers

~~freeholders~~, residents of said County, and ~~severally~~ acknowledged to owe the State of Ohio, the sum of One Hundred Dollars ~~each~~, to be levied off ~~their~~ his goods and chattels, lands and tenements, if default be made in the condition following, to-wit:

**The Condition of this Recognizance is such,** That, whereas, the above bounden William G Ayers has been arrested by me, on a warrant issued out of the Court of Common Pleas, in and for the County of Union, on a certain indictment presented in the said Court against the said William G Ayers for the offense charged in the said indictment.

**Now, Therefore,** if the said William G Ayers so arrested as aforesaid, shall personally appear before the Judge of the Court of Common Pleas, of the County last aforesaid, on the 2nd day of ~~the~~ Dec 1889 present term thereof, then and there to plead to the said indictment, and abide the judgment of the Court thereon, and not depart the Court without leave, then this recognizance shall be void and of no effect; otherwise to be and remain in full force and virtue in law.

Wm G Ayres SEAL

SEAL

SEAL

Signed in my presence, and approved by me this 21st day of November A. D. 1889.

Thomas Martin, Sheriff.

No. 803

Union County Common Pleas.

THE STATE OF OHIO,

vs.

William G. Ayers.

# INDICTMENT.

— FOR —

Living in a state of Adultery.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

William H. Robb
Foreman of Grand Jury.

Filed ..... 18 .....

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 20 1889
R. McCrory, Clerk.

Clerk.

Edward W. Porter
Prosecuting Attorney.

*On this ..... day of ..... 18 ....., Defendant arraigned, and pleads ..... guilty to this indictment.*

.....

.....
Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

William G. Ayers

*late of said County, on the* First *day of* April *in the year of our Lord one thousand eight hundred and* Eighty-eight, *with force and arms, in said County of Union and State of Ohio,* and from that time until the First day of November in the year of our Lord one thousand eight hundred and eighty-nine, at the county of Union aforesaid, being then and there an unmarried man, unlawfully did live and cohabit with one Melvina Mc. Kelvey, a married woman, in a state of adultery, she the said Melvina Mc. Kelvey being then and there and all the time aforesaid, married to, and the lawful wife of one Mc. Kelvey, whose christian name is to the Grand Jurors unknown, and who was then alive.

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter.
Prosecuting Attorney, Union County, Ohio.

Crim. Doc. ..... Page .....

..... COMMON PLEAS.

THE STATE OF OHIO,

vs

Wm G Ayers

# FI. FA. ET CA. SA.

This Writ dated ..... 188

Fine, - - - $ 1.00

Costs, - - - $ 11.00

$

Defendant's Costs, $

Int. from

Inc. Costs, - - $

Prosecuting Attorney.

Ret'd & Filed Dec 6th 1889

P M Curry

Clerk.

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O.

# THE STATE OF OHIO, } SHERIFF'S RETURN.

..... COUNTY, ss.

Received this writ Dec 5th A. D. 1889

at 1 o'clock P M., and pursuant to its command, the Defendant Wm G. Ayers has no goods or chattels or other property whereon to levy this writ.

SHERIFF'S FEES.

| | |
|---|---|
| Service ..... $ | 80 |
| Levy ..... | |
| Summoning Appraisers ..... | |
| Swearing Appraisers ..... | 4 |
| Conveying Appraisers ..... | |
| Mileage ..... | 16 |
| Poundage ..... | |
| Return ..... | 4 |
| Total ..... | 46 |
| Appraiser's Fees ..... | |
| Printer's Fees ..... | |

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. 

# Fieri Facias et Capias ad Satisfaciendum.

(Revised Statutes, Sec. 7328.)

**THE STATE OF OHIO,** Union County, ss. } TO THE SHERIFF OF OUR SAID COUNTY--GREETING:

**WE COMMAND YOU.** That of the goods and chattels and for want thereof, then of the lands and tenements of Wm S Ayers

in your bailiwick, you cause to be made Ten and 47/100

Dollars, being the amount of a fine and the costs of prosecution which the State of Ohio, in our Court of Common Pleas, at a term thereof, commencing on the 4th day of June, A. D. 1889, by the judgment of said Court, recovered against the said Wm S Ayers

whereof he convicted, as appears of record, with interest thereon from the first day of the term aforesaid; and for the want of goods and chattels, and lands and tenements, ~~we command you to take the body of the said~~

and ~~him commit to the jail of said County, and safely keep therein~~ until pay, or secure to be paid, the full sums aforesaid, with the interest aforesaid, and increase costs, or until be otherwise discharged according to law. Hereof fail not, but of this writ and your service thereof make due return.

**WITNESS** my hand and the seal of said Court, at Marysville this 6th day of Dec A. D. 1889

J McCurry Clerk.

By _____ Deputy Clerk.

WITNESS FEES.—Continued.

| NAMES OF WITNESSES. | Plff. | Deft. |
|---|---|---|
| | | |
| | | |
| | | |

Clk. 355.

(*7-1)-7-6-8. The Barrett Publishing Company, Springfield, Ohio

*No.* 803 *Crim. Cost Bill* Nov *Term.*

# THE SATE OF OHIO,

AGAINST

William G Ayers

*Crim. App. Doc.* *Page*

Union *County,*

## COURT OF COMMON PLEAS.

Revised Statutes of Ohio, 1880, Secs. 1260-3.

| CLERK'S FEES. | | Plff. | Deft. |
|---|---|---|---|
| Doc. and app. plff. and one deft, | 12 | 12 | |
| additional, each, | 4 | | |
| Entering finding indictment, | 8 | 8 | |
| Entering pleas, each, | 8 | 8 | |
| Indexing docket, " | 4 | 4 | |
| Index'g judgm'ts & final ord., each case, | 15 | 15 | |
| Index'g pend'g suits & liv. judg. " " | 15 | 15 | |
| Entering motion on docket and index, | 8 | | |
| Filing 5 papers & post. in app. doc. ea. | 12 | 60 | |
| Taking affidavits, " | 8 | | |
| Certifying " without seal, | 15 | | |
| " " with " | 35 | | |
| Filing prec., iss. capias, return & filing, | 37 | 37 | |
| " " " Att., " " | 37 | | |
| Taking justification of bail, | 35 | | |
| Entering allowance of bail, | 4 | | |
| Spec. war. to bring before judge, ret.& fil. | 33 | | |
| Warrant to discharge prisoner, | 25 | 25 | |
| Recog. of 1 def't and filing each, | 29 | 29 | |
| " wit. " " | 29 | | |
| Poling jury when required, | 25 | | |
| Impaneling jury & administering oaths, | 12 | | |
| Call and ent. tales jur. and cert., each, | 8 | | |
| Fil. prec., iss. sub. for 1 wit. & fil. | 16 | | |
| additional names. each, | 4 | | |
| Swearing witnesses, " | 4 | | |
| Ent att. of " days, " | 4 | | |
| Certif. " | 4 | | |
| Qualifying jurors, each, | 8 | | |
| Ent. bar and court cal. & in., each term, | 8 | 8 | |
| Ent'g—orders on journal. per 100 words, | 8 | 24 | |
| " verdict on journal and filing, | 12 | | |
| " rule on journal, | 8 | | |
| " judgment on journal, | 8 | 8 | |
| Surplus record on journal, per 100 words, | 8 | 16 | |
| Indexing entries on journal, each, | 4 | 4 | |
| Transcribing—orders on docket, " | 8 | 56 | |
| " verdict on " | 8 | | |
| " rule on " each, | 8 | | |
| " judgm't on " " | 8 | 8 | |
| Copy of indictment and certificate, | | 24 | |
| Continuance, each, | 8 | | |
| Nolle pros., quashed or laid away, | 8 | | |
| Ent. on cash book and index, | 12 | 12 | |
| " " ex. docket " | 12 | 12 | |
| Notice of motion for new trial, | 8 | | |
| Cost bill and filing, 2 | 29 | 58 | |
| Certificate of sentence, | 35 | 35 | |
| Recording 1500 words at 8c. each 100, | | 1 20 | |
| List for grand jur. and pros. atty., | | | |
| General index, | 8 | 8 | |
| iss Fi. Fa. &c doc index & Relinde | | 53 | |
| | | 6, 59 | |
| TOTAL CLERK'S FEES. $ | | | |

| SHERIFF'S FEES. | | Plffs. | Defts. |
|---|---|---|---|
| On attachment, | | | |
| On capias, | | 1 57 | |
| Calling witnesses, | 5 | | |
| Calling jury, | 10 | | |
| Summoning jury, | 40 | | |
| Calling action, | 12 | 12 | |
| Serving subpœna on witnesses, | 10 | | |
| miles travel, each, | 8 | | |
| copies for each 100 words, | 8 | | |
| Bringing 1 prisoner to court 2 times, | 60 | 1 20 | |
| Com. 1 prisoner to jail, " | 60 | 60 | |
| Discharging prisoner, | 60 | | |
| Miles travel, 2 each, | 8 | 16 | |
| On fi. fa. serv., 30c miles trav. " | 8 | 46 | |
| Forfeiting recognizance, | 10 | | |
| Serving indictment, | | 30 | |
| Transportation, | | 4. 41 | |
| TOTAL SHERIFF'S FEES, $ | | | |

| NAMES OF WITNESSES. | | | |
|---|---|---|---|
| TOTAL WITNESS FEES, $ | | | |
| TOTAL FEES, $ | | 11 00 | |

Criminal Case File

Case No. 804

No 804

# Union Common Pleas.

## STATE of OHIO.

*against*

Addis Lewis

*Defendant.*

General Index

Dec 4th 1889

Verdict "Guilty"

Dec 5th 1889

Sentenced to 2 years

in Pen

NOV TERM 18 9

Journal No. 15 Page 209

Record No. 3 Page 173

Ex. Doc. C Page 231

C. E. ARBOGUST & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

Jason Case J.P. fees affidavit - 40 Warrant - 40 Total .80

W. M. Winget - J.P. Fees file papers 10 Mittimus 40. Judgt - 40

Satisfac 20 Record 45 - Transcript - 30 order on Jailor 40

Certificate 25 - Total $2.50

Joseph Griffith Marshal fees on Warrant - 2.60 on Mittimus 60

attendance 1.00 Total $4.20

The State of Ohio Union County Paris Tp

I hereby certify that the foregoing is a true copy taken from my docket of the proceedings had by and before me at my office in said Township in the above action

W. M. Winget - J.P.

202
206
208
209

The State of Ohio
vs
Odd's Lewis
Alias, Gardner

Transcript

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 20 1899
R. McCrory, Clerk

The State of Ohio } Before W. M. Winget J. P. of Paris Tp
vs } Union County, Ohio
Oddis Lewis } Horse Stealing
alias Gardner }

Nov 18th 1889. This day the defendant was brought before me by the Marshal of the City of Newark, O. on a warrant issued by Jason Case a justice of the peace of Claibourne Tp U. Co. Ohio Charging that the defendant late of said county on or about the 11th day of November A.D. 1889 at the County of Union in said State did unlawfully take, Steal and drive away, one Black Horse, one Top Buggy one Sett of Harness and one Robe of the Value of Two hundred and fifty dollars. from the Stable of P. G. Wynnegar of the county aforesaid with intent to Steal. And the defendant being arraigned upon said charge. Waived Examination.

Thereupon I ordered him to Enter into an Undertaking in the Sum of $500.00 with approved Sureties for his appearance at the court of Common Pleas of Union County on the first day of the next term thereof to be holden. Which he failed to do. Thereupon I issued an order for his commitment to the jail of said Co. and delivered the same to Joseph Griffith Marshal which was returned Endorsed as follows Nov 18th 1889 I committed the within named Oddis Lewis to the custody of the within named jailor with whom I left a certified copy of this writ. Mileage 20 Service 40 Total 60

Joseph Griffith
City Marshal Newark O.

I, ....., do acknowledge myself security for all costs which may accrue by reason of prosecuting the within named Defendant for the offense specified in the within Warrant, to be paid by me in case said defendant shall be discharged by the Magistrate, or not indicted by the Grand Jury.

Attest: ..... Justice of the Peace.

**RETURN.**

I have arrested the within-named Addis Lewis (Ohio) Gardner

and now have him ~~in Court~~ before W M Pringent Justice of Union County

Joseph Griffith
City Marshal
Newark Ohio

No. ..... Crim. Doc ..... P.

THE STATE OF OHIO,
vs.
Gardner

STATE WARRANT.

Filed Nov 18th 1889. W M Pringent JP

| | | |
|---|---|---|
| Fees, - - - | $ | |
| Service, - - | $ | 40 |
| Mileage, - - | $ | 20 |
| Conveyance, | $ | |
| Sustenance, | $ | 50 |
| Assistance, | $ | 150 |
| | | 2.60 |

Marshal Bonnett

$

Joseph Griffith
~~Constable.~~
City Marshal Newark O

E. L. BARRETT & SONS, Printers, Bindeas. Stationers and Legal Blank Publishers, Springfield, Ohio. No. 76—C.

# STATE WARRANT.

THE STATE OF OHIO,
Union County, ss.

To any Constable of said County—GREETING:

**WHEREAS**, *there has been filed with me an affidavit of which the following is a copy:*

THE STATE OF OHIO, Union COUNTY, SS.

*Before me,* Jason Care, *one of the Justices of the Peace for said County, personally came* P. G. Wynegar *who being duly sworn according to law, deposeth and saith that* One Gardner *late of said county, on or about the* 11th *day of* November *in the year of our Lord one thousand eight hundred and eighty* Nine, *at the County of* Union *aforesaid, did* Unlawfully take Steal and Drive away one Black Horse One Top Buggy and one Set of Harness one Robe of the Value of Two Hundred and Fifty Dollars from the Stable of P G Wynegar of the County aforesaid with intent to Steal the Same

*and this deponent does verily believe that the said* Gardner *is guilty of the fact charged, and further this deponent saith not.*

(Signed,) P G Wynegar

Sworn to and Subscribed before me, *at the County aforefaid, this* 15th *day of* November, *A. D. 1889.*

Jason Care *Justice of the Peace.*

**THESE ARE, THEREFORE**, *in the name of the State of Ohio, to command you that you take the said* Gardner, *if he be found in your County, or if he shall have fled, that you pursue after the said* Gardner *into any County in this State, and take and safely keep the said* Gardner *so that you have him forthwith before me or some other Justice of the said County, to answer to the said complaint, and to be dealt with according to law.*

*Given under my hand and seal this* 15th *day of* November *A. D. 1889*

Jason Care *Justice of the Peace.*

# THE STATE OF OHIO.

*vs.*

Oddis Lewis

alias Gardner

# MITTIMUS.

Published by SIEBERT & LILLEY, Blank Book Manufacturers, and Legal Blank Publishers, Opera House, Cloumbus, O.

## RETURN.

Nov 1878, 1889, I committed the within named Oddis Lewis to the custody of the within named Jailor with whom I left a certified copy of this writ.

Thomas Martin Thomas

FEES: Mileage, $ 20
Service, $ 40

Joseph Gruppit
City Marshal
Newark O

~~Constable.~~

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio. [20]

# MITTIMUS AFTER TRIAL.

THE STATE OF OHIO, } To the Keeper of the Jail of the County aforesaid, GREETING:
Union County, ss.

Whereas, Oddis Lewis (alias) Gardener
late of the County of Union has been arrested on
the oath of P. G. Wynnegar
for Stealing One Black horse One Top buggy & one Robe & one set Harness
of the value of $250.00 the property of P. G. Wynnegar

and has been examined by me, W. M. Winget one of the Justices of the Peace
for said County, and required to give bail in the sum of Five hundred Dollars,
for his appearance before the Court of Common Pleas of said County, on the first day of the
next term thereof, which requisition he has failed to comply with. Therefore, in the name
of the State of Ohio, I command you to receive the said Oddis Lewis alias Gardener

into your custody in the jail of the County aforesaid, there to remain until he be
discharged by due course of law.

Given under my hand and Seal, this 18th day of Nov A. D. 1889

W. M. Winget [SEAL.]
Justice of the Peace.

D 02

No 804

Union County Common Pleas.

THE STATE OF OHIO,

vs.

Addis Lewis.

# INDICTMENT.

— FOR —

Horse Stealing and Grand Larceny.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

William H. Robb

Foreman of Grand Jury.

Filed ..... 18 .....

COM. PLEAS COURT, UNION CO., O.
FILED
NOV 20 1889
R. McCrory, Clerk.

..... Clerk.

Edward W. Porter.

Prosecuting Attorney.

On this 2d day of Dec 1889, Defendant arraigned, and pleads Not guilty to this indictment.

R. McCrory Clerk

By W. M. Wright Dep

Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Addis Lewis

*late of said County, on the* Eleventh *day of* November *in the year of our Lord one thousand eight hundred and* Eighty-nine, *with force and arms, in said County of Union and State of Ohio,* feloniously did steal, take, lead and drive away one gelding of the value of one hundred and twenty-five dollars, the goods, chattels, and property of Peter G. Wymgar, ~~and Wilbert Bolton~~, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second Count: And the Jurors aforesaid, upon their oaths aforesaid, do further find and present that the said Addis Lewis, on the Eleventh day of November in the year of our Lord one thousand eight hundred and eighty-nine, at the County of Union aforesaid, unlawfully and feloniously did steal, take and carry away, one top buggy of the value of seventy-five dollars, one set of single harness of the value of fifteen dollars, one buggy robe of the value of eight dollars, and one woolen horse blanket of the value of six dollars, of the goods, chattels and property of said Peter G. Wymgar, ~~and Wilbert Bolton~~,

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter.
Prosecuting Attorney, Union County, Ohio.

No. .....

## Union County Common Pleas.

**STATE OF OHIO,**

*vs.*

Addie Lewis

STATE OF OHIO,
Union County, ss.

*On the* 24 *day of* Nov
*1889, I served a certified copy of the Indictment in the above entitled case upon the defendant,*

.....

*by delivering to him said copy.*

Thomas Martin *Sheriff.*

*By* ..... *Deputy.*

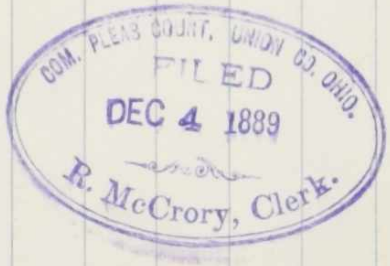
***SHERIFF'S FEES.***

| | |
|---|---|
| *Service of Indictment,* - - | 80 |
| *Mileage,* - - - - - - - | 16 |
| | 46 |

15.40
4.60
10.80

Verdict

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 4 1889
R. McCrory, Clerk.



J-15-P-208

SIEBERT & LILLEY,
COLUMBUS, OHIO.

The State of Ohio } No 804-
vs } Common Pleas, Union Co, Ohio
Addie Lewis } "Indictment - for Horse Stealing"
" and Grand Larceny "

We the Jury in this case, find the defendant Addie Lewis Guilty, in manner and form as he stands Charged in the first Count of the indictment, and we assess the value of the property stolen at the sum of $ 90 00 .

And we also find the said defendant Guilty in manner and form as he stands Charged in the Second Count of the indictment, and we assess the value of the property stolen at the sum of $ 90 00

Foreman.
A S Turner

COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 4 1899
R. McCrory, Clerk

No
State
vs
Addis Lewis

Dec 3d/89 4 P.M.
Jury Sworn

1 Geo Edwards
2 Nesbit-January
3 Joseph Norris
4 A. S. Turner
5 Israel Slack
6 John Van Pearse
7 J. B. Whipley
8 M. Thompson
9 E. P. Rogers
10 J. P. Hutson
11 Geo Longbrake
12 J. W. Ford

327

No. 804

State of Ohio
vs.
Addis Lewis.

Entry

Dec 5, 1889

J-15-P-209

E. W. Porter.
Pros. Atty.

No.

State of Ohio
vs.
Addis Lewis.

Entry-
Indictment for horse-stealing and Grand Larceny-

The defendant herein having been heretofore convicted of horse-stealing and grand larceny, was this day brought into court in custody of the sheriff, and informed by the court of the verdict of the jury, and inquired of if he had any thing to say why judgment should not be pronounced against him; and having nothing but what hath already said:

It is therefore considered and adjudged by the court that the defendant Addis Lewis, be imprisoned and confined in the penitentiary of the State, and kept at hard labor, but without any solitary confinement, for the period of two years, and that he pay the costs of this prosecution, for which execution is awarded.

E. H. Porter, Pros. Atty.
Union County Ohio.

*No. of Case* .....

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Addis Lewis,

**Subpœna for** petfr, **Witness.**

*Returnable* ..... *18* .....

*Ret'd and Filed* .....

..... *Clerk.*

E W Porter

*Att'y for* State,

*Rec'd this Writ* ..... *18* .....

*at* ..... *o'clock* ..... *M.*

COM. PLEAS COURT, O
FILED
DEC 2
R. McCrory, Clerk

..... *Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

..... *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| | |
| Sol Bretz P | |
| W B Swisher P | |

Thomas Martin ..... *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* ..... | | 20 |
| *Mileage* ..... | | 32 |
| *Copies* ..... | | 20 |
| *Total* ..... | | 72 |

Clk 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna Sol Betz,
And. W. B Swisher

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 3d day of December A. D. 1889, at 9— o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Addis Lewis on behalf of the pltf; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 30th day of November A. D. 1889

P. McCurry
Clerk of Court of Common Pleas.

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Addis Lewis

**Subpœna for** Deff **Witness.**

*Returnable* 18

*Ret'd and Filed*

COM. PLEAS COURT, UNION C... FILED DEC 21 R. MacCrory, ...

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| P. G. Wynegar C | 32 |
| Wilbert Bolton C | 32 |
| Albert Sutton C | 32 |
| Joseph Griffen | 160 |
| Sidney Livingston | 160 |
| Wm M Graves | 160 |
| Thomas Brooks | 160 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 70 |
| *Mileage* | 16 | 00 |
| *Copies* | | 70 |
| *Total* | 17, | 40 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna P G Weingar. Wilbert Bolton Albert Sutton Joseph Griffen Sidney Livingston Wm M Graves and Thomas Brooks.

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of Dec A. D. 1889, at one o'clock P. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Addis Lewis on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 28th day of November A. D. 1889

P McCleary

Clerk of Court of Common Pleas.

*No. of Case* .....

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Eddie Lewis

**Subpœna for** Defts, **Witness.**

*Returnable* ..... *18*

*Ret'd and Filed* .....

COM. PLEAS COURT, ... CO., OHIO.
FILED
DEC 2 1889
R. McCrory, Clerk.

*Clerk.*

*Att'y for* .....

*Rec'd this Writ* ..... *18*

*at* ..... *o'clock* ..... *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| Frank McFarland | C | 160 |
| Charles Stevens | P | 200 |
| Wm Hathaway | C | 160 |
| Samuel Jones | C | 160 |

Thomas Marton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* ..... | | 40 |
| *Mileage* ..... | 16 | 00 |
| *Copies* ..... | | 40 |
| *Total* ..... | 16. | 80 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Frank McFarland Charles Stevens Samuel Trace Wm Hathaway.

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 3d day of Dec A. D. 1887, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Addie Lewis on behalf of the Defendt; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28th day of Nov A. D. 1887

W. H. Crow

Clerk of Court of Common Pleas.

PENITENTIARY No. _____

CERTIFICATE OF SENTENCE

—AND—

COST BILL IN PENITENTIARY CASES

Union County.

THE STATE OF OHIO

vs.

Addis Lewis

Sentence Two Years.

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

R M Crow

Clerk Union County.

JOHNSON & WATSON, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio.

## CERTIFICATE FOR ALLOWANCE OF GUARDS.

**Whereas,** At the present _____ Term of the Court of Common Pleas, begun and held at the Court House, in the County of _____ and State of Ohio, more than one person, to-wit: _____

_____

_____

were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court being of opinion that it is such an extraordinary case as requires the allowance of _____ guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said _____ guards for the purpose aforesaid.

**I Certify** the above to be a true copy of the opinion of said Court, made at its said _____ Term, A. D. 18__

Given under my hand and seal of said Court, this _____ day of _____ A. D. 18__

_____ Clerk.

By _____ Deputy Clerk.

## CERTIFICATE OF ISSUING EXECUTION.

**The State of Ohio,** Union County, } ss. I, R M Crow

Clerk of the Court of Common Pleas, in and for said County, hereby certify that upon the judgment and sentence in the case of the **State of Ohio** vs. Addis Lewis

_____

an execution called a FIERI FACIAS, issued on the 5th day of Dec 1882 against the said Addis Lewis

for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendant to satisfy any part of said costs.

**Witness** my official signature, and the Seal of said Court at Marysville in the County and State aforesaid, this 6th day of December 1882

R M Crow Clerk.

By _____ Deputy Clerk.

JOHNSON & WATSON, Blank Book Manufacturers, Legal Blank Publishers, Stationers and Printers, Dayton, O. **Clerk 44.**

# CERTIFICATE OF SENTENCE.

At a term of the Court of Common Pleas, begun and held at the Court House in Marysville, within and for the County of Union and State of Ohio, on the Fifth day of December A. D. 1889

Present, the Hon. John A Price — Judge.

In the Record and Proceedings of said Court, then and there had, among other things is the following Judgment and sentence, to wit:

**The State of Ohio,**

vs.

Addie Lewis

Indictment for Horse Stealing

The said Addie Lewis

having plead not guilty and Stealing trial was convicted as charged,

It is therefore the sentence of the Court that She be imprisoned in the Penitentiary of this State and kept at hard labor (NO PART OF SAID TIME TO BE KEPT IN SOLITARY CONFINEMENT)

for the term of Two years and that She pay the costs of this prosecution, taxed at One hundred and Sixty Seven and 57/100 Dollars

**In Witness Whereof,** I hereunto set my hand and affix the Seal of said Court, at Marysville this 6th day of December A. D. 1889

P M Henry Clerk.

Deputy Clerk.

**The State of Ohio,**

To Sheriff of County, Dr.

| | | |
|---|---|---|
| For Prosecuting Charges as per within account | | $ |
| For Transportation Charges, as follows: | | |
| Travel for self ___ miles each way, ___ miles at 8c. per mile | | $ |
| " " ___ guard ___ miles each way ___ miles at 6c. per mile | | |
| Transporting ___ convict ___ miles one way ___ miles at 5c. per mile | | |
| Total Charges | | $ |

**Received,** Columbus, O., ___ 18__, of the Warden of Ohio Penitentiary, a certificate of allowance on the State Auditor for the above amount.

Sheriff.

Revised Statutes of Ohio, Secs. 1260-3.

No. 804

THE STATE OF OHIO, } IN THE COURT OF COMMON PLEAS,
Lucas County, ss. } November Term, A. D. 1889

THE STATE OF OHIO,
vs.
Adie's Lewis

Indictment for Horse Stealing.

Crim. Docket, No. 6 Page 231

# COST BILL.

NOTE--Clerks should be careful to fill ALL blanks and insert no "jump" charges.

| CLERK, | | | |
|---|---|---|---|
| Doc. and Appear. Pl'ff and 1 Def't, 12, each add'l, 4 | | 12 | |
| Ent. finding Indictment, | 8 | 8 | |
| " Pleas, | each 8 | 8 | |
| Indexing Docket, | 4 | 4 | |
| Indexing Judgments and Final Orders for each case, | 15 | 15 | |
| Index. Pending Suits and Living Judg'ts, each case, | 15 | 15 | |
| Rule for Motion and filing, | 8 | 8 | |
| Entering Motion on Docket and Index, | 8 | 8 | |
| Filing 9 papers | each 4 | 36 | |
| Taking Affidavits, | " 8 | | |
| Certifying Affidavits without Seal, | " 15 | | |
| " " with Seal, | " 35 | | |
| Filing Prec., Issuing Capias, Return and its filing, | 37 | 37 | |
| " " Attachment, Return and its filing, | 37 | | |
| Taking Justification of Bail, | 35 | | |
| Entering Allowance of Bail, | 4 | | |
| Recog. def't and filing, | each 29 | | |
| " witnesses and filing, | " 29 | | |
| Polling Jury when required, | 25 | | |
| Impaneling Jury and Administering Oaths, | 12 | 12 | |
| Calling and entering 12 Tales Jurors and cert., | each 8 | 96 | |
| Filing 3 Prec., issuing 3 Sub. for 1 wit. and filing, | 16 | 48 | |
| Additional names, 11 | each 4 | 44 | |
| Swearing 14 witnesses and making entry of same, | " 4 | 56 | |
| Ent. att. of 12 witnesses, | " 4 | 48 | |
| Issuing Certificate for witness fee, 12 | " 4 | 48 | |
| Qualifying Jurors, | " 8 | | |
| Ent. on Bar and Court Cal., and Ind. each term, | 8 | 4 | |
| Entering 2 Orders on Journal per 100 words, 500 | 8 | 40 | |
| " verdict on Journal and filing, | 12 | 12 | |
| " rule " | 8 | | |
| " judgment " | 8 | 8 | |
| Indexing 3 ents. on Journal, | each 4 | 12 | |
| Trans. 8 orders on docket, | " 8 | 64 | |
| " verdict on docket, | 8 | 8 | |
| " rule " | 8 | | |
| " judgment " | 8 | 8 | |
| Copy of Indictment each 100 words, 500 | 8 | 40 | |
| Continuance, | each 8 | | |
| Nolle Pros. or laid away | 8 | | |
| Entering on ex. docket and Index, | 12 | 12 | |
| Notice of Motion for New Trial, | 8 | | |
| Cost Bill and filing, | 29 | 29 | |
| Recording 2500 words, at 8c. each 100 | | 2 | 24 |
| Indexing Record—Direct and Reverse, | 8 | 8 | |
| Certificate of Sentence, | 35 | 35 | |
| " allowance of guard, | 35 | | |
| " to Auditor of Assignment of Counsel, | 35 | | |
| Prec. for Fi. Fa, issue, docketing, index, return, filing, | 53 | 53 | |
| Certificate of Issuing Fi. Fa., | 35 | 35 | |
| 2 Copies Cost bill words at 8c. each 100 | | 58 | |
| | | 11 | 92 |

| SHERIFF, | | |
|---|---|---|
| On Attachment, | | |
| On Capias, | | |
| Calling Action, | 12 | 12 |
| Calling 13 witnesses, | 5 | 65 |
| " Jury, | 10 | 10 |
| Summoning Jury, | 40 | 40 |
| Serving Subpoena on 13 witnesses, | 10 | 1.30 |
| 404 miles travel, | 8 | 32.32 |
| 13 copies per 100 words, | 8 | 1.04 |
| Committing 1 prisoner to jail, | 60 | 60 |
| Attending prisoner before Court 3 times, | 60 | 1.80 |
| Discharging prisoner , | 60 | |
| Serving and returning Order of Court, | 30 | 30 |
| Miles traveled 2 | each 8 | 16 |
| On Fi. Fa. Serv., 30c., miles travel, | " 8 | 46 |
| Forfeiting Recognizance, | | |
| Serving Indictment, | | 80 |
| Transportation, | | |
| | | 39 55 |

| MAYOR, | | | |
|---|---|---|---|
| JUSTICE, Jas. M. Bane J.P., | | | |
| Affidavit, | each 40 | 40 | |
| Warrant, each defendant named therein, | 40 | 40 | |
| Continuance, | 20 | | |
| First Mittimus, 1 | 40 | 40 | |
| 2d " | 40 | 40 | |
| Subpoena for witnesses, 25c. for one, and 5c. for each additional, | | | |
| Recognizance—1 witness 40c., each add'l. 10c.. | | | |
| Swearing witnesses, 2 | each 5 | 10 | |
| Judgment, | 40 | 40 | |
| Transferring Judgment, | 15 | 15 | |
| Recognizance defendants, | each 40 | | |
| Transcript—15c. per 100 words, 300 | | 45 | |
| Certifying Transcript, | 25 | 25 | |
| Final Mittimus, | 40 | 40 | |
| Filing Papers, 3 | each 5 | 15 | |
| Recording 300 words, 15c. per 100, | | 45 | |
| Order on Jailor for prisoner, | 40 | 40 | |
| Appointment of Special Constable, | 40 | | |
| | | | = 4,35 |
| SUP'T OF POLICE, | | | |
| MARSHAL, | | | |
| CONSTABLE, | | | |
| Serving 1 warrant on each def't., 40 | | 40 | |
| Travel 1 miles—20c. for 1st, 5c. for 185 each additional, | | 26 | |
| Serv. Sub. on wit., 25x10, | | 9 75 | |
| Copies " each 25 | | | |
| Travel miles—25c. for 1st, 5c. for each additional, | | | |
| Serving 1 Mittimus on each, 40 | | 40 | |
| Copy 1 " for 1st, 25 | | 25 | |
| Travel miles—20c. for 1st, 5c. for each additional, | | | |
| 1 days attendance before J. P., 1 00 | | 1 00 | |
| Com. 1 to Jail on warrant, 40 | | 40 | |
| Travel miles—20c. for 1st, 5c. for each additional, | | | |
| Con's bring. out prisoner for ex., | | | |
| Marshal " 1 " " 20 | | 20 | |
| Travel 1 miles—20c. for 1st, 5c. for each additional, | | 20 | |
| Transporting and sustaining prisoner, which is allowance made by Magistrate and certified by him. | 2 | 60 | |
| | | | = 15,40 |
| 1 Assistant day, | 1 50 | 1 50 | |
| " " | 1 50 | | |
| " " | 1 50 | | |

## RECAPITULATION.

| | | |
|---|---|---|
| Clerk, | 11 | 87 2 |
| Sheriff, | 39 | 55 |
| Mayor or Justice, | 4 | 35 |
| Marshal, Constable or Supt. of Police, | 15 | 40 |
| Witnesses, | 94 | 80 |
| Official Stenographer days, | | |
| " " Transcript 100 words, | | |
| Total Costs, | | $ 16 87 |

ATTEST: W. H. Berry Clerk.

This Cost Bill is correct and allowed.
December 6th 1889 John A. Price Judge.

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed **both ways,** at 5 cts. per mile and the **whole distance** should be stated and not **one** way at 10cts. per mile.

| | NAMES. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|---|
| | | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| 1 | O S Winegar | | | 11 | 3 2 | 3 | 60 | |
| 2 | Wilbert Bolton, | | | 2 | 3 2 | 3 | 60 | |
| 3 | Albert Sutton | | | 2 | 3 2 | 3 | 60 | |
| 4 | Joseph Griffen | | | 2 | 160 | 10 | 00 | |
| 5 | Sidney Livingston | | | 2 | 160 | 10 | 00 | |
| 6 | William M Graves, | | | 2 | 160 | 10 | 00 | |
| 7 | Hymas Brooks | | | 2 | 160 | 10 | 00 | |
| 8 | Saul Butz | | | 2 | — | 2 | 00 | |
| 9 | Frank McFarland | | | 2 | 160 | 10 | 00 | |
| 10 | Charles Stevens | | | 2 | 200 | 12 | 00 | |
| 11 | Samuel Trace | | | 2 | 160 | 10 | 00 | |
| 12 | Willam Hathaway | | | 2 | 160 | 10 | 00 | |
| | | | | | | 94 80 | | $94,80 |
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*TO THE AUDITOR OF STATE—Sir: You will please issue your warrant on the Treasurer of State to* Hymas Martin ..... *Sheriff of* Marion ..... *County, Ohio, for the sum of* Ninety four & 80/100 ..... *Dollars, being the amount of the costs in the foregoing case.*

Witness my hand this 5th day of January, 1911

Clerk of ..... Marion ..... County, O.

Criminal Case File
Case No. 805

No. 803

# Union Common Pleas.

## STATE of OHIO.

*against*

Jabcob Deboll

and

Edward Deboll

*Defendant.*

MAR TERM 1890

March 7th 1890 Plead Guilty

Each to pay a fine of

$500 And costs of

Prosecution,

General Index.

| | | | |
|---|---|---|---|
| *Journal No.* | 15 | *Page* | 254 |
| *Record No.* | 3 | *Page* | 223 |
| *Ex. Doc.* | 6 | *Page* | 234 |

C. E. ARROGUST & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

No. 805.

State of Ohio

vs.

Jacob Diboll and

Gleanard Diboll.

Entry.

J. 15. P. 259.

E. H. Poole

Pros Atty.

State of Ohio.
vs.
Jacob Debolt and
Gerard Debolt.
} Entry. assault and Battery — No. 805.

Now comes the Prosecuting Attorney, on behalf of the State of Ohio, and the defendants being brought into court in custody of the Sheriff, and each arraigned upon said indictment, for plea thereto, saith he is "guilty"; thereupon after being fully advised in the premises, it is ordered and adjudged by the court, that the said Jacob Debolt and Gerard Debolt each pay a fine of five dollars, and the costs of this prosecution; and execution is awarded —

E. N. Porter.
Pros. Atty.

No 805

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

Jakob Debolt and
Glenard Debolt.

# INDICTMENT.

— FOR —

Assault and
Battery.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Lorenzo Cheney
Foreman of Grand Jury.

*Filed* FILED MAR 5 1890 *18*

R. McCrory, Clerk. *Clerk.*

Edward N. Porter
Prosecuting Attorney.

*On this* 7th *day of* March *1890, Defendant arraigned, and pleads* guilty *to this indictment.*

R. McCrory Clerk
By W. M. Wright
Dep. Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* March *in the year of our Lord one thousand eight hundred and* Sixty.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Jakob Debolt and Gerhard Debolt

*late of said County, on the* Tenth *day of* January *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* unlawfully, violently, and in a menacing manner did assault and threaten one Henry Knapp, then and there being, and him the said Henry Knapp, then and there did strike, beat, wound, and ill-treat, and other wrongs to him the said Henry Knapp, then and there did.

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter.
Prosecuting Attorney, Union County, Ohio.

The State of Ohio

vs

Jake Deboldt
Leonard Deboldt






State of Ohio
vs
Jake Debolt
and Glenard Debolt
#22

Before Joseph Comer
Justice of the Peace
Union County Ohio

State of Ohio Union County ss.

Before me the undersigned a Justice of the Peace in and for Union County Ohio, on this 11th day of January 1890 personally came Henry Hupp who being by me first duly sworn according to law deposes and says that on or about the 10th day of January 1890 at the village of Richwood Union Co. Ohio, Jake Debolt and Glenard Debolt then and there being did unlawfully and maliciously assault beat and wound him the said Henry Hupp with intent then and there to kill him the said Henry Hupp contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Ohio

Henry Hupp.

Sworn to and subscribed before me this 11th day of January 1890

Joseph Comer J.P.

Jany 11th 1889 Issued warrant of this date for said Jake Debolt & Glenard

Debolt and delivered to P. G. Shymgar Constable who made the following return thereon! Jany 11th 1890 – I have the bodies of the within named now in Court

P. G. Shymgar Constable.

Rec'd this 11th Jany 18th 1890 – Service and Return 80¢ Mileage 5 miles 40¢ Assistance John L Adams 1.50 Total 2.70

Jany 11th 1890 – Defendants arraigned and waived examination. I thereupon ordered them to enter into a recognizance in the sum of One Hundred and fifty dollars each for their appearance on the first day of the next term of the Court of Common Pleas in the County of Union which they failed to do. I thereupon issued mittimus to the keeper of the jail of Union County and delivered same to P. G. Shymgar Constable who made the following return thereon;

Jany 13th 1890 – I conveyed the within named defendants to County Jail and delivered the said defendants to Sheriff Martin and delivered a copy of this order to the sheriff.

Fees – Serving Mittimus 40¢ Copy 25¢ Mileage 32 miles 1.75 Feeding Defts 75¢ Conveyance

3.00 Assistance John L Adams 1.50
Total 7.65

P. G. Thyng as Constable.

Joseph Comer J.P.

State of Ohio Union County Claibourne Tp ss
I do hereby certify that the above is a true and full copy from my docket of the proceedings had by and before me at my office in said township in the above actions

Joseph Comer J.P.
of the aforsaid township

January 11–1890

Bill of Costs.

| J. P. Fees. | | Constables Fees | |
|---|---|---|---|
| Affidavit | 40 | On Warrant | 1.20 |
| Warrants & Returns | 80 | " Millimus | 6.15 |
| Millimus 2 " | 80 | | 7.35 |
| Filing Papers 3 | 15 | | |
| Record | 75 | Assistants Fees– | |
| Transcript | 75 | On Warrant John L Adams | 1.50 |
| Certificate | 25 | " Millimus " " " " | 1.50 |
| Total | 3.90 | Total | 3.00 |

Total J. P. Fees. 3.90
" Constables " 7.35
" Assistant John L Adams fee 3.00
Grand Total 14.25

WITNESS FEES.—Continued.

| NAMES OF WITNESSES. | Plff. | Deft. | NAMES OF WITNESSES. | Plff. | Deft. |
|---|---|---|---|---|---|
| | | | | | |

No. 8 Crim. App. Doc. 234 Page

# COST BILL.

Common Pleas.

THE STATE OF OHIO,

AGAINST

Term, 18

Filed A. D. 18

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAR 27 1890
R. McCrory, Clerk.

The Barrett Publishing Company, Springfield, Ohio.

Clk. 355. (*7-1)-7-6-8. The Barrett Publishing Company, Springfield, Ohio

No. 805 Crim. Cost Bill Main Term. Crim. App. Doc. 6 — Page

THE SATE OF OHIO, Huron County,

AGAINST

Jacob & Edward Deboldt

COURT OF COMMON PLEAS.

Revised Statutes of Ohio, 1880, Secs. 1260-3.

| CLERK'S FEES. | | Pltf. | Deft. |
|---|---|---|---|
| Doc. and app. pltf. and one deft, | 12 | | 12 |
| additional, | each, 4 | | 4 |
| Entering finding indictment, | 8 | | 8 |
| Entering pleas, | each, 8 | | 16 |
| Indexing docket, | " 4 | | 8 |
| Index'g judgm'ts & final ord., each case. | 15 | | 15 |
| Index'g pend'g suits & liv. judg. " " | 15 | | 15 |
| Entering motion on docket and index, | 8 | | |
| Filing 4 papers & post. in app. doc. ea. | 12 | | 48 |
| Taking affidavits, | " 8 | | |
| Certifying " without seal, | 15 | | |
| " " with " | 35 | | |
| Filing prec., iss. capias, return & filing, | 37 | | |
| " " " Att., " " | 37 | | |
| Taking justification of bail, | 35 | | |
| Entering allowance of bail, | 4 | | |
| Spec. war. to bring before judge, ret. & fil. | 33 | | |
| Warrant to discharge prisoner, | 25 | | |
| Recog. of def't and filing | each, 29 | | |
| " wit. " " | 29 | | |
| Poling jury when required, | 25 | | |
| Impaneling jury & administering oaths, | 12 | | |
| Call and ent. tales jur. and cert., | each, 8 | | |
| Fil. prec., iss. sub. for 1 wit. & fil. | 16 | | |
| additional names. | each, 4 | | |
| Swearing witnesses, | " 4 | | |
| Ent att. of " days, | " 4 | | |
| Certif. " | 4 | | |
| Qualifying jurors, | each, 8 | | |
| Ent. bar and court cal. & in., | each term. 8 | | 8 |
| Ent'g—orders on journal. | per 100 words, 8 | | 24 |
| " verdict on journal and filing, | 12 | | |
| " rule on journal, | 8 | | |
| " judgment on journal, | 8 | | 8 |
| Surplus record on journal, | per 100 words, 8 | | 50 |
| Indexing entries on journal, | each, 4 | | 8 |
| Transcribing—orders on docket, | " 8 | | 24 |
| " verdict on " | 8 | | |
| " rule on " | each, 8 | | |
| " judgm't on " " | 8 | | 16 |
| Copy of indictment and certificate, 7 | | 1 | 84 |
| Continuance, | each, 8 | | |
| Nolle pros., quashed or laid away, | 8 | | |
| Ent. on cash book and index, | 12 | | 12 |
| " " ex. docket " | 12 | | 12 |
| Notice of motion for new trial, | 8 | | |
| Cost bill and filing, | 29 | | 58 |
| Certificate of sentence, | 35 | | 35 |
| Recording words at 8c. each 100, | | 1 | 28 |
| List for grand jur. and pros. atty., | | | 50 |
| General index, | 8 | | 8 |
| | | 6. | 91 |
| TOTAL CLERK'S FEES. | $ | 7 | 01 |

| SHERIFF'S FEES. | | Pltfs. | Defts. |
|---|---|---|---|
| On attachment, | | | |
| On capias, | | | |
| Calling witnesses, | 5 | | |
| Calling jury, | 10 | | |
| Summoning jury, | 40 | | |
| Calling action, | 12 | | 12 |
| Serving subpœna on witnesses, | 10 | | |
| miles travel, | each, 8 | | |
| copies for each 100 words, | 8 | | |
| Bringing 2 prisoner to court 1 | times, 60 | 1 | 20 |
| Com. prisoner to jail, | " 60 | | |
| Discharging prisoner, 2 | 60 | 1 | 20 |
| Miles travel, | each, 8 | | 32 |
| On fi. fa. serv., 30c. miles trav. | " 8 | | |
| Forfeiting recognizance, | 10 | | |
| Serving indictment, 7 | | | 60 |
| Transportation, | | | |
| | | 3 | 44 |
| TOTAL SHERIFF'S FEES, | $ | 3 | 44 |

NAMES OF WITNESSES.

Justice Court 14 25

(Precipe Jones 2 25)

| TOTAL WITNESS FEES, | $ | | |
|---|---|---|---|
| TOTAL FEES, | $ | 10. | 15 |

#26446

Criminal Case File

Case No. 806

804

No ~~779~~

# Union Common Pleas.

## STATE of OHIO.

*against*

Ellis Fuller

*Defendant.*

Praecipe for

*Journal No.* ____ *Page* ____

*Record No.* ____ *Page* ____

*Ex. Doc.* ____ *Page* ____

C. E. Arrogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

The State of Ohio

vs

Ellis Miller

Transcript

COM. PLEAS COURT, UNION CO. OHIO.
FILED
FEB 10 1890
R. McCrory, Clerk.

S. Bonnett Const. fees - On Warrant - 5.65 -
" Mittimus 85 -
Total $6.50

J. P. Fees file papers 15 - affa 40 Warrant - 40 Mittimus 40
Mayr 40 Satisfac 20 Record 45 - Transcript 45 - Certif 25 - Total $3.10
The State of Ohio Union to Paris Tp SS.
I hereby certify that the foregoing is a correct copy taken from my docket of the proceedings had by and before me at my office in said Township in the above action.

W. M. Wright - J. P.

The State of Ohio } Before W. M. Wright J. P. Paris Tp
vs } Union County Ohio.
Ellis Miller } No. 81. Shooting with intent to Kill.

Jan 17th 1890 Complaint on oath in writing filed with me Signed by Benjamine Johnson. Charging that Ellis Miller late of Said County, on or about the 16th day of Jany A D 1890 at the county aforesaid, did with a certain pistol, commonly called a Revolver, which pistol was then and there loaded with powder and leaden bullets, Unlawfully, feloniously and Maliciously Shoot Emma Johnson, with intent then and there and thereby her the Said Emma Johnson Unlawfully, feloniously and Maliciously to Kill.

Issued Warrant and delivered to Sam Bonnett Constable, Which was returned the Same day Endorsed as follows;

I took the body of the within named Ellis Miller and have him before the justice Jan 17th 1890
Mileage 75 Service 40 assistance 150 Conveyance 200 attendance 100 Total $5.65. Sam Bonnett Constable

Jan 17th 1890. The defendant being before and arraigned upon Said Charge, for plea thereto Saith he is "guilty." Thereupon I ordered him to the Jail of Union County until he be lawfully discharged therefrom.

Issued a Mittimus and delivered to Sam Bonnett constable Which was returned Endorsed-

Jan 17th 1890, I Committed the within named Ellis Miller to the custody of the within name Jailer with whom I left a certified copy of this writ.
Mileage 20 Service 40 Copy 25 Total .85.

Sam Bonnett Const.

Praecipe for Jury

Filed May 5th 1890.

R. McCrory Clerk

May 5th 1890.

Court of Common Pleas.
Union County Ohio.

State of Ohio
vs.
Ellis Miller.
} Indictment for Murder in the First Degree.

This day came the Prosecuting Attorney and filed his Praecipe which is in the words and figures following, to-wit:

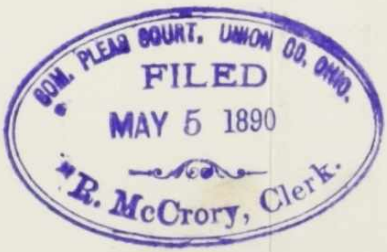
-1-

No.

The State of Ohio
vs.
Ellis Miller,
} Indictment for Murder in the first degree.
Praecipe.

To the Clerk of the Common Pleas Court of Union County Ohio; You will please draw from the jury box as in other cases thirty-six ballots and issue to the Sheriff a venire for the persons whose names are so drawn as jurors in the above entitled case for the 28th day of May A. D. 1890, at Eight o'clock A. M. The Sheriff will be required to serve and return this venire at least 15 days before said 28th day of May A. D. 1890, and if a person named in said venire is dead, insane, removed from the county, or not an elector of the county, or has been convicted of a felony and not pardoned, the Sheriff shall note the fact in his return. If it appear to you by the return of the Sheriff that any person named in the venire is dead, insane, absent, removed from the county, or not an elector of the county, or has been convicted of a felony and not pardoned, you shall draw from the box a number of ballots equal to double the number of persons dead, absent or disqualified and issue to the Sheriff a venire for them for the said 28th day of May A. D. 1890, at Eight o'clock A. M. The Sheriff will be required to serve and return said venire as soon after the issuing thereof as may be, and in the same manner as said first venire. If it appear to you from such return that the names of thirty-six qualified jurors are not in the venire, you shall draw ballots and issue writs, to be served and returned in like manner as the foregoing until the required number thirty-six qualified jurors are summoned. After you have thus obtained a full panel you will serve a copy thereof upon the said Ellis Miller at least three days before said 28th day of May A. D. 1890. You will find the Law governing this matter in Sections 7267, 7268, and 7273 of Revised Statutes of Ohio.

Edward N. Poston, Prosecuting Attorney, Union County Ohio.


COM. PLEAS COURT. UNION CO. OHIO.
FILED
MAY 5 1890
R. McCrory, Clerk.

# UNION COMMON PLEAS.

*No. Case*

State of Ohio

*Plaintiff.*

*vs.*

Ellis Miller

*Defendant.*

TO CLERK:

*Issue Execution in the above entitled case for*

a special venire

*returnable according to law.*

E. F. Poe

*Attorney for* State of Ohio

*Præcipe filed* , 18

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 5 1890
R. McCrory, Clerk.

*Clerk of Courts.*

*By* *Deputy.*

The State of Ohio, Union County, SS.

To Thomas Martin, Esq., sheriff of said County, greeting:

We command you that you summon the following named persons, to wit

I, John Laughrey

2-- -J.W.Kile

3 Wells Hildreth

4 William Wingfield

5 L.K.Drake, sen.

6 Simon Rogers

7 Israel Fogle

8 William H.Herd

9 P.B.Smith

10 Theodore Bishop

11 James Collier

12 Conrad Berger

13 John Ward — not found in the County

14 Adam Ritchie

15 G.C.Edwards

16 Dwight Hollycross — Gone west absent from the County and removed from the County

17 Lewis Cassady

18 J.P.Crowder

19 Moses George

20 A.J.Whitney

21 Joseph Price

22 Daniel Ream

23 James A.Reed

24 George Sewell

25 William Stire

26 Sol Butz

27 Emanuel Jarvis

28 William Perkins

29 Jacob Fish

30 Beverly Depp

31 Jonah Blue

32 Frank Schmidt

33 H.S.Culver

34 Dudley Felkoner

35 Hile Lee

36 J.C.Pettit

To be and appear beofre our Court of Common Pleas of the said County of Union,at the Court House in Marysville,on the 28th day of May,in the year of our Lord one thousand eight hundred and ninety,at nine o'clock A.M.,and so from day to day until discharged,then and there to serve as Petit Jurors,in and for the said County,in the case of the State of Ohio,against Ellis Miller,on and indictment for murder in the first degree; And And have then and there this writ;

IN TESTIMONY WHEREOF,I, the Clerk of the said Court of Common Pleas ,of said County of Union,have hereunto set my hand and affixed the seal of said Court,at Marysville, this 5th day of May A.D.1890

R. M. Curry Clerk

of Court of Common Pleas,Union County ,Ohio.

May 8th, 1890,. The following Jurors were severally summoned by me,as within required,on the days and in the manner hereinafter specified.

| NO | Names | Residence | When served | How served | |
|---|---|---|---|---|---|
| 1 | John Laughrey | Leesburg | May 7th 1890 | Personal | 7 |
| 2 | J W Kile | Richwood | " 8 " | Copy | 16 |
| 3 | Wells Hildreth | Leesburg | " 7 " | Personal | 12 |
| 4 | William Wingfield | Dover | " 6 " | Personal | 5- |
| 5 | L K Drake | York | " 8 " | Personal | 18 |
| 6 | Simon Rogers | Claibourne | " 8 " | Copy | 20 |
| 7 | Israel Fogle | Dover | " 6 " | Personal | 9 |
| 8 | William H Herd | Allen | " 7 " | Copy | 10 |
| 9 | P. B Smith | Claibourne | " 8 " | Personal | 18 |
| 10 | Theadore Bishop | Washington | " 8 " | Personal | 25- |
| 11 | James Collier | Jerome | " 7 " | Personal | 15- |
| 12 | Conrad Berger | Union | " 6 " | Personal | 10 |
| 14 | Adam Richie | Dover | " 6 " | Personal | 7 |
| 15 | G. C. Edwards | Marysville | " 7 " | Personal | |
| 17 | Lewis Cassady | Claibourne | " 8 " | Personal | 15- |
| 18 | J. P Crowder | Liberty | " 7 " | Personal | 11 |
| 19 | Moses George | Union | " 6 " | Personal | 9 |
| 20 | A. J. Whitney | Marysville | " 5- " | Personal | |
| 21 | Joseph Price | Jackson | " 8 " | Copy | 20 |
| 22 | Daniel Ream | Union | " 6 " | Personal | 7 |
| 23 | James A Reid | Marysville | " 5- " | Personal | |
| 24 | George Sewell | Washington | " 8 " | Personal | 20 |
| 25 | William Styer | Leesburg | " 8 " | Personal | 12 |
| 26 | Sol Butz | Marysville | " 5- " | Personal | |
| 27 | Emanuel Jarvis | Paris | " 7 " | Personal | 5- |
| 28 | William Perkins | Dover | " 6 " | Personal | 9 |
| 29 | Jacob Fist | Claibourne | " 8 " | Personal | 19 |
| 30 | Beverly Depp | Jerome | " 6 " | Personal | 16 |
| 31 | Jonah Blue | Claibourne | " 8 " | Copy | 19 |
| 32 | Frank Schmidt | Millcreek | " 6 " | Personal | 12 |
| 33 | H. S. Culver | York | " 8 " | Personal | 14 |
| 34 | Dudley Felkner | Millcreek | " 6 " | Personal | 11 |
| 35 | Hile Lee | Union | " 7 " | Personal | 5- |
| 36 | J. C. Pettit | Paris | " 6 " | Personal | 3 |

John Ward and Dwight Holycross not found in my County

Thomas Martin Sheriff

The folling persons are dead(or insane,absent,removed frm the County,&c)

~~Sheriff~~

~~Union County Ohio~~.

~~FEES $~~

| No. | Names | Residence ~~when served~~ | | |
|---|---|---|---|---|
| 13 | John Ward | Leesburg | | |
| 16 | Dwight Holycross | Darby | | |

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 8 1890
B. McCrory, Clerk

Thomas Martin. Sheriff.
of Union County Ohio

Fees $1,35-00

No. 806.

State of Ohio
vs.
Ellis Miller.

Entry.

COM. PLEAS COURT, PIKE CO. OHIO.
FILED
MAR 11 1880
R. McCrory, Clerk.

J-15-P 265

E. N. Porter.
Pros. Atty.

No. 806.

State of Ohio
Against
Ellis Miller.
} Indictment for Murder in the First Degree.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant, Ellis Miller being brought into court in custody of the Sheriff, and it appearing that said defendant is in indigent circumstances, and unable to employ counsel, the court, at his request, assigns D. N. Ayers and W. T. Hooper as counsel to defend him. Thereupon the court, at the request of the Prosecuting Attorney, assigned Jesse L. Cameron to assist the Prosecuting Attorney; and the prisoner is remanded to the custody of the Sheriff, until he enters his plea.

E. N. Porter

Pro

# A L I A S  V E N I R I E  F A C I A S.

The State of Ohio ,Union County,ss.

Whereas on the 5th day of May A.D.1890, upon the precipie of the Prosecuting Attorney,of Union County, Ohio,you received a special venirie,commanding you to summon thirty sixjurors, in the case of The State of Ohio,VS Ellis Miller; and

Whereas ,it appearing from the return of the said special venirie that the following persons were not found in your County,to wit;

NO 13 John Ward

" 16 Dwight Holycross

We therefore command you that you summon the following named persons,to wit:--

Lester Cline

D.C. Lenhard

Peter Schurtzer

L.H.Bechtel

to be and appear before our Court of common pleas of the said county of Union at the Court House in Marysville ofn the 28th day of May A.D.1890 and at nine o'clock A.M. ,and so from day to day until discharged, then and there to serve as petit jurors in and for the said county,in the case of The State of Ohio,vs Ellis Miller,on and indictment for murder in the first degree: And have then and there this writ:

In testimony whereof,I, the clerk of the said court of common pleas of said county of Union, have hereunto set my hand and affixed the seal of the said court at Marysville,this 8th day of May A.D. 1890

of the Common Pleas Court of Union County

| NO | Names | Residence | When served | How served | |
|---|---|---|---|---|---|
| 1 | Lester W Cline | Allen | May 10th | Personal | 8 |
| 2 | D. C Leonhard | " | " 10 | " " | 9 |
| 3 | Peter Schuyler | Washington | " 12 | " " | 18 |
| 4 | L A Bechtel | York | " 12 | " " | 15- |

May 10th & 12th 1890, the ~~following~~ named persons, were severally summoned by me, as within required, on the days, and in the manner above specified, Fees $7.40

Thomas Martin
Sheriff of Union County
Ohio

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 19 1890
" 13 "
R. McCrory, Clerk

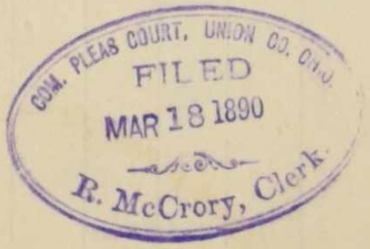
No 804

The State of Ohio

vs

Ellis Miller

Demurrer



No 806

The State of Ohio
vs
Ellis Miller

Indictment for Murder

The said Ellis Miller demurs to said indictment because the facts stated therein do not constitute an offense against the laws of the State of Ohio —

W. F. Hoopes and
D. W. Ayers
Attorneys for Deft —

State of Ohio

vs.

Ellis Miller.

Entry.




J-15-P 276

SHERIFF

UNION COUNTY.

THOMAS MARTIN,
SHERIFF.

Marysville, O. _____ 18__

The State of Ohio
vs
Ellis Miller

No
Indictment for Murder in the first degree

And now the defendant being brought into Court in charge of the Sheriff, and being present in Court in person and by his Counsel heretofore appointed this cause came on for hearing upon the demurrer to the indictment, the Court on consideration thereof overrules the same, to which ruling and decision the Defendant then Excepted. Thereupon the said defendant being arraigned upon said indictment for pleadthereto saith he is not guilty; and puts himself upon the country and the prosecuting attorney doth the like.

Thereupon the defendant being still present in court in person and by his Counsel moved the Court to continue this Cause until the next Term of this Court, and the Court on consideration grant said motion and it is ordered that this cause stand continued until the next Term hereof. and that the time fixed for the trial to commence be and the same is May 28th A.D. 1890, at Nine Oclock A.M.

W. T. Hooper and D. W. Ayers. Attys for Pontiac Supp Cameron

The State of Ohio

vs

Ellis Miller

Motion

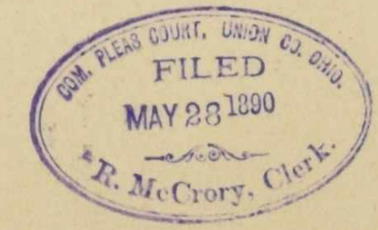


The State of Ohio
vs
Ellis Miller } Charge of Murder in First Degree -

The Defendant now comes and by motion challenges the entire array of furrors here-tofore drawns and summoned in the above case and asks the same to be set aside - And for cause says. That the name Jacob Fish was drawn as one of the Thirty Six persons attempted to be drawn as provided by Statute in such cases That the name Jacob Fist not of the number drawn as aforesaid was served on the Defendant That Jacob Fish did not appear at the time named in the summons as one of said Thirty Six persons - That one Jacob Fist did appear as one of the pannel of Thirty Six furrors aforesaid -

Defendant says that but Thirty Five names as drawn have been served on him - That Jacob Fish has not been served or attempted to be served - That no pannel of Thirty Six persons have been send on the Defendant as required by Statute -

W. T. Hoopes
and D. Wayne
Atty for Def't -


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCrory, Clerk.

State of Ohio
vs
Ellis Miller

To Clerk of Court: Issue a special venire for the following Jurors in above case, ~~Whit.~~ ~~1. S~~ to appear May 29. 1890 at 8 30 o'clock A.M. to wit;

1. L. H. Bechtel
~~2. Peter Schmidt~~
2. Peter Schurtzer
3. Levi Kerran
4. William McCallister
5. John R. Taylor
6. John W. Robinson
7. Philip Rupright
8. Hugh C. Stewart
9. Harrison McVay
10. George C Freshwater.
11. Solomon Yount.
12. Luther Liggett
13. Warret Owen
14. T. P. Shields
15. W. C. Henderson
16. David Shuler.

John A. Price,
Judge

The State of Ohio, Union County, ss.

Sheriff's Office, Marysville May 28 1880

*On the* 28 *day of* May *1880, I received this Venire and served the same on the several persons therein named, at the times and in the manner placed opposite their names endorsed hereon as follows:*

| No. | NAMES. | WHEN SERVED. | HOW SERVED. | No. of Miles |
|---|---|---|---|---|
| 1 | L H. Bechtel | May 28th | Personal | 15 |
| 2 | Peter Schentzer | " " | " | 18 |
| 3 | Levi Kerran | " " | " | 6 |
| 4 | William McAllister | " " | " | 6 |
| 5 | John R Sayler not found. | | | |
| 6 | John W Robinson | May 28" | Personal | 4 |
| 7 | Philip Ruppright | " " | " " | 4 |
| 8 | Hugh L Stewart | " " | " " | 5 |
| 9 | Harrison McKay | " " | " " | 8 |
| 10 | George L Freshwater | " " | " " | 9 |
| 11 | Solomon Yount | " " | " " | 10 |
| 12 | David Shuler | " 29 | " " | 4 |
| 13 | Warret Dunn | " 29 | " | 8 |
| 14 | Luther Liggett | " " | " | 8 |
| 15 | J. P. Shields | " " | " | 9 |
| 16 | W L Henderson | " " | " | 10 |
| 17 | | | | |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |

Thomas Martin Sheriff.

May Term.

COURT OF COMMON PLEAS.

VENIRE FACIAS

For Specials Jury.

Returnable 2d day 1880

COM. PLEAS COURT, UNION CO. OHIO. FILED MAY 29 1880 B. McCrory, Clerk

Returned and Filed 188

Clerk.

Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio. 

# VENIRE.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*To the Sheriff of said County, Greeting:*

*We command you that, without delay, you summon*

| No. | NAMES. | TOWNSHIP. |
|---|---|---|
| 1 | L. H. Brehtel | |
| 2 | Peter Schertzer | |
| 3 | Levi Keenan | |
| 4 | William McAllister | |
| 5 | John R Taylor | |
| 6 | John W. Robinson | |
| 7 | Philip Ruperight | |
| 8 | Hugh C. Stewart | |
| 9 | Harrison McVay | |
| 10 | George C. Frestwater | |
| 11 | Solomon Yount | |
| 12 | Luther Leggett | |
| 13 | Warrett Aiken | |
| 14 | T. P. Shields | |
| 15 | W. C. Henderson | |
| 16 | David Shuler | |
| 17 | | |
| 18 | | |
| 19 | | |
| 20 | | |

*to be and appear before the Court of Common Pleas within and for said County of Union, at the Court House in Marysville, in said County, on* Thursday *the* 29th *day of* March *A. D. 1880, at* 8½ *o'clock in the forenoon, and so from day to day until discharged, then and there to serve as* Special *Jurors; and how you shall execute this writ make appear to our said Court on the* 29 *day of* March *A. D. 1880, and have you then and there this writ.*

*WITNESS my signature as Clerk of our said Court at Marysville, this* 28 *day of* March *A. D. 1880*

R. McElroy *Clerk.*

By W. M. Weigel *Deputy Clerk*

Entry.

May 28th 1890

D-15-P 316

May 28th 1890.

The State of Ohio.
vs.
Ellis Miller.
} Indictment for Murder in the First Degree.

E. Lena Holiday was this day appointed as Official Stenographer to take the evidence in this case, and after taking the oath required by law entered upon the discharge of her duties.

Edward M. Porter,
Pros. Atty.

State of Ohio. vs. Ellis Miller } Indictment for Murder in the first degree.

This day came the Prosecuting Attorney, on behalf of the State of Ohio, the defendant Ellis Miller being brought into court in custody of the Sheriff, and his counsel also coming. And the venire, for the jury in this case heretofore issued according to law, returnable this day, was duly returned by said Sheriff, with his endorsement thereon as follows:

which said persons so drawn were required to attend on the day fixed for the trial of said cause, to-wit, on the 28th day of May A. D. 1940, at 9 o'clock A. M. to serve as petit jurors in and for said county in said case of the State of Ohio against Ellis Miller who stood charged with murder in the first degree as aforesaid. And thereupon said Sheriff made return upon said writ as follows

(Copy the return.)

Entry

May 28th 1890

J-15- P- 312-

and it appearing to said clerk, by the return of said Sheriff that the following persons named in said venire are

(Give reasons for service not being made as to them)

Said clerk thereupon proceeded to draw from said box four ballots, to-wit he drew from the box the names of the following persons

and issued an alias venire to the said Sheriff commanding him to summon said persons to appear on said 28th day of May 1890 at o'clock to serve as petit jurors in the cause aforesaid. And thereupon said Sheriff, upon said venire, made the following return, to-wit:

(Copy the return)

And thereupon it appeared to the clerk from the said return of said Sheriff that certain thirty-six qualified jurors were summoned to attend on said 28th day of May, 1890 at o'clock to serve as petit jurors in said cause. Edward M. Parks,

Pros. Atty -

In the Common Pleas Court
Union County Ohio.

State of Ohio
vs.
Ellis Fuller
} Indictment for Murder in the First Degree.

This day came the Prosecuting Attorney and his assistant J. L. Cameron, on behalf of the State of Ohio, the defendant Ellis Fuller being brought into court in custody of the Sheriff, and his counsel also coming, and being present.

And thereupon, on the impanneling of the jury to try said cause, it appeared to the court upon the call of said venire and said alias venire that there were thirty six jurors who were drawn from the box and summoned by the Sheriff according to law, upon the venire and alias venire therefore issued to the Sheriff for that purpose and having the qualifications of jurors, and competent to serve as such, were present in court, and who answered to their names on the call of said venire and alias venire in open court.

And said cause being called for trial the Prosecuting Attorney, and his assistant, J. L. Cameron, announced in open court that the State of Ohio was ready for trial. And the defendant by his attorney announced that the defendant was ready for trial. And thereupon the court proceeded to impannel the jury to try said cause. And upon the further call of said venire, and said alias venire the State of Ohio by the Prosecuting

Attorney challenged for cause Jacob Fist, James Hill, Simon Rogers, William Styre P. B. Smith, Bishop, and Lenhart. Beverly Depp, Collier, James Blue, & Moses Gorge, which challenges when made ~~respectively~~ were sustained and the jurors required to stand aside. And the said by the Prosecuting Attorney challenged peremptorially said Wells Holdrith. And the defendant by his counsel challenged for cause William H. Heard Daniel Ream, Lester W. Elkins, Hale Lee, & Beverly Depp which challenges when made were sustained by the court, and the jurors required to stand aside. And defendant by his counsel challenged peremptorially said G. L. Edwards, William Wingfield, John Langley, Adam Richey, James A. Reed, A. J. Whitley, Emanuel Jarvis, Dudley Felkner, and Joseph Price.

And thereupon said panel of thirty-six jurors, so drawn from the box, and issued for and summoned by the Sheriff as aforesaid, and present, and called in open court as aforesaid, being exhausted, and the panel to try said defendant not being yet complete, the defendant by his counsel moved the court for a special venire, under the Statute, to fill said panel; which motion of defendant the court sustained and the court issued a special venire for the following named persons competent to serve as jurors in this cause, towit:

(Here name the special venire issued by the Court.)

Which special venire, so issued by the court, the Sheriff made the following return:

And thereupon the Prosecuting Attorney, and his assistant counsel on behalf of the State of Ohio, being still present in open court, and the defendant being still present in open court, in person and by his counsel, the court proceeded and with the consent of the defendant and the Prosecuting Attorney, to fill and complete said panel to try said accused, and from the persons so summoned on said special venire. And from said special venire there were separately tried and accepted as jurors the said;

(Here add the names of the jurors from the special venire, from whom the panel was filled.

And thereupon, from said panel so drawn from the jury box, and summoned as aforesaid,

and from said special venire so issued by the court, the following persons competent to sit as jurors in said cause were separately tried and accepted by the Prosecuting Attorney and his assistant counsel on behalf of the State, and by the defendant and his counsel on behalf of the defendant, to serve as such duty namely:

(Here name the panel as accepted.)

Entry
May 28th 1890
J- 15= P 314

Thereupon said panel, to try said accused, being so separately tried and accepted, were duly empaneled and sworn to well and truly try, and true deliverance make between the State of Ohio and the prisoner at the bar, Ellis Miller. And the trial of the defendant proceeded.

Edward W. Parks, Prosecuting Attorney
Union County Ohio.

SHERIFF

UNION COUNTY.

THOMAS MARTIN,
SHERIFF.

Marysville, O. _____ 18__

June 14—

Entry—

J-15-P 333-

Copied

State of Ohio }
Ellis Miller }

Union County Dr.

To Lena Holliday to 16 days labor,
at $7.00 per day, as stenographer in
above case, - — — — — $112.00
To cost of books used in said work 1.80.
$113.80.

The foregoing account is approved and ordered to be paid. The Auditor of Union County will draw his warrant on the Treasurer of said County, in favor of Lena Holliday, for the said sum of $113.80; and the clerk of the Court of ~~Court~~ Common Pleas will furnish to said Lena Holliday a certified copy of this account and ~~John~~ Journal entry, to be by her presented to said Auditor.

John A. Price,
Judge.

Verdict -



COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 14 1890
R. McCrory, Clerk.

J-15-P-333

The State of Ohio
vs
Ellis Miller

No. 806. Union Common Pleas,
May Term A.D. 1890

We, the Jury, find the defendant, Ellis Miller, guilty of murder in the first degree, as he stands charged in the indictment.

Solomon Bush Foreman.

No. 806—

State of Ohio.

vs.

Ellis Miller.

Entry.



COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 19 1890
R. McCrory, Clerk.

J-15-P-340-

E. W. Porter.
Pros. Atty.

No.

State of Ohio.
Against
Ellis Miller.
} Indictment for Murder in the First Degree.

This day came the Prosecuting Attorney, and Jesse L. Cameron on behalf of the State of Ohio, the defendant, Ellis Miller, being brought into court in custody of the sheriff, and his counsel also coming.

A motion for a new trial in this cause having been filed within three days after the verdict of the jury herein, counsel for the defendant gave notice that they would file affidavits in support of said motion; on consideration whereof the court do order that said affidavits be filed by the hour of seven o'clock on the evening of June 23rd A. D. 1890.

Portis & Cameron.
W. S. Hooper
and D. W. Ayers

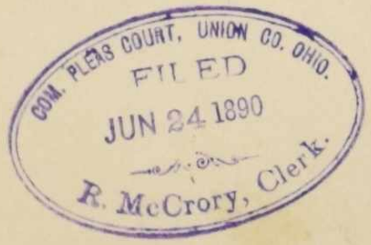
No. 806.

State of Ohio

vs.

Ellis Miller.

Entry.



COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 24 1890
R. McCrory, Clerk.

J-15-P-347-

E. W. Porter,
Pros. Atty.

No. 806.

State of Ohio.
Against
Ellis Miller
} Indictment for Murder in the first degree.

Now comes the Prosecuting Attorney, and Jesse L. Cameron, on behalf of the State of Ohio, and the defendant, Ellis Miller, being brought into court in custody of the Sheriff, and his attorneys D. W. Ayers and W. T. Harpes also coming.

The affidavits in support of the motion for a new trial having been filed by the attorneys for the defendant herein, according to the order of the court, on consideration whereof the court do further order, that the attorneys for the State do file their counter affidavits, by the hour of six o'clock P. M. on the 5th day of July A. D. 1890, and that the attorneys for the defendant file their affidavits in rebuttal, by the hour of twelve (12) o'clock M., on the 9th day of July A. D. 1890.

W. T. Harpes
and D. W. Ayers
attys for Deft

E. W. Poston, Prosecuting Attorney
J. L. Cameron.

806.

The State of Ohio.

vs.

Ellis Miller.

Motion

to strike from the files.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUL 9 1890
R. McCrory, Clerk.

Court of Common Pleas.
Union County Ohio.

The State of Ohio.
Against
Ellis Miller.

Motion to strike from the files.

Now comes E. W. Porter, Prosecuting Attorney, and J. L. Cameron, attorneys on behalf of the State of Ohio, and move the court for an order striking from the files of the court in this case, the affidavits of Richard Harris, filed herein on the 4th day of July A. D. 1890, and the affidavit of H. B. Heard filed herein on the 1st day of July 1890, and for grounds of this motion say:

That said affidavits were both filed long after the time fixed by order of the court for the defendants affidavits to be filed, and that said affidavits are out of place and filed without any leave or permission of the court, and that they are improperly upon the files herein.

J. L. Cameron and
E. W. Porter, Pros. Atty.
Attys for State of Ohio.

the affidavits of the above named Stephen Long, George Hanawalt, R. B. Thompson, George Davis, Robert Breston, and Minerva A. Herd are not affidavits in rebuttal, but are of such a character as should have been filed as original affidavits in support of said motion for a new trial, and the same should have been filed by six o'clock on the 23d of June 1890, in order to have given the State an opportunity to reply thereto, and that the same are filed out of rule, and without leave of the court, and are improperly upon the files hereof.

J. L. Cameron and
E. W. Poole, Pros. Atty. for the
State of Ohio.

The State of Ohio.
vs.
Ellis Miller.

Motion
to
strike from the files.

806

FILED
JUL 9 1890
W. McCrory

The State of Ohio
against
Ellis Miller.

Court of Common Pleas.
Union County Ohio.
Motion to strike from the files.

Now comes E. W. Poke, Prosecuting Attorney, and J. L. Cameron, attorneys, on behalf of the State of Ohio, and move the court for an order striking from the files of the court in this case the affidavits of Stephen Long, George Hannawalt, R. B. Thompson, George D. Davis, Robert Preston, and Minerva A. Herd, and for grounds of said motion say:

That by the former order of this court made on the 19th of June A. D. 1890, the defense was ordered to file such affidavits as they desired in support of their motion for a new trial, all such affidavits to be filed by six o'clock on the 23rd day of June 1890. And that the attorneys for said defendant did file affidavits by the time above named in support of said motion. And on the 24th day of June 1890 the attorneys for the State were ordered to file counter affidavits by six o'clock P. M. of the fifth day of July 1890. And it was also ordered that the attorneys for the defense should file affidavits in rebuttal by the 9th day of July 1890 at 12 o'clock M. And that the affidavits were filed by the State in pursuance of the order of the court, after which the affidavits to be filed by the defendant, was, by order of the court to be confined to rebuttal. And that

No. 806.

The State of Ohio

vs.

Ellis Millard

Entry.



COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUL 10 1890
R. McCrory, Clerk.

J-15-P-371-

Wagers & Wagner
E. R. Porter, Pros. Atty
J. L. Cameron -

July 10th 1890

No. 806.

The State of Ohio.
Against
Ellis Miller.
} Indictment for Murder in the First Degree.

This day came the Prosecuting Attorney and J. L. Cameron on behalf of the State of Ohio, the defendant Ellis Miller, being brought into court in custody of the Sheriff, and D. H. Ayers and W. T. Hooper his counsel also coming.

This cause coming on for the further hearing of the motions made by the attorneys for the state herein, to strike certain affidavits from the files, and the court being fully advised in the premises, do overrule said motions; and the defendant was given leave to file additional affidavits in rebuttal, to sustain George Davis, Cyrus Harris and John Loyd by July 17th 1890 at 6 o'clock P. M.

The court also ordered the attorneys for the state to file counter affidavits to the eight (8) original affidavits allowed to be filed out of rule, by the 24th day of July A. D. 1890, at 6 o'clock P. M., and the attorneys for the defendant were ordered to file affidavits in rebuttal of said counter affidavits, by July 30th 1890 at 6 o'clock P. M.

And it is ordered that the motion for a new trial herein, be heard on the 1st day of August 1890, at 2 o'clock P. M.

- (over) -

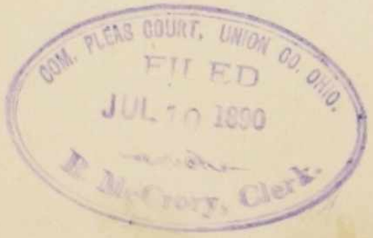
No. 806.

The State of Ohio

vs.

Ellis Miller.

Entry.




J-15-P. 364.

No. 806. July 9th 1890.

The State of Ohio. vs. Ellis Miller. } Indictment for Murder in the First Degree.

This day came the Prosecuting Attorney and J. L. Cameron on behalf of the State of Ohio, the defendant Ellis Miller, being brought into court in custody of the Sheriff, and D. M. Ayers and W. T. Hoopes his counsel also coming.

And now this cause coming on for hearing, on the motion of the defendant herein, for a new trial, the attorneys for the State filed their several motions for an order to strike from the files of the court in this case, the affidavits of Stephen Long, George Hanawalt, R. B. Thompson, George D. Davis, Robert Breslin, Minerva A. Heard, H. D. Heard, and Richard Harris, on the grounds that said affidavits are filed out of rule, and without leave of the court, and are improperly upon the files.

Thereupon, after being advised in the premises, the court adjourned the further hearing of this case until tomorrow morning at 8½ o'clock.

E. M. Poston, Pros. Atty.
J. L. Cameron.

D M Ayers
W. T. Hoopes

No.

The State of Ohio.

vs.

Ellis Fuller.

Entry.




J-15-P. 376

E. H. Porter.
Pros. Atty.

No.

The State of Ohio. Against Ellis Miller. } Indictment for Murder in the First Degree.

Now came the Prosecuting Attorney and J. L. Cameron on behalf of the State of Ohio, and the defendant, Ellis Miller, being brought into court in custody of the Sheriff, and his counsel, D. W. Ayers and W. T. Hoopes, also coming. This cause being heard on the motion for a new trial, the court on consideration, and for good cause shown, do overrule the same, to which the defendant, by his attorneys, then and there, and at the time excepted.

See not. Entry for this

And the court allow Jesse L. Cameron Esq. a fee of Six hundred dollars for assisting the Prosecuting Attorney, and to D. W. Ayers Esq. and W. T. Hoopes Esq. a fee of One hundred dollars each, for defending the prisoner, Ellis Miller, under assignment of court.

E. W. Porter, Pros. Atty.

Union County Ohio.

No. 806

The State of Ohio
Against
Ellis Miller

Entry.

J. 15 P. 377.

COM. PLEAS COURT, UNION CO., OHIO.
FILED
Aug. 1890
R. McCRORY Clerk.

E. W. Poe
Pros. Atty.

The State of Ohio.
Against
Ellis Miller.
} Indictment for Murder in the First Degree.

The defendant, Ellis Miller, having been heretofore convicted of murder in the first degree, was this day brought into court, in custody of the Sheriff, and informed by the court of the verdict of the jury and inquired of if he had anything to say why judgment should not be pronounced against him; and having nothing but what he hath already said:

It is therefore considered and adjudged by the court that the defendant, Ellis Miller, on the 2nd day of December A. D. 1890, and before the hour of sun-rise of said day, within the walls of the Ohio Penitentiary at Columbus, Ohio, be hanged by the neck until he is dead; that he be taken hence to the jail of Union County, and that within the next thirty days the Sheriff of Union County convey the said Ellis Miller to the Ohio Penitentiary, and deliver him to the warden of the said Penitentiary, and that, at the time

and place herein named, the said warden cause the said Ellis Miller to be hanged by the neck until he is dead; that the said Ellis Miller pay the costs of this prosecution, and execution is awarded.

E. W. Porter, Pros. Atty.
Union County Ohio

Briefs

for

State of Ohio.

The State of Ohio,

Vs, Ellis Miller

Brief on the motion for new trial,

In regard to the misconduct of the jury we say:

The affidavit of Mr,Fogle and Mr, Rittenhouse shows that there was no communication from the jury room,save a mere communication to Mr,Fogles family,which was in no way connected with the case.

The affidavit of Mr, Schurtzer shows that the only communication that was made orally was one from Schurtzer to Thomas,and that it in no way related to the case.

All that occurred after the jury were in their romm is shown by the affidavits above named. The evidence of the defense only shows that a paper was dropped,and some one talked.This is all explained,and shows that nothing to the prejudice of the defendant. took place.

----------X --------

J Miller

John Lloyd who is a cousin by marriage, testifies that he heard L,K,Drake one of the jurors,say at Reed and Buts livery stable,on the 6 or 7 day of the trial that he had known Miller for a long time and that he had never known any good of him &c,
It turns out that Lloyd is not only a man of bad reputation,but that his made up story does not fit the juror whom he tries to implicate,for the reaso that it is shown by the affidavits of both Drake and Reed that Drake was not at the livery stable after the secod day of the trial and then he went on a hasty errand,and did not talk about the case &c, But the important part of Drakes affidavit is that he did not know Miller at all and never saw him until the day the trial was called. So Lloyds made up story does not fit the juror at all,but it shows something of the character of the evidence that has been collected to impeach the integrity of the jury and obtain a new trial. Drake positively denies ever having the conversation with Lloyd,or of talking about the case.

In regard to the affidavit of Mr,and Mrs Herd who try to implicate J,P,Crowder,we call attention to the fact that Mrs,Herd does not claim to have had any talk with Mr,Crowder and all she shows is that she was present when her husband talked to him In the first place if all is true that is claimed by Herds it would not show any thing to the prejud ice of the defendant, But it is not all true. It is shown by the affidavits of Mr, Crowder and his brother-in-law John Smith taht Herd did take advantage of a kindness of Mr,Crowder to get an ppportunity to talk about the case and that he was promptly stopped by the juror. Mr, Crowder who is not impeached denies Herds statement,and Herd afterwards told Mrs, Cochran that he had been mistaken and that he had been talking to Mrs,Crowder and not to the juror.

It was impossible for Mr,Crowder to keep Herd from beginning his talk,but the prompt manner in which he surpressed him goes to show that the juror fully understood his duty and was doing it and that nothing to the prejudice of the defendant occurred by any thing that was said by Herd.

---------X---------

This brings us to the main question,to wit;was there such misconduct on the part of the juror Frank Schmits as should be grounds for a new trial, It is aaid that the reason that the court instructs the jury not to hold conversation about the case is that all the evidence that goes to them should go in the hearing of the court and that they should not after having been sworn listen to unsworn or irresponsible counsels, ( See 2 0, S, 80,) In the case of Frank Schmits one peculiarity of the evidence is that in all the mass of affidavits from people of bad reputation there is no one that shows that Schmits recieved any information whatever from any one or that any thing was said to him that would or could possibly influence his conclusions as a juror;None of the parties that claim to have heard him speake about the case, can or do show that any one gave him any counsel,or information.

The affidavits of Hannawalt, Thompson and Long, are the anly ones given in the case as against Schmits, thaht are from persons of good reputation, and they may all be dismissed with the remark that they in no way show any prejudice to the defendantbut on the contrary, raise the question why, if Schmits was talking so freely about the case he did not say more to these men who can tell the truth? Why should he hunt up the biggest liars in the country to tell them that Miller ought to be hanged?

There is another peculiarity of the evidence given by the several witnesses against Schmidts, and that is they each one refrain from saying that they were talking to him or from giving the names of any one that did talk to him. Doubtless the reason they do not say that they talked to him is that they were afraid they might get into trouble, for talking to a ~~xix~~ juror.

Cyrus Harris says: Passing Whartons Boarding House and several persons were talking, they were strangers to me

Jacob Debolt says: Some person then and still unknown to affiant

Dick Harris Says: Heard Schmits talking to some person then and still unknown.

George Davis of Marysville says: A number of persons were standing around &c,

Robert Breaston is made to say: "In reply to what some one else said."

G,D,Davis uses the same words as Breaston," In reply to what some one else said"

Ed Walters and wife do not claim to have been talking to the juror but that he went out of his way to give them pain. and tell them that Mrs, Walters brother must hang.

In the conversation claimed to have been had at Fields corner near the drug store,all three of the witnesses,use precisely the same language,and yet Breaston swears he was not there,and did not see George Davis of Marysville on that day,and it is proven that the alledged G,D,Davis was at the time 40, miles away shearing sheep. how does it come that they use the same language as George Davis of Marysville?

Several of the persons that gave affidavits,say that the juror wore low light shoes,Breaston says the same thing and yet he says, in a leter affidavit that he did not,see any juror on that day, and was not in the court room. How does it come that the jurors dress was so particularly noticed,

No witness that tetifies against Mr, Schmit has a good reputation,It is true that some affidavits are filed sustaining them, but on the other hand ther are affidavits on file from good citizens that their reputation is not good.

And we ask the court most earnestly to consider the nature of the evidence introduced. Hundreds of people attemded the trial every day, and if the juror was talking, why did he not talk to some one that had character the could not be attacked.? Why was it that he went to meals with Mr,Gassiday and Mr,Schurtzer and was with them during the trail,boarded at the same boarding house,and yet never mentioned the meritd of the trial in their presence,why did he go b home to his brother and sister,and never say one word about the case,? Why did he say in the presence of the two jurors,when the man commenced to talk about the case, that,they were jurors and under instructions from the court not to talk about the case,and request the man to stop talking which he did?

There is an other and most important matter, to be considered and that is the affidavit of Mr, Schmits himself, he most earnestly denys talking about the case, and says he tried to do his duty.

He is a young man of character, and has sufficient intelligence to cause the proper officers to send in his name as a regular juror, He is wholly unimpeached and unimpaired, He has the best means of knowing what he said and did not say. Every one that gives testimony against him, say he was a stranger to them and they could easily be mistaken or imposed upon, they asked his name and were told, Did they learn the truth? If a new trial is granted what hope is there of justice for the great wrong that has benn The jury cannot be kept together, and as often as a verdict is rendered cannot they get the same same, testimony again.

There is another point in the case that we call attention of the court to and that is that, almost all the evidence has been directed against young Schmits, as the one most likely to assailed , and they all say he kept declaring during the trial that, Miller must hang, and yet when they went out to the jury room and took a vote, the jury stood 7 for first degree and three, for 2, degree, and two ~~for manslaughter~~ Blunk, and young Schmits was one of the three that voted for 2, degree. It would seem from the affidavits on file that Schmits would hasten to the jury room and be vehement for first degree, but we find that while a majority of the jury stand for first degree on the first ballot one of the most conservative men on the jury is young Schmits, Can the court find then that he has failed to give the defendant a fair trial. ?

Mr, Schmits was in the presence of the court for I6 days and his conduct came in part under the personal observation of the cour and we submit whether there was ny thing in his conduct to show that he was not doing his whole duty, as a juror

In the case of The State of Ohio, Vs, Isaac White tried by this court a question was raised far more important than the one at bar. Samuel Church was called as a juror and when asked if he had formed or expressed any opinion in the case said he had not. After the trial was over a motion was made for a new trial on the grounds that said Church had not answered truly when he said he had not formed an opinion in the case. Seven witnesses that were unimpeached swore that at the table while taking meals said Church had expressed an opinion that White ought to hang &c, Other witnesses swore to the same effect; but said Church made his affidavit that he had no such conversations, and this court held first, that there was such similarity in the affidavits of the witnesses that testified as to the conversation at the table that it raised a suspicion against them. Secondly that as the juror who appeared to be candid had made denial the court would take his statement, and overrule the motion for new trial. This case was taken to the ~~Supreme~~ ~~Court~~ Circuit Court and the ruling of this court was there affirmed.

In the case at bar there is not only a marked similarity in the language used by the witnesses, but they are all impeached to some extent.

We claim on the whole that the defendant has had a fair trial and that the motion for a new trial should be overruled

No. 806.

# Union Common Pleas.

## STATE of OHIO.

against

Ellis Miller

Defendant.

Jury

May 1890

Journal No. Page

Record No. Page

Ex. Doc. Page

C. E. Arbogust & Co., Blank Boo nufacturers, Legal
and Statio Xenia, O.

Return in Five Days to
S. A. McCOLLOCH, Clerk,
BELLEFONTAINE, OHIO.

State vs. Miller.

Ledeins Waiting
to Capital Cases.

Form of Sentence.
See Wilson's forms
page 542.

4.

Was there any error in either of these Charges

## Capital Cases.

At least 100 days between the day of Sentence and the day of execution.

Sec. 7319.

Mode, place and time of executing death penalty &c.

Sec. 7338

Writs for Execution of death penalty to be directed by Court &c to Sheriff

Sec 7339.

Execution & return of warrant.

Sec. 7343.

As to truth of H D Herd

Pearl Stickney
P Downs
S A Sterling
J H Evens
J W Harrington
Franklin Turner
William Shirk
John Shirk
J J Darling
W H Reames
Hiram Johnson
John M Keckley
Seth Clark
C E Titus
John R Reyner
E L Thompson
H Phelps
Ira A Thompson
David Johnson
Aaron Shirk
H O Toby
Abraham Morey
J J Scott
D Durfey
B C Beard
W S Ford
R W Thompson x
W M Hames
James Clark
Wm Crowder  Father of J P Crowder

Statement of Frank Schmidt at house near
1 R B Thompson
2 Stephen Long
3 George Hanawalt

Statement near Fields Drug Store
1 George Davis

Statements in Court House
1 C E Walters
2 Emma Walters
3 Dick Harris

Droping of Paper
1 C E Walters
2 Alen Carnes

Statement at Wharton's
1 Cyrus Harris
2 Jacob Debolt

Statement at Windrow
1 W C Thomas

Statement of J P Crowder
1 H D Herd
2 Mrs Herd
3 John Reed
4 Mrs John Reed

As to truth

| Jacob Debolt | Ed Nollers |
|---|---|
| 1 B F Beem | 1 B P Hall M D |
| 2 C R Coomer | 2 Peter V Finch |
| 3 James Moss | 3 James Moss |
| 4 P V Finch | 4 John H Hupp |
| 5 Thomas B Fisher | 5 Andy Gaudy |
| 6 Otaway Curry | 6 G W Burgoon |
| 7 M W Hill | |
| 8 Dr B P Hall | |
| 9 D W Landis | |

| Cyrus Harris | George Davis |
|---|---|
| 1 Jacob Masterson | 1 J M Welch |
| 2 O S Myers | 2 Wm Schmith & J P |
| 3 John Ross | 3 John B Coats |
| 4 Samuel Cook | 4 J L Boerger |
| 5 J W Severe | 5 R M Howard |
| 6 W A Godfrey | 6 John H Wood |
| 7 George W Stall | 7 S W McCloud |
| 8 Green Davis | 8 O W Ingman |
| 9 T C Moore | 9 A S Billers |
| 10 John M Lewis | 10 J W Myers |
| 11 C A Moore | 11 J Q Taylor |
| 12 A Parish | 12 J H Shearer |

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

Subpœna for Defl- Witness.

Returnable May 28th 1890

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for Defl-

Rec'd this ... 18

at ... o'clock ... M.

COM. PLEAS COURT UNION CT. OHIO. FILED MAY 27 1890 R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Dr Walters | |

Recd this writ- May 26th 1890 at- 8 o'clock A. M. and I Served the same on the 26th day of May 1890 by delivering a true and certified Copy Thereof To the within named Dr Walters personally

P. Kelly Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 26 |
| Mileage 2 | | 16 |
| Copies | | 16 |
| Total | | .58 |

Clk 313.

(7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF ~~SAID~~ Marion COUNTY:

*You are hereby commanded to subpœna* Dr Walters (formerly of Marysville O)

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* May *A. D. 1890, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Deft *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 24th *day of* May *A. D. 1890*

R. McCrory
*Clerk of Court of Common Pleas.*

By W. M. Winget - Depy

+

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft — **Witness.**

*Returnable* May 28th 1890

*Ret'd and Filed*

*Clerk.*

Ayers & Hoops

*Att'y for* Deft —

*Rec'd this Writ* 18

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| J Lo Adams P | 34 |
| A B Butler C | 34 |
| W W Butler C | 34 |
| Wm Dyal C | 34 |
| Jacob Debolt C | 34 |

Thomas Jenkins not found in my County

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 70 |
| *Mileage.* 120 | 9 | 60 |
| *Copies* | | 70 |
| *Total* | 11 | 00 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna J. D. Adams
A. B. Butler W. W. Butler
William Dyal Thomas Jenkins
and Jacob Debolt

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1898, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defl-; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24th day of May A. D. 1898

R. McCrory
Clerk of Court of Common Pleas.

+

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft- **Witness.**

*Returnable* May 28 1890

*Ret'd and Filed*

*Clerk.*

Ayers & Hoops

*Att'y for* Deft-

*Rec'd this Writ* 18

*at* 6 *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Harriet Vansant C | 44 |
| Cyrus Harris C | 34 |
| Dr King C | 34 |
| Wm Lehrer C | 34 |
| Amos Miller C | 34 |
| Mrs Amos Miller C | 34 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage.* 80 | 6 | 40 |
| *Copies* | | 60 |
| *Total* | 7, | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

16

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Harriett Vansant
Cyprus Harris ✓ Dr King ✓
William Lenot ✓ Amos Miller ✓
Mrs Amos Miller ✓

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1878, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24 day of May A. D. 1878

B. McCrory
pr W Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

Subpœna for Defl — Witness.

Returnable May 28 1890

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCRORY, Clerk.

RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Gleland Debolt C | 34 |
| Mrs Kenney C | 34 |
| John Loyd C | 34 |
| Melissa Loyd C | 34 |
| Ed Walters C | 34 |
| Ida Watters C | 34 |

Thomas Morton Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 60 |
| Mileage 90 | 7 | 20 |
| Copies | | 40 |
| Total | 8, | 40 |

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# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Jerold Debolt
Mrs Kinney John Loyd
Melissa Loyd Ed Walters
Mr Ida Walters

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28 day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24 day of May A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.
pr

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Mueller

**Subpœna for Deft — Witness.**

Returnable May 28 1890

Ret'd and Filed

Clerk.

Ayres & Hoops

Att'y for Deft —

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. M. C.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Marion Fleckinger P | 34 |
| Marion Hopkins P | |
| Amos Burris P | 10 |
| Thomas Mapes C | 20 |
| Mrs Thomas Mapes C | 20 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 50 |
| Mileage 70 | 5 | 60 |
| Copies | | 50 |
| Total | 6. | 60 |

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# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Marion Fleckenger Marion Hopkins Amos Burris Thomas Shapes and Mrs Thomas Shapes

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defl; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24 day of May A. D. 1890

B. McCrory

Clerk of Court of Common Pleas.

pw

X

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* May 28th *18*98,

*Ret'd and Filed*

*Clerk.*

Porter

*Att'y for* Plff

*Rec'd this* 11th *18*

*at* *o'clock* *M.*

COMMON PLEAS COURT. UNION CO. OHIO. FILED MAY 28 1898 R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Ben Johnson P | 12 |
| Wm Kennedy P | 10 |
| Edward Osborne P | 12 |
| Hettie Kennedy P | 10 |
| Allan R Garner P | 12 |
| John Ell P | 12 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* 53 | 4 | 24 |
| *Copies* | | 60 |
| *Total* | 5 | 44 |

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# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Benjamine Johnson
William Kennedy Edward Osborn
Hettie Kennedy Allen R. Carver
and John Ell

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28 day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24th day of May A. D. 1890

R. McCoy
pr W Clerk of Court of Common Pleas.

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Def't Witness.**

Returnable June 28th 1890

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for Def't

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Alvin Bellus ℗ | |
| Scott Adams ℗ | 10 |
| Sam Bonnett ℗ | |
| J. L. Southard ℗ | 20 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 40 |
| Mileage 60 | 4 | 00 |
| Copies | | 40 |
| Total | 4. | 80 |

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCurry Clerk

Clk 313. ('7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna ~~Jeff Hadley~~
Alvin Bellis Scott Adams
Samuel Bonnett Mrs J. L. Southard

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1840, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24th day of May A. D. 1840

R. McCrory
Clerk of Court of Common Pleas.
Pr W.

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Defl **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

Cryer & Hoops

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| J Jenkins | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 40 | 3 | 20 |
| *Copies* | | 10 |
| *Total* | 3. | 40 |

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# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

J. Jenkins

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Fortnight A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the Defft ; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 28th day of May A. D. 1890

B. McCrory

Clerk of Court of Common Pleas.

X

No. of Case 816

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable May 28th 1870

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1870
R. McCurdy, Clerk

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Adam Fosnot P. | 40 |
| John Fox P | 8 |
| R. D. Vangorden P | 20 |
| Michael Ell. P | 10 |
| William Davis P | 12 |
| Joseph Davis P | 12 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 60 |
| Mileage 107 | 8 | 56 |
| Copies | | 60 |
| Total | 9. | 76 |

Clk 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna Adam Fosnol
John Fox B. D. Vangorden
Michael Ell William Davis
Rev Joseph Davis

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28 day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24 day of May A. D. 1890

B. McCrory
pr W Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* May 28 1890

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Norton Reed C | 12 |
| Thomas Gibson P | 12 |
| George Paver P | 12 |
| Enoch Stewart C | 12 |
| Rose Stewart C | 12 |
| H. C. Kennedy P | 10 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* 5-3 | 4 | 24 |
| *Copies* | | 60 |
| *Total* | 5 | 44 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* Norton Reed
Thomas Gibson George Paver
Enoch Stewart Rose Stewart
& Ed Henrey C. Kennedy

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28 *day of* May *A. D. 18*90*, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 24 *day of* May *A. D. 18*90

R. McCrory
pr W
*Clerk of Court of Common Pleas.*

No. of Case 886

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable May 28 1890

Ret'd and Filed

Clerk.

Att'y for

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT, UNION CO., O.
FILED
MAY 28 1890
McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Simeon Childs C | 8 |
| Susan Childs C | 8 |
| Edward Cooley C | 10 |
| John Cooley C | 8 |
| James Williams C | 16 |
| Alex Davis C | 10 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 60 |
| Mileage. 53 | 4 | 24 |
| Copies | | 60 |
| Total | 5. | 44 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Simeon Childs
Susan Childs. John Conley
Edward Conley 2nd Alex Davis
James Williams

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1880, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24th day of May A. D. 1880

R. McCray
Clerk of Court of Common Pleas.

By

No. of Case 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for State Witness.**

*Returnable* May 8 1891

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* MAY 28 1890 *18*

*at* 10 o'clock *M.*

COM. PLEAS COURT. UNION CO. OHIO. FILED MAY 28 1890 R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Wm Wright P | |
| S W Bonnett P | |
| A B Swisher P | |
| L L Henderson P | |
| H A Rodebaugh P | |
| W A White | |

Thomas Marion *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* 5 | | 40 |
| *Copies* | | 60 |
| *Total* | 1. | 60 |

Clk. 313.

(*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* William M. Winget, S. W. Bonnett, A. B. Swisher, L. T. Henderson, H. A. Rodebaugh and W. A. White

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* May *A. D. 1890, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 24 *day of* May *A. D. 1890*

R. McCrory

*Clerk of Court of Common Pleas.*

pr W

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable May 28 1890

Ret'd and Filed

Clerk.

Att'y for

Rec'd this Writ MAY 28 1890 18

at o'clock M.

COM. PLEAS COURT. UNION CO. OHIO. FILED MAY 28 1890 R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| William Williams C | 16 |
| Ollie Green C | |
| Lew Holycross P | |
| Wesley Hazzard P | |
| Carl Gibson P | |

Charles Baldwin not found in my County

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 70 |
| Mileage 170 | 13 | 60 |
| Copies | | 70 |
| Total | 15 | 00 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna William Williams
Ollie Green Lew Holycross
Charles A. Baldwin Wiley Garrard
Max Court Gibson

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28 day of May A. D. 1893, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24 day of May A. D. 1893

B. McBrown
Clerk of Court of Common Pleas.

pr W

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable May 28th 1898

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1898
McCrory, Clerk.

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| W. O. Shearer P | |
| Robert Espes P | 6 |
| Clara Finley C | 10 |
| Cassius Williams C | 16 |
| W. S. Davis C | 14 |

Thomas Marlow Sheriff.

### SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 60 |
| Mileage 40 | 3 | 20 |
| Copies | | 50 |
| Total | 4, | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* W. O. Shearer, Robert Epps Clara Finley Cassius Williams and W. S. Davis

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28 *day of* May *A. D. 18*90*, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 24th *day of* May *A. D. 18*90

R. McCrory
Clerk of Court of Common Pleas.

pr W.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Elbie Miller

**Subpœna for State Witness.**

Returnable 18

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1900
L. McCrory, Clerk.

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Daniel Eastonday P | 20 |
| Emanuel Eastonday P | 20 |
| James D George P | 42 |

Thomas Mauter Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 30 |
| Mileage. 63 | 5 | 04 |
| Copies | | 30 |
| Total | 5 | 64 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Daniel Easterly. Emanuel Easterly James S George

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 28th day of May A. D. 1890, at 9. o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 21st day of May A. D. 1890

P. McCurry

Clerk of Court of Common Pleas.

No. of Case 806-

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.

Ellis Miller

Subpœna for Deft- Witness.

Returnable May 28th 1890

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for Deft-

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 25 1890
R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

Yes will find Baldwin either at West Mansfield or Big Springs working on a ditch-

RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Recd this writ May 25th 1890 and I served the same by leaving a certified copy thereof at the usual place of Residence of Charles Baldwin May 26th 1890 | |

W W Roach Sheriff

Logan County O ~~Sheriff~~.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 16 |
| Mileage. 28 | 2 | 24 |
| Copies | | 16 |
| Total | 2. | 56 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union ~~Logan~~ County. } TO THE SHERIFF OF ~~SAID~~ Logan COUNTY:

*You are hereby commanded to subpœna* Charles Baldwin

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* May *A. D. 1890, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Defendant *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 24th *day of* May *A. D. 1890*

R. McCrory

*Clerk of Court of Common Pleas.*

By W. M. Wingel - deputy Union Co. O

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| J H Lewis C | 44 |
| Lemont Price C | 44 |

Thomas Morton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage* 93 | 7 | 44 |
| *Copies* | | 20 |
| *Total* | 7. | 84 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Lemon County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna J. H. Lucas, and Lemon-Price

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 29 day of Mar A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28 day of Mar A. D. 1890

Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Eltis Mullen

**Subpœna for State Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 29 1890
R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Jacob Fist P | 40 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 5 P | 4 | 00 |
| *Copies* | | 10 |
| *Total* | 4. | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Jacob Fisher

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Fourteenth A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 28 day of May A. D. 1896

B. McCrory

Clerk of Court of Common Pleas.

per W

No. of Case 804

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Butler

**Subpœna for State Witness.**

Returnable 18

Ret'd and Filed

Clerk.

Porter

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

*I hereby certify this to be a true copy of the orignal subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 1890
R. McCAY, Clerk.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John Van Pearsall | |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 2 | | 16 |
| Copies | | 10 |
| Total | | 36 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna John Van Pearse

to be and appear before the Court of Common Pleas, at the Court House in said County, on the ' day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28th day of May A. D. 1890

R. McCrory

Clerk of Court of Common Pleas.

*No. of Case* 804

COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* May 29th 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 1890
W. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Richard Harris | 80 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage.* 100 | 8 | 00 |
| *Copies* | | 10 |
| *Total* | 8, | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Richard Harris

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 29th day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defn; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 28 day of May A. D. 1890

R. McCorkle
Clerk of Court of Common Pleas.
pr

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Bates

**Subpœna for** Def't **Witness.**

*Returnable* May 24th *18*90

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this* Writ *18*

*at* o'clock *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Sheridan Scott | 82 |
| Cornelius Livingston | 47 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage* 55 | 4 | 40 |
| *Copies* | | 20 |
| *Total* | 4. | 80 |

Clk 313.

(*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* Sheridan Scott and Cornelius Livingston *to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 29 *day of* May *A. D. 1890, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Deft *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 28 *day of* May *A. D. 1890*

R. McCrory
*Clerk of Court of Common Pleas.*

pr W.

THE STATE OF OHIO,

*vs.*

Ellis Miller

Subpœna for Def't Witnesses.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 1880
R. McCrory, Clerk

*Returnable* May 28 1880

Ayres & Hoops

*Att'y for* Def't

I HEREBY CERTIFY this to be a true copy of the original Subpœna.

*Sheriff.*

B. F. WADE & CO., PRINTERS, TOLEDO

I served this writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names.

| NAMES OF WITNESSES. | Miles. | How Served. Person'l Service. | By Copy. |
|---|---|---|---|
| Dennis McGrath | | C | |
| Wm Smith | | C | |
| Lon Gibson | | | |
| Joe Davis | P | | 10 |
| Edward Conley | P | | 10 |
| Layde Piper | not served | | |

| SHERIFF'S FEES. | | |
|---|---|---|
| Service, 6 | | 60 |
| Mileage, 120 | 9 | 60 |
| Copy, 6 | | 60 |
| Total, | 10 | 80 |

Thomas Martin *Sheriff.*

*Clerk.*

Published by B. F. Wade & Co., Printers, Blank-Book Mfrs. and Stationers, 94 & 96 St. Clair Street, Toledo.

16

# Subpœna in Criminal Case.

STATE OF OHIO. }
*UNION COUNTY, ss.* }

**To the Sheriff of said County---Greeting:**

**You are Hereby Commanded to Subpœna** Dennis McGraw
Loyde Piper Wm Smith
Lon Gibson Joe Davis
and Edwd Conley

*to be and appear before the Court of Common Pleas of the County of Union, at the Court House in said County, on the* 28 *day of* May *A. D.* 1880, *at* 9 *o'clock* A *M., then and there to give testimony and the truth to say in certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* defendant. *Hereof fail not, under the penalty of the law, and have you then and there this writ.*

*WITNESS my hand and the seal of said Court, at* **Marysville,** *this* 27th *day of* May *A. D.* 1880

R McCrory *Clerk.*

W. M. Winget *Deputy Clerk.*

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* May 29 1890

*Ret'd and Filed*

COM. PLEAS COURT, UNION CO. OHIO. FILED MAY 28 1890 R. McCrory, Clerk.

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO. FILED MAY 29 1890 R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| J J Finly C | 32 |
| Todd Thorquet C | 32 |
| Joseph Robins C | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage.* 70 | 5 | 60 |
| *Copies* | | 30 |
| *Total* | 6, | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

J. J. Finley
Todd Tonget and
Joseph Robbins

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 29th *day of* May *A. D. 1890, at* 8 1/2 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* Deft *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 28th *day of* May *A. D. 1890*

R. McCrory
*Clerk of Court of Common Pleas.*

W

No. of Case 884

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

Subpœna for State Witness.

Returnable May 31st 1890

Ret'd and Filed

Clerk.

Att'y for

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT, UNION CO. O.
FILED
MAY 31 1890
McCOY, Clerk

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Nicholas Moore P | 8 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 13 | 1 | 04 |
| Copies | | 10 |
| Total | 1. | 24 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

Nicholas Moore

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 31st *day of* May *A. D. 1890, at* 8 1/2 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* State *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 31st *day of* May *A. D. 1890*

R. McCray

*Clerk of Court of Common Pleas.*

u

X

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock *M.*

COMMON PLEAS COURT, UNION CO. OHIO. FILED MAY 21 1890 R. McCrory.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John Conley P | 10 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 20 | 1 | 60 |
| *Copies* | | 10 |
| *Total* | 1. | 80 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* John Conley

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ..... *day of* Forthwith *A. D. 18* ..., *at* ..... *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 28 *day of* May *A. D. 18*96

R. McCrory

*Clerk of Court of Common Pleas.*

No. of Case 806-

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable Farlsworth 18

Ret'd and Filed

Clerk.

Porter

Att'y for

Rec'd this Writ 18

at clock M.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 31 1899
R. McCafferty, Clerk.

Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Calvin Figley P | |

Thomas Marten Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 2 | | 16 |
| Copies | | 10 |
| Total | | 36 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

Calvin Figley

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* day of Forthwith A. D. 18 , at o'clock A. M., *then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* State ; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 30th day of May A. D. 1890

B. McCrory

*Clerk of Court of Common Pleas.*

+

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable May 29 18

Ret'd and Filed

Clerk.

Porter

Att'y for State

Rec'd this [illegible] 18

at o'clock M.

COM. PLEAS COURT. UNION CO. FILED MAY 31 1890 R. M[illegible]rory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Frank Mumaw | 16 |

Thomas Marion Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 25 | 2 | 00 |
| Copies | | 10 |
| Total | 2, | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna
Frank Wunne
(Pottersburgh)

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 29th day of May A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes
Ellis Miller
on behalf of the ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28th day of May A. D. 1890

B. McCrory
Clerk of Court of Common Pleas.

W

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Def't **Witness.**

*Returnable* May 31st 1890

*Ret'd and Filed* ..... *Clerk.*

COM. PLEAS COURT, UNION CO. O.
FILED
MAY 31 1890
R. McCrory, Clerk

*Att'y for* .....

*Rec'd this Writ* ..... *18*

*at* ..... *o'clock* ..... *M.*

..... *Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

..... *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| James M Welch | |

James Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 2 | | 16 |
| *Copies* | | 10 |
| *Total* | | 36 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

1

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

James M. Welch

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 31st day of May A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 30th day of May A. D. 1890

R. McCrory

Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Def't – Witness.**

Returnable Forthwith 18

Ret'd and Filed

Clerk.

Cayes & Hoffas

Att'y for

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 31 1880
R. McCrory, Clerk

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Emma Walker P | 44 |
| Libbie Miller P | 44 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 20 |
| Mileage 70 | 5 | 60 |
| Copies | | 20 |
| Total | 5 | 80 |

Clk 313.

(7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF ~~SAID~~ Marion COUNTY:

*You are hereby commanded to subpœna* Emma Walters and Libbie Miller (Prospect)

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* _____ *day of* Forthwith *A. D. 18* _____ *, at* _____ *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Deft *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 29th *day of* May *A. D. 18*90

R. McCrory

*Clerk of Court of Common Pleas.*

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Defl **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 31 1890
Recorder, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| William Kirby P | 45 |
| Jane Dial P | 32 |

Thomas Marlow *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage* 60 | 4 | 80 |
| *Copies* | | 20 |
| *Total* | 5, | 00 |

Clk 313.

(7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* William Kirby and Jane Dial

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ..... *day of* Forthworth *A. D. 18* ..., *at* ..... *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller

*on behalf of the* Deft *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 29th *day of* May *A. D. 1890*

R. McCrory
*Clerk of Court of Common Pleas.*

pr

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Deft - Witness.**

Returnable May 31 1870

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

COMMON PLEAS COURT, UNION CO. OHIO.
FILED
MAY 31 1870
R. McCOY, Clerk

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Isa Hammond) not found | |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | |
| Mileage 170 | 13 | 60 |
| Copies | | 10 |
| Total | 13 | 70 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

1

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Dra Hammond

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 31st day of May A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 29th day of May A. D. 1890

R McCrory

Clerk of Court of Common Pleas.

pr W

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Defl — Witness.**

Returnable Forthwith 18

Ret'd and Filed

Clerk.

Att'y for

COM. PLEAS COURT, UNION CO.
FILED
MAY 31 1880
R. McCrory, Clerk

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| J Jenkins P | 32 |

Thomas Marten Sheriff.

### SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 50 | 4 | 00 |
| Copies | | 10 |
| Total | 4, | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

A. J. Jenkins

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Fortnight A. D. 1890, at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Imler

on behalf of the Defts; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 28th day of May A. D. 1890

R. W. Emery
Clerk of Court of Common Pleas.

# THE STATE OF OHIO,

*vs.*

Ellis Miller

Subpœna for Deft Witnesses.

*Returnable* May 28 1880



R. McCrory, Clerk.
FILED
MAY 31 1890
COM. PLEAS COURT, UNION CO. OHIO.

Ayers & Coops

*Att'y for* Deft

I HEREBY CERTIFY this to be a true copy of the original Subpœna.

*Sheriff.*

B. F. WADE & CO., PRINTERS, TOLEDO

I served this writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names.

| NAMES OF WITNESSES. | Miles | How Served. Person'l Service. | By Copy. |
|---|---|---|---|
| Evans Finley | 10 | | C |
| Mrs Evans Finley | 10 | | C |
| John Fox | 8 | | C |
| Mrs John Fox | 8 | | C |
| John Speller | 6 | | C |
| John White | 6 | P | P |
| Orrin Hammond | 20 | | C |

| SHERIFF'S FEES. | | |
|---|---|---|
| *Service,* | | 70 |
| *Mileage,* 73 | 5 | 84 |
| *Copy,* | | 70 |
| *Total,* | 7, | 24 |

Thomas Martin *Sheriff.*

*Clerk.*

Published by B. F. Wade & Co., Printers, Blank-Book Mfrs. and Stationers, 94 & 96 St. Clair Street, Toledo.

# Subpœna in Criminal Case.

/1

STATE OF OHIO. }
*UNION COUNTY, ss.* }

**To the Sheriff of said County---Greeting:**

**You are Hereby Commanded to Subpœna** Evans Finley ✓
Mrs Evans Finley ✓ John Fox ✓
Mrs John Fox ✓ John Shelton ✓
Orrin Hammond ✓ John White ✓

*to be and appear before the Court of Common Pleas of the County of Union, at the Court House in said County, on the* 28th *day of* May *A. D.* 1880, *at* 9 *o'clock* A *M., then and there to give testimony and the truth to say in certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Deft. *Hereof fail not, under the penalty of the law, and have you then and there this writ.*

*WITNESS my hand and the seal of said Court, at* **Marysville,** *this* 27th *day of* May *A. D.* 1880

R. McCrory *Clerk.*

By W. M. Wright *Deputy Clerk.*

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

Subpœna for Deft - Witness.

Returnable June 2d 1890

Ret'd and Filed

Clerk.

Ayers and Hoops

Att'y for Deft

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Lida Piper was not found in my County | |

COM. PLEAS COURT, UNION CO., OHIO
FILED
JUN 3 1890
R. McCRORY Clerk.

W W Roach Sheriff.

SHERIFF'S FEES. LEO

| | |
|---|---|
| ~~Service and Return~~ | |
| Mileage. 3 D 1/2 | 2 44 |
| 1 Copies | 16 |
| Postage & Co | 5 |
| Total | 2.65 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF ~~SAID~~ Logan COUNTY:

*You are hereby commanded to subpœna*

Lide Riser

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 2d *day of* June *A. D. 1890, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* Defendant *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 29th *day of* May *A. D. 1890*

R. McCrory
Clerk of Court of Common Pleas.

By W. M. Winget - Deputy

S.

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft- **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

Ayers & Hoops

*Att'y for* Deft-

*Rec'd this Writ* 18

*at* o'clock *M.*

COM. PLEAS COURT, [illegible] CO. OHIO.
FILED
JUN 3 1890
R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Charles Stickney C | 20 |
| Dode Mullen C | |
| Marion Holy Cross | |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage* 40 | 3 | 20 |
| *Copies* | | 30 |
| *Total* | 3. | 80 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna
Charles Stickney v
Dode Miller and Marion Hollycross

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes
Ellis Miller
on behalf of the Defl ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 2d day of June A. D. 1890

R. McCord
Clerk of Court of Common Pleas.

No. of Case 806

# COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Deft – Witness.**

Returnable June 2d 1890

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

Att'y for

Rec'd this Writ 18

at P. M.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| A L Williams P | 42 |

Thomas Marton Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage. 50 | 4 | 00 |
| Copies | | 10 |
| Total | 4 | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna A L Williams (Northumberland) Northworth,

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of June A. D. 1890, at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defendt; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 2d day of June A. D. 1890

J. H. Brown

Clerk of Court of Common Pleas.

S

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* June 2d 1890

*Ret'd and Filed* ..... *Clerk.*

COM. PLEAS Court, UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

*Att'y for* .....

*Rec'd this Writ* ..... 18

*at* ..... *o'clock* ..... *M.*

..... *Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

..... *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| George Davis P. | |
| Henry Mitchell C | |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage.* 13 | 1 | 04 |
| *Copies* | | 20 |
| *Total* | 1. | 44 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna George Davis and Henry Mitchell

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 7th day of June A. D. 1890 at 10 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defendt; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 2d day of June A. D. 1890

J. M. Henry

Clerk of Court of Common Pleas.

*No. of Case* 804

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 2d 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 3 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this* [illegible] *18*

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Frank Foote P | |

Thomas Master *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 2 | | 16 |
| *Copies* | | 10 |
| *Total* | | 36 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Frank Forte

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 2d day of June A. D. 1870

B. McCrory

Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,

vs.

Ellis Miller

Subpœna for State Witness.

Returnable June 4th 1890

Ret'd and Filed

Clerk.

Porter

Att'y for State

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 2 1890
McCLURE, Clerk

RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John P Moore P | 24 |

Thomas Manter Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 30 | 2 | 40 |
| Copies | | 10 |
| Total | 2 | 60 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

John Morse

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 4th day of June A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 3d day of June A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

per

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Def't Witness.**

Returnable June 3d 1890

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

Att'y for

Rec'd this Writ ... 18

at ... o'clock ... M.

Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Joseph Livingston C | 4 0 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage. 50 | 4 | 00 |
| Copies | | 10 |
| Total | 4. | 20 |

(*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

Joseph Livingston

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 3d day of June A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the Defft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 2d day of June A. D. 1890

R. McCray

Clerk of Court of Common Pleas.

By

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Defl Witness.**

Returnable Forthwith 18

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1890
R. McCrory, Clerk

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Philip Livingston P | 35 |
| Job Dillon P | 20 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 20 |
| Mileage. 60 | 4 | 80 |
| Copies | | 20 |
| Total | 5 | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

Philip Livingston

and

Job Dillon

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Moller

on behalf of the Defft ; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 4th day of June A. D. 1890.

R. McCord

Clerk of Court of Common Pleas.

H W

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* June 3rd 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO. FILED JUN 2 1890 P. McCann Clerk

*Att'y for* Ayers & Hooper

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Curtis Vansicle P | 65 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage.* 70 | 5 | 60 |
| *Copies* | | 10 |
| *Total* | 5 | 80 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Curtis Vansickle

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 3d day of June A. D. 18 9 0 at 9 – o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 2d day of June A. D. 18 9 0

P. M. Cleary

Clerk of Court of Common Pleas.

No. of Case 814

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Defl — Witness.**

Returnable Fourthwith 18

Ret'd and Filed

Clerk.

Ayers & Hoops

Att'y for

Rec'd this Writ 18

at o'clock M.

COMM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1880
R. McCrory, Clerk.

Sheriff.

*I hereby certify this to be a true copy of the orignal subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Dr Masters P | 44 |
| Jeff Mattox P | |
| Dr Bigor P | 10 |
| Dr McClure P | 20 |
| James Snow C | 10 |
| Dr Wright P | 20 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 60 |
| Mileage 108 | 8 | 64 |
| Copies | | 40 |
| Total | 9 | 84 |

Clk 313. ('7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* ~~Job Dillon~~ James Crow Dr Masters Jeff. Mattox Dr Wright Dr Vigor and Dr McCune

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ..... *day of* Forthwith *A. D. 18* ..... *, at* ..... *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* .....

*on behalf of the* Deft *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 4th *day of* June *A. D. 1890*

R. McCrory

*Clerk of Court of Common Pleas.*

P2 W

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

*Att'y for* Ayers & Hoops

*Rec'd this Writ* 18

*at* o'clock *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1890
R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John Smith P | |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 2 | | 16 |
| *Copies* | | 10 |
| *Total* | | 36 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna John Smith

to be and appear before the Court of Common Pleas, at the Court House in said County, on the Fourteenth day of June A. D. 18 90 at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 4th day of June A. D. 18 90

W. M. Curry

Clerk of Court of Common Pleas.

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1890
R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Peter Wynegar P | 32 |
| Samuel Landis P | 32 |
| John Moose P | 50 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage* 105 | 8 | 40 |
| *Copies* | | 30 |
| *Total* | 9. | 00 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

Peter G. Wynnegar

Saml Landes and

~~John Moore~~ John Moore

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 2 *day of* Forthwith *A. D. 18* , *at* *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 3d *day of* June *A. D. 1890*

R. McCrory

*Clerk of Court of Common Pleas.*

pr W

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Ellis Mueller

**Subpœna for State Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

*Att'y for* Porter & Lane

*Rec'd this Writ* 18

*at* o'clock M.

COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 5 1890
R. McCrory Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Alvin Barnes P | |
| W. C. Malin P | |
| Marion Holycross P | |
| U S Felder P | 10 |
| Martin Wetzel P | 10 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 50 |
| *Mileage* 30 | 2 | 40 |
| *Copies* | | 50 |
| *Total* | 3. | 40 |

Clk. 313.

(*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

5

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Alvin Carnes W C Malen, Marion Holycross U S Alden and Martin Wetzel.

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 6 day of June A. D. 1890, at 8 1/2 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 5-to day of June A. D. 1890

R M McCurry

Clerk of Court of Common Pleas.

*No. of Case* .....

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Elbes Miller

**Subpœna for** State **Witness.**

*Returnable* ..... *18*

*Ret'd and Filed*

..... *Clerk.*

Porter Cameron

*Att'y for* State

*Rec'd this Writ* ..... *18*

*at* ..... *o'clock* ..... *M.*

COMMON PLEAS COURT, UNION CO. OHIO. FILED JUN 5 1890 R. McCrory, Clerk.

..... *Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

..... *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| William Davis C | |
| Hattie Davis C | |
| Jeff Weiser S | 12 |
| Jacob Fisher C | 12 |
| Charles Slickney C | 24 |
| Thomas Stettinger C | 12 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* 60 | 48 | |
| *Copies* | | 60 |
| *Total* | 6 | 00 |

Clk 313.

(7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

6

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* Jefferson Weiser Jacob Fisher, William Davis, Hattie Davis, Charles Stickney and Thomas Stittings

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 6th *day of* June *A. D. 18*90 *at* 8½ *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller

*on behalf of the* State *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 5th *day of* June *A. D. 18*90

P. McCrory

*Clerk of Court of Common Pleas.*

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Ellis Miller

**Subpœna for State Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

Porter & Lawrence

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| J 2 Hord, P | 25 |

Thomas Master *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 30 | 2 | 40 |
| *Copies* | | 10 |
| *Total* | 2, | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* John D Herd

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 6 *day of* June *A. D. 18*90*, at* 8½ *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 5th *day of* June *A. D. 18*90

P M Crory

*Clerk of Court of Common Pleas.*

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 6th *1890*

*Ret'd and Filed* [redacted]

*Clerk.*

Porter

*Att'y for* [redacted]




*Rec'd* [redacted] *1890* *18*

*at* [redacted] *o'clock* [redacted] *M*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John D Ford P | 22 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 25 | 2 | 00 |
| *Copies* | | 10 |
| *Total* | 2. | 20 |

Clk 313.

(7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* John Q Herd

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 6th *day of* June *A. D. 18*90*, at* 8½ *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ellis Miller *on behalf of the* State*; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 6th *day of* June *A. D. 18*90

R. McCrory
*Clerk of Court of Common Pleas.*

pr W

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Mueller

**Subpœna for Def't — Witness.**

Returnable Forthwith

Ret'd and Filed

Clerk.

Agee & Hoops

Att'y for

Rec'd this Writ 18

at o'clock M.




Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| A. Hare P | |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 2 | | 16 |
| Copies | | 10 |
| Total | | 36 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

A. Hare

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* day of Forthwith A. D. 18 , at o'clock *A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* Deft ; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 4th day of June A. D. 1840

B. McCrory

*Clerk of Court of Common Pleas.*

W

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 7 1890
R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John L Adams P | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 40 | 3 | 20 |
| *Copies* | | 10 |
| *Total* | 3. | 40 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna John L. Adams

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 7th day of June A. D. 1890

R. McCrory

Clerk of Court of Common Pleas.

By

No. of Case 884

COMMON PLEAS COURT.

THE STATE OF OHIO,

vs.

Ellis Miller

**Subpœna for State Witness.**

Returnable June 7 1890

Ret'd and Filed

Clerk.

Porter

Att'y for State

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 7 1890
R. McCoy, Clerk.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| William Beard P | 26 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage. 40 | 3 | 20 |
| Copies | | 10 |
| Total | 3. | 40 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

William Beard

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 7th day of June A. D. 1890, at 8 1/2 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the Ohio; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 6th day of June A. D. 1890

R. McClory

Clerk of Court of Common Pleas.

By

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 9th 1890

Ret'd and Filed

Clerk.

Porter

Att'y for

Rec'd this Writ FILED 18

at o'clock JUN 7 M. 1890

COM. PLEAS COURT, UNION CO. OHIO.
R. McCrory, Clerk.

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| John Walters P | 44 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 55 | 4 | 44 |
| Copies | | 10 |
| Total | 4 | 64 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna John Walters

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 9th day of June A. D. 1870, at 8 1/2 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State of Ohio; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 6th day of June A. D. 1870.

B. McCrory
Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 9th 1890

Ret'd and Filed

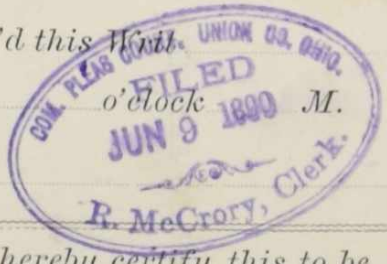
Clerk.

Porter

Att'y for

Rec'd this Writ. 18

at o'clock M.




Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| John Hudson P. | 24 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 25 | 2 | 00 |
| Copies | | 10 |
| Total | 2, | 20 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

John Hudson

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 9th day of June A. D. 1890, at 1.30 o'clock P. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 7th day of June A. D. 1890

B. McCrory
Clerk of Court of Common Pleas.

W

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 10th 1890

*Ret'd and Filed*

COM. PLEAS COURT, OHIO
FILED
JUN 9 1890
R. McCrory, Clerk.

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Leonora Gibson P | 10 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage.* 12 | | 96 |
| *Copies* | | 10 |
| *Total* | 1. | 16 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

Leonora Gibson

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 10th day of June A. D. 1890, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 9th day of June A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

pm

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*

*vs.*

Ellis Miller

**Subpœna for** Defl - **Witness.**

*Returnable* June 9th 1890

*Ret'd and Filed*

*Clerk.*

Ayers & Hoops

*Att'y for*

*Rec'd this Writ* 18

*at* 2 o'clock M.

COM. PLEAS COURT. UNION CO. OHIO. FILED JUN 9 1890 Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Simeon Dewitt C | 24 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 1 00 |
| *Mileage* 35~ | 2 | 80 |
| *Copies* | | 10 |
| *Total* | 3, | 00 |

Clk 313. ('7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Simon Dewit-

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 9th day of June A. D. 1890, at 1.30 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the Defts; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 7th day of June A. D. 1890

R. McCrory

Clerk of Court of Common Pleas.

W

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 10th 1890

Ret'd and Filed

Clerk.

Porter

Att'y for




Rec'd this 9th day June 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| William Chandler P | 44 |
| D Parish P | 40 |
| Edward Judd P | 42 |

Thomas Master Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 30 |
| Mileage. 100 | 8 | 00 |
| Copies | | 30 |
| Total | 8. | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

*You are hereby commanded to subpœna*

William Oberdin
D. Parish and
Edward Judd

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 10th *day of* June *A. D. 1890, at* 8-30 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 9th *day of* June *A. D. 1890*

B. McCrory
*Clerk of Court of Common Pleas.*

By W

No. of Case 804

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 10th 1890

Ret'd and Filed

Clerk.

Date

Att'y for

COMMON PLEAS COURT, OHIO. FILED JUN 10 1890 B. McCrory, Clerk.

Rec'd this Writ ... 18

at ... o'clock ... M.

Sheriff.

*I hereby certify this to be a true copy of the orignal subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| J D Elliott C | 10 |
| Ben Lock P | 10 |

Thomas Morton Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 20 |
| Mileage 32 | 2 | 56 |
| Copies | | 20 |
| Total | 2. | 96 |

Clk 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

V. D. Elliott

and

Benjamine Locke

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 16th day of June A. D. 1890, at 8 1/2 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 9th day of June A. D. 1890.

R. McCrory

Clerk of Court of Common Pleas.

W

No. of Case 804

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 10 1890

Ret'd and Filed

Clerk.

Porter

Att'y for

Rec'd this Writ 18

at o'clock M.




Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Charles Michaels | 10 |

Thomas Masters Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage. 16 | 1, | 28- |
| Copies | | 10 |
| Total | 1 | 48- |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

Witness

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

Charles Michaels

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 10th day of June A. D. 1890, at 8-30 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 7th day of June A. D. 1890

B. McCrory

Clerk of Court of Common Pleas.

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Ellis Miller

**Subpœna for** Deft **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

Ayers & Hoops

*Att'y for* Def

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 10 1890
R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| C. E. Harden P | 50 |
| J. H. Moore P | 50 |
| B. F. Sager P | 55 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage* 105 | 8 | 40 |
| *Copies* | | 30 |
| *Total* | 9, | 00 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

B. F. Sager
C. E. Harden and
J. H. Moore

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the Deft ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 9th day of June A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.
per W

COURT of COMMON PLEAS.

# The State of Ohio

vs.

F. A. Vigor

~~Ellis Miller~~

Attachment for Contempt of Court as Witness,

IN THE CASE OF

State of Ohio

vs.

Ellis Miller

ORDERED BY THE COURT.

COM. PLEAS COURT. UNION
FILED
JUN 10 1890
R. McCrory, Clerk

Published by Robert A. Thomas, Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Received this writ June 10th 1890, pursuant to its Command I have taken the Body of the within named F. A. Vigor and have his Body before the Court this 10th day of June 1890

Fees 30
service 30
arrest 80
mileage 34 80
Conveyance 15-0
2,92

Thomas Martin Sheriff

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio. [96.]

# ATTACHMENT FOR CONTEMPT.

**THE STATE OF OHIO,** Union County, ss. } To the Sheriff of our said County--Greeting:

*We command you that you take* Dr F. A. Vigor

*and have* him *forthwith before our* **Court of Common Pleas,** *now sitting at the Court House in* Marysville *within and for said County, to testify, and the truth to say, in a certain case depending and to be tried, wherein* The State of Ohio is *Plaintiff, and* Ellis Miller is *Defendant, and, also, to purge* himself *of a contempt of Court, for* ( *non-attendance in the suit aforesaid having been duly summoned, recognized. Herein fail not, but of this Writ and your service make due return.*

**WITNESS** *my signature and the seal of our said Court, at* Marysville *this* 10 *day of* June *A. D. 18*70

R. McCrory Clerk.

*By* W. M. Wingate Deputy Clerk.

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 10 1890

*Ret'd and Filed*

*Clerk.*

*Att'y for*

COM. PLEAS COURT. UNION. CO. OHIO.
FILED
JUN 11 1890
R. McCrory, Clerk.

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| David H Henderson P | 20 |

Thomas Marton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 25 | 2 | 00 |
| *Copies* | | 10 |
| *Total* | 2, | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

David H. Henderson

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 10 day of June A. D. 1890, at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 10th day of June A. D. 1890

B. McCrosky
Clerk of Court of Common Pleas.

By

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* Fortthurth *18*

*Ret'd and Filed*

*Clerk.*

P & C

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

COM. PLEAS COURT, OHIO CO. OHIO
FILED
JUN 11 1890
R. McCrory, Clerk

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| B L Sager P | 55 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage.* 73 | 5 | 84 |
| *Copies* | | 10 |
| *Total* | 6 | 04 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Allen County.

You are hereby commanded to subpœna

B. F. Sager

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State ; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 15th day of June A. D. 1910

B. McCrory

Clerk of Court of Common Pleas.

By

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable Forthwith 18

Ret'd and Filed

Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 11 1890
R. McCrory, Clerk

Att'y for

Rec'd this 11th 18

at o'clock M.

Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| D. Seng P | 32 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 32 | 2 | 56 |
| Copies | | 10 |
| Total | $ 2 | 76 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

Dr Ewing

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 11th day of June A. D. 1840

B. McCrosh

Clerk of Court of Common Pleas.

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 12th 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, STATE OF OHIO.
FILED
JUN 12 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| William Kinney P | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 50 | 4 | 00 |
| *Copies* | | 10 |
| *Total* | 4 | 20 |

Clk 313. ('7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

William Ewing

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 12th day of June A. D. 1910, at 8½ o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Ellis Miller

on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 11th day of June A. D. 1910

B. McCrow

Clerk of Court of Common Pleas.

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* forthwith *18*

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT. UNION CO. O.
FILED
JUN 12 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Lucy F Martin P | |
| John Zwerner P | |
| D Webb P | |

Thomas Martin *Sheriff.*

### SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage.* 5 | | 40 |
| *Copies* 3 | | 30 |
| *Total* | 1. | 00 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna John Zwerner
D. Webb and Mrs L. F. Martin

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 12th day of June A. D. 1870

R. McCrory
Clerk of Court of Common Pleas.

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

*Att'y for*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 12 1890
R. M. Crory, Clerk.

*Rec'd this Writ* 18

*at* o'clock *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| S H Graham P | 42 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 50 | 4 | 00 |
| *Copies* | | 10 |
| *Total* | 3, | 40 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

Personal

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna D. H. Graham

to be and appear before the Court of Common Pleas, at the Court House in said County, on the day of Forthwith A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 12th day of June A. D. 1890

R. McCrory

Clerk of Court of Common Pleas.

No. of Case 806

COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable 18

Ret'd and Filed

Clerk.

Porter

Att'y for

Rec'd this Writ 18

at o'clock M.




Sheriff.

I hereby ~~certify~~ this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Frank Schmidt P | 15 |

Thomas Morton Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage. 30 | 2 | 40 |
| Copies | | 10 |
| Total | 2 | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna

Frank Schmidt

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 26 day of June A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 26th day of June A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

W

No. of Case 804

COMMON PLEAS COURT.

THE STATE OF OHIO,

vs.

Ellis Mueller

**Subpœna for State Witness.**

Returnable 18

Ret'd and Filed

Clerk.

Porter

Att'y for

COM. PLEAS COURT, UNION CO., OHIO.

Rec'd this Writ 18

at o'clock M.

JUN 27 1890

Sheriff.

R. McCRORY, Clerk.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| George Rullenhouse C | 22 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 10 |
| Mileage 26 | 2 | 00 |
| Copies | | 10 |
| Total | 2 | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna ~~Frank Schmidt~~ and George Rittershouse

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 27th day of June A. D. 189 , at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State ; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 26th day of June A. D. 1890

B. McCrory

Clerk of Court of Common Pleas.

W

*No. of Case* 806

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for** State **Witness.**

*Returnable* June 26th 1890

*Ret'd and Filed*

*Clerk.*

*Att'y for*

COM. PLEAS COURT, UNION CO., O.

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

JUN 27 1890

FEE

*Sheriff.*

R. McCRORY Clerk.

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| L. K. Drake P | 40 |
| Israel Fogle P | 20 |
| Conrad Berger P | 20 |
| Lewis Cassaday P | 30 |
| J. P. Crowder D | 25 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 5-0 |
| *Mileage* 120 | 9 | 60 |
| *Copies* | | 5-0 |
| *Total* | 10 | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

5

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna L. K. Drake
Israel Fogle, Conrad Berger
Lewis Cassady & J. P. Crowder

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 26th day of June A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24th day of June A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

No. of Case 806

## COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for State Witness.**

Returnable June 26 1890

Ret'd and Filed

Clerk.

Att'y for

Rec'd this Writ 18

at o'clock M.

COM. PLEAS COURT UNION CO., O. J.
JUN 27 1890

Sheriff.

I hereby certify this to be a true copy of the orignal subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:

| NAMES OF WITNESSES. | MILES. |
|---|---|
| George Jewell R. | 45 |
| Peter Schuntzer P | 45 |
| H S Culver P | 30 |
| J C Potts P | 8 |
| George C Freshwater P | 20 |

Thomas Marten Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 50 |
| Mileage 120 | 9 | 60 |
| Copies | | 50 |
| Total | 10 | 60 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

5/244

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna
George Sewell H. S. Colver
J. C. Petit Peter Shertzer
and George C. Freshwater

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 26th day of June A. D. 1912, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Ellis Miller on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24th day of June A. D. 1912

R. McCrory
Clerk of Court of Common Pleas.

W

*No. of Case* 806

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Ellis Miller

**Subpœna for State Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed* June 31st

*Clerk.*

Porter

*Att'y for*

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

COM. PLEAS COURT, UNION CO., OHIO

*I hereby certify this to be a true copy of the orignal subpœna.*

FILED
JUN 30 1890

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

R. McCRORY Clerk.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Thos Martin | 6 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* 2 | | 16 |
| *Copies* | | 10 |
| *Total* | | 36 |

Clk 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

Thomas Martin

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* day of Forthwith *A. D. 18* , at o'clock *A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Ellis Miller

*on behalf of the* State *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 31st *day of* June *A. D. 1890*

R. McCrory

*Clerk of Court of Common Pleas.*

W

21582

# DEATH WARRANT.

CONDEMNED PRISONER.

*Received* 18

*Sheriff.*

*Received* August 2 1890

*Warden*

COM. PLEAS COURT, UNION CO. O.

*Returned and filed*

DEC 3 1890 18

R. McCRORY Clerk of Court.

COM. PLEAS COURT

DEC 3 1890

R. McCRORY Clerk.

The Barrett Publishing Company, Springfield, Ohio.

Clerk 381.

*7-10-1. The Barrett Publishing Company, Springfield, Ohio.

# DEATH WARRANT.

(Secs. 7338 to 7344, as amended 82 v. 169, and 83 v. 145.)

THE STATE OF OHIO, Union County. } IN COMMON PLEAS COURT.

To the Sheriff of said County:

Whereas, on the Second day of August 1890, as is shown by the record of proceedings of said Court, Ollis Miller was sentenced to be hanged by the neck until dead, said punishment to be inflicted within the walls of the Ohio Penitentiary, at Columbus, Ohio, on the Second day of December, in the year of our Lord one thousand eight hundred and ninety, you are hereby commanded that within the next thirty days from this Second day of August, of the year of our Lord one thousand eight hundred and ninety, in as private and secure a manner as is possible to be done, you convey the prisoner, said Ellis Miller to the Ohio Penitentiary, where the said prisoner shall be received by the Warden, and securely kept until the day designated for his execution.

And the Warden or Deputy Warden of said Penitentiary is hereby commanded to proceed at the time and place named in this warrant, to cause the said prisoner to be hanged by the neck until he be dead; and of the manner of his execution of this warrant and his doings thereon, he forthwith make return to the undersigned Clerk of the County from which the said prisoner was sentenced.

Given under my hand and the seal of said Court at Marysville Ohio, this Second day of August 1890

Robert McElroy
Clerk of Court.

## WARDEN'S RETURN.

WARDEN'S OFFICE, OHIO PENITENTIARY. December 1890

To the Clerk of Union County, Ohio:

On the Second day of August 1890, I received this your warrant, together with the prisoner named herein, whom I securely kept until the day designated for his execution; and on the Second day of December 1890, I caused the said prisoner Ellis Miller to be hanged by the neck until he was dead.

E. F. Coffin
Warden of Ohio Penitentiary.

No 806

# Union Common Pleas.

## STATE of OHIO.

*against*

Ellis Weller,

*Defendant.*

1890

## General Index.

| | | | |
|---|---|---|---|
| *Journal No.* | 15 | *Page* | 377 |
| *Record No.* | 3 | *Page* | 193 |
| *Ex. Doc.* | 10 | *Page* | 806 |

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

On this 18th day of March 1890, Defendant arraigned, and pleads Not guilty to this Indictment.

R. McCrory
Clerk of Court.
By W. M. Winget
Deputy

STATE OF OHIO, UNION COUNTY, SS:

*I, R. McCRORY, Clerk of the Court of Common Pleas, do hereby certify that the foregoing is a True and correct copy of the Indictment found by the Grand Jury at the* ..... *Term, 189*....

*IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Court at Marysville, this* ..... *day of* .....

*189*...

Clerk of Courts.

No 806

Union County Common Pleas.

THE STATE OF OHIO,

VS.

Ellis Miller.

# INDICTMENT.

— FOR

Murder in the First Degree.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Lorenzo Cheney
Foreman of Grand Jury.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAR 5 1890
R. McCrory, Clerk.

*Filed* ..... *189*...

..... *Clerk.*

Edward W. Porter.
Prosecuting Attorney.

Marysville Tribune, No 502

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* March *in the year of our Lord one thousand eight hundred and* Sixty.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Ellis Miller

*late of said County, on the* 16th *day of* January *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* in and upon one Emma Johnson, then and there being, did unlawfully, forcibly, purposely, and of his deliberate and premeditated malice, make an assault in a menacing manner, with intent her, the said Emma Johnson, unlawfully, purposely and of deliberate and premeditated malice, to kill and murder; and the said Ellis Miller, a certain pistol (commonly called a revolver), then and there charged with gun-powder and five leaden bullets, which said pistol, he the said Miller then and there in his right hand had and held, then and there unlawfully, purposely, and of deliberate and premeditated malice did discharge and shoot off, to, against and upon, the said Emma Johnson, with the intent aforesaid, and that the said Ellis Miller with one of the leaden bullets aforesaid, out of the pistol (commonly called a revolver) aforesaid, by force of the gun-powder aforesaid, by the said Ellis Miller then and there discharged and shot off as aforesaid, her, the said Emma Johnson in and upon the left side of the neck of her, the said Emma Johnson, then and there, unlawfully, purposely, and of deliberate and premeditated malice did strike, penetrate and wound, with the intent aforesaid, thereby then and there, giving to her, the said Emma Johnson,

with a leaden bullet aforesaid, so as aforesaid discharged and shot out of the pistol aforesaid by the said Ellis Miller, in and upon the left side of the neck of her, the said Emma Johnson, one mortal wound, of the depth of three inches, and of the breadth of half an inch, of which mortal wound, she, the said Emma Johnson, on and from the said 16th day of January in the year aforesaid, until the 20th day of January in the same year, in the county of Union aforesaid, did languish, and languishing did live, on which said 20th day of January in the year aforesaid, she the said Emma Johnson, in the county aforesaid, of the mortal wound aforesaid, died; and so the grand jurors aforesaid, on their oaths aforesaid, do say that the said Ellis Miller, her, the said Emma Johnson, in the manner, and by the means aforesaid, unlawfully, purposely, and of deliberate and premeditated malice, 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 of Ohio.

Edward W. Porter.
Prosecuting Attorney of Union County Ohio.

contrary to the form of the Statute in such case made and provided, and against
the peace and dignity of the State of Ohio.

Prosecuting Attorney, Lucas County, Ohio.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAR 14 1890
R. McCrory, Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAR 14 1890
R. McCrory, Clerk.

# CORONER'S FEE BILL.

—IN—

*INQUISITION NO.*.....

*Held*..... *A. D. 188*...

ON THE DEAD BODY OF

.....

—BY—

.....

.....

*Coroner*..... *County, O.*

*ODELL & MAYER, Blank Book Manufacturers, Legal Blank Publishers, Stationers and Printers, Dayton, O.*

# CORONER'S INQUEST.

*In the matter of an inquest held by me,* A B Swisher *Coroner of* Union *County, Ohio, on the* 21st *day of* Jan. *1890, on the dead body of* Emma Johnson *To the* Clerk *of* Union *County, Ohio:—I, Coroner of said* Union *County, hereby certify the following statement of fees, costs and expenses, amounting to $* ____ 100 *in the matter of said inquest to be just and correct* March 13th *1890*

A B Swisher

*Coroner* Union *County, O.*

| CORONER'S FEES. | DOLLS. | CTS. |
|---|---|---|
| Viewing body | 3 | 00 |
| Subpœnas for witnesses ... 1 person 25, each person in addition 5 | | 45 |
| Appointing special constable | | 40 |
| Swearing witnesses ... each 5 | | 25 |
| Reducing testimony to writing ... per 100 words 10 | 1 | 50 |
| Certifying testimony | | 25 |
| Making docket entries ... per 100 words 10 | 1 | 50 |
| Description of body ... per 100 words 10 | | 10 |
| Description of body—certificate to | | 25 |
| Inventory of moneys and effects ... per 100 words 10 | | |
| Inventory of moneys and effects—certificate to | | 25 |
| Tran-cript to Clerk of Common Pleas ... per 100 words 10 | 1 | 50 |
| Certifying Transcript | | 25 |
| Filing papers ... each 5 | | 25 |
| Adjournments ... each 20 | | |
| Mileage ... each mile to place of view 10 | | 40 |
| Attachment for witnesses ... each 50 | | |
| Recognizance of witnesses ... 1 witness 40, each additional 10 | | |
| Issuing mittimus or commitment ... each 50 | | |
| Additional—Notification to Coroner | 1 | 00 |
| Transportation and care of body | | |
| Assistance in transportation and care of body | | |
| Advertising, unknown person, &c. | | |
| Thorough post mortem Swisher & Henderson | 50 | 00 |
| Total | 61 | 35 |

| CONSTABLE'S FEES. Samuel Bonnett SPECIAL CONSTABLE. | DOLLS. | CTS. |
|---|---|---|
| Copies | | |
| Mileage | | |
| Service and returns | | |
| Attendance | | |
| Total | 4 | 50 |

| WITNESSES. | DOLLS. | CTS. | WITNESSES. | DOLLS. | CTS. |
|---|---|---|---|---|---|
| | | | Edlen Miller | 1 | 00 |
| | | | Henry Kennedy | 1 | 00 |
| | | | Jefferson Mattox | 1 | 00 |
| | | | Benj. Johnson | 1 | 00 |
| | | | Susan Child | 1 | 00 |
| | | | Total fees, etc. | 5 | 00 |

paid $20.85

W. H. STANAGE,
AGENT,
CINCINNATI.

State of Ohio, Paris Township Union Co. Ohio.

Be it Known that on Jan 21" 1890.
word was given me that Mrs Emma Johnson
of Paris Township Union County Ohio. was
dead. the deceased supposed to have died the
result of injury- I immediately repaired
to the place above mentioned and found the
dead body of Mrs Emma Johnson. A bullet
hole was discernable on the left side of
the neck, three inches below the lower
margin of the lobe of the left ear.
I immediately ordered a post. Mortem
Appointing Dr. L. T. Henderson to perform the
same,

The result showed that the ball
penetrated the posterior Margin of the
Sterno- cleido- mastoid Muscle passing
directly inward crushed through the
lamina of the second cervical Vertebra
imbedding its self in the Spinal Cord
completely destroying said structure.
The contents of the Cranium, Thoracic and
Abdominal Cavity was carefully examined
and found to be compatible with health.

Additional Testamony was taken on
the 23" day of January A.D. 1890 at the Office
of the Clerk of the Court of Union County O.

A B Swisher M.D.
Coroner of Union County O.

Age 53 yr.
eyes black

W. H. STANAGE,
AGENT,
CINCINNATI.

The State of Ohio, Paris Township, Union County Ohio.

An inquest by the undersigned, held on the 23" day of January A. D. 1890, in the Office of the Clerk of the Court, in the Court House in said township, in regard to the decease of Mrs. Emma Johnson, who was supposed to come to her death by violence.

The following is the testimony of the witnesses then and there examined before me: There was first read the ante-mortem statement of Mrs. Emma Johnson, by E. W. Porter, Prosecuting Attorney of Union County Ohio, which was as follows, towit:

"Mrs Emma Johnson being sworn makes oath: That on yesterday, January 16"- Thursday- 1890. I was on my way from my home to Henry Kennedy's at about four o'clock P. M., and when I was on the pike near Ellis Miller's house, he came out to the road and asked where Ellen and Donnie were. I said, they are up to Kennedy's. He said "yes" and got out his revolver and flourished it around, and I grabbed hold of his arm and found that had the revolver, and begged him not to kill me. He then slipped back a little and said, "you knowed where she was all the time". He said "I don't want to hurt you Em." I said, well for God's sake don't hurt me. He said "go here"- after I had started on- and I heard the report of the pistol and saw the flash, and I instantly felt numb all over and felt myself falling down, but did not know when I struck the pike. I soon knew I could not move a muscle, and the little shawl that was on my head blew over my face and nearly

W. H. STANAGE,
AGENT,
CINCINNATI.

smothered me. I heard Miller muttering as he left me, about what he had done, and could hear him walking back to the house. After a while I could hear him at my house quarrelling with Mr. Johnson, my husband, and that they were talking awfully loud and were swearing, and could almost hear what they were saying. Miller was eight or ten feet from me when he shot me in the neck on the left side at the back part of the big muscle near the spinal column. At the time he shot me he said nothing that I could distinguish. O yes! he said after he saw me fall; "there, I told them what I would do with them!" In the morning, at about 10 or 11 o'clock he was near his corn-crib, and he hollowed over to me, and wanted to know where Ellen and Dennie were. I says, I don't know where they are now, but they staid all night with us, and left about sun-up. He said, "you are a damned liar, you know all about!" I says I don't know, further than that they left my house. Then he left with a boy that looked about 10 or 12 years old. He was not satisfied, and I saw him coming, and he hollowed at me again and said, "come down here, I want to see you." I said I hear not him now as I am getting dinner, and I went in and shut the door, and I heard him still hollowing to me, and I went out again, and I went down to a log that lies between the garden and the yard and stood there and talked to him, while he stood at the lower end of the garden outside the fence. "He again said where is Ellen and Dennie? and called me a damned liar when I told him. I turned my back to him and started, but said to him, "Ellen said to me that she did

W. H. STANAGE,
AGENT,
CINCINNATI.

not intend you to see her any-more." He said, "there are some men and women in this country that are going to catch hell." This was in the presence of the boy—Jeff Mattox - who works at Figley's livery stable in Marysville. He then made some remark to the boy that made him break out into a big laugh.

I can not sign the above, because I am unable to move a muscle, but the above has been read to me in the presence of the following list of witnesses, and in their presence I pronounce all the above to be a correct statement as dictated by me.

I make this statement fully knowing my dangerous condition, and under a sense of impending death, and I make it having no hope or expectation of recovering from this wound, which I believe will soon cause my death.

Signed in the presence of Emma Johnson by us, and in the presence of each other, this 17th day of January A. D. 1890.

E. W. Porter. Michael Ell.
A. B. Swisher, M. D. Robert Epps.
L. T. Henderson M. D. Benjamen Johnson.
W. O. Shears. Ellen Fields.
Susan Child

Emma Johnson being duly sworn, makes oath, that the facts stated in the foregoing paper-writing are true.

Emma Johnson Per
A. B. Swisher.

Sworn to by Emma Johnson before me, and signed by A. B. Swisher, her duly authorized agent for that purpose, in my presence this 17th day of January A. D. 1890. E. W. Porter, Notary Public. Union County Ohio.

W. H. STANAGE,
AGENT,
CINCINNATI.



Samuel W. Bonnett being duly sworn makes oath testifies as follows:

I had charge of Ellis Mills, the prisoner, when he had his preliminary examination before the Justice. When the Justice asked the prisoner what he had to say to the charge of shooting Mrs. Emma Johnson with intent to kill, he answered; "Well, I guess I might as well plead guilty, I don't know much about it, it is like a dream to me."

Samuel W. Bonnett

W. H. STANAGE,
AGENT,
CINCINNATI.

Jan 21st 1890

To the Coroner of Union Co. Ohio

I. on Jan 21st 1890, held an Autopsy upon the body of Mrs Emma Johnson deceased & found a gun-shot wound on the left side of the neck three inches below the lower margin of the lobe of the left ear, and penetrating the posterior border of the Sterno Clido-Mastoid muscle, passing directly in to the vertebral column and penetrating the lamina of the second vertebra and lodging in the vertebral canal, severing the spinal cord & then made a thourough examination of the Calvarium, Thoracic and Abdominal Cavities, and found the organs contained therein to be normal and compatible with health: and do find in conclusion, that the said Mrs Emma Johnson came to her death, from a gun-shot wound located on left side of neck, three inches below the lower margin of the lobe of left ear, and penetrating the posterior border of the Sterno-Clido-Mastoid Muscle, passing directly through the structures of the neck and penetrating the lamina of the second vertebra, lodging in the vertebral canal and severing Spinal Cord.

L. T. Henderson. M. D.

Sworn and subscribed to before me this 21st day of Jan. A.D. 1890.

A B Swisher
Coroner Union Co. Ohio

State of Ohio vs Ellis Miller.

Misconduct of the jury.

2 O.S. Rp. 60 –

New Trial on grounds of jury opinion

no new trial when evidence is

conflicting

23 O.S. 147 – & 165

The rule is that such conversations

as are likely to have an influence

upon the verdict &c.

Code by Whitney page 221 –

X11 Law Bulletin page 183

*Filed and Issued*

.....18.....

.....

*Clerk.*



7-7-8. The Barrett Pub. Co., Springfield, O.

# Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*

*Defendant.*

*TO CLERK: Issue Subpœna for*

1 Daniel Easterly.
2 Rhoadsburg.
3 Emanuel Easterly
4 Rhoadsburg.
5 James S. George
6 Richwood.
7
8
9
10
11
12

*to appear as witnesses in above named case.* May 28" 1890 *at* 10 *o'clock* A. *M.*

Edward W. Poplin.
*Prosecuting Attorney.*

State
vs
Miller

Precipe



Clerk Issue Subpoena. to Sheriff of Logan Co. Ohio for Charles Baldwin in case of the State of Ohio vs Ellis Miller - for Defendant -
Direct Sheriff to go to West Mansfield Logan Co Ohio, if not found there then to Big Spring (working on Ditch)
~~for~~ For Wednesday 28th May 1890

W. S. Hoopes and
D. W. Ayers
Attys for Defendant -

The State Of Ohio
vs
Ellis Miller } to Clerk - Issue Subpoena

to Sheriff of Marion Co Ohio for Dr. Walters, (formerly of Marysville Ohio) for Wednesday 28th May 1890 - for Deft -

W. S. Hoopes and
D. W. Ayers
Attys for Deft -

*Filed and Issued*

..... 18 .....

.....

*Clerk.*

*Filed and Issued*

..... 18 .....

.....

*Clerk.*

*Filed and Issued*

..... 18 .....

.....

*Clerk.*







*Filed and Issued*

..... 18 .....

.....

*Clerk.*

Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

## Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*

*Defendant.*

*TO CLERK: Issue Subpœna for*

1 Benjamen Johnson.
2 William Kennedy.
3 Edward Osborn.
4 Hattie Kennedy.
5 Allen R. Garner.
6 John Ell.
7 Adam Fosnot
8 John Fox.
9 R. D. Vangorden.
10 Michael Ell.
11 William Davis.
12 Joseph Davis

*to appear as witnesses in above named case,* May 28" 1890, *at* 9 *o'clock* A. *M.*

Edward W. Portis.
*Prosecuting Attorney.*

Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

## Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*

*Defendant.*

*TO CLERK: Issue Subpœna for*

1 Norton Reed.
2 Thomas Gibson.
3 George Paver.
4 Enoch Stewart.
5 Rose Stewart
6 Henry C. Kennedy.
7 Simeon Shields
8 Susan Shields.
9 John Conley.
10 Edward Corsley.
11 Alexander Davis.
12 James Williams.

*to appear as witnesses in above named case.* May 28" 1890, *at* 9 *o'clock* A. *M.*

Edward W. Portis.
*Prosecuting Attorney.*

Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

## Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*

*Defendant.*

*TO CLERK: Issue Subpœna for*

1 William Williams.
2 Allie Green.
3 Lew Hollycross.
4 Charles A. Baldwin
5 Wesley Garrard.
6 Scott Gibson.
7 W. M. Wright.
8 S. W. Bonnett.
9 A. B. Swisher.
10 L. T. Henderson
11 R. H. Radebaugh.
12 Dr. White.

*to appear as witnesses in above named case,* May 28" 1890, *at* 9 *o'clock* A. *M.*

Edward W. Portis.
*Prosecuting Attorney.*

Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

## Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*

*Defendant.*

*TO CLERK: Issue Subpœna for*

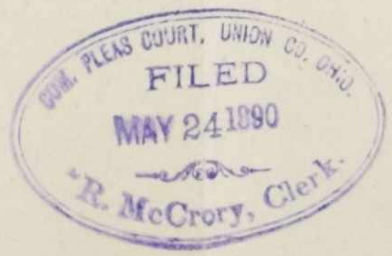
1 W. O. Shaun.
2 Robert Epps.
3 Clara Finley.
4 Cassius Williams.
5 Shannon Davis.
6
7
8
9
10
11
12

*to appear as witnesses in above named case,* May 28" 1890, *at* 9 *o'clock* A. *M.*

Edward W. Portis.
*Prosecuting Attorney.*

State
vs
Miller —

Precipe



The State of Ohio
vs
Ellis Miller

Clerk - Issue subpoena to Sheriff of Union Co. Ohio for. J. D. Adams. A. B. Butler W. W. Butler - Bill Dyle - Thomas Jenkins - Jacob Debot - Gield Debolt Mrs. Kinney - John Lloyd. Melissa Lloyd. Edd Walters - Ida. Walters - Harriott Vansant - Cyrus Harris - Dr King - Wm Lenox - Amos Miller - Mrs. Amos Miller Marion Flickinger. Marion Hopkins Amos Burris - Thomas Mapes - Mrs. Thomas Mapes - Jeff Maddox - Alvin Bellus - Scott Adams - Samuel Bonnett - J. Q. Southard -

Returnable May 28th 1890
Witnesses for the Deft -

W. T. Hoopes
and D. W. Ayers
Attys for Deft -

State
vs
Miller

Precipe



The State of Ohio
vs
Ellis Miller

Clerk. Issue Subpoena to Sheriff Union Co Ohio for Dennis McGraw. Lyda Piper - Wm Smith Tom Gibson - Joe Davis Edd Conley Evans Linley - Mrs Evans Linley John Lox - Mrs. John Lox John Shiller Orin Hammond John White - for May 28, 1890 for Defts.

W. S. Hoops and
D. W. Keys
Attys for Defts

State of Ohio

vs

Ellis Miller

Affidavit

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 28 1890
R. McCrory, Clerk.

The State of Ohio } In Union County
vs } Court of Common
Ellis Miller } Pleas

The State of Ohio Union County ss.
Jacob Fist being first duly sworn
deposes and says as follows.
I am 53 years of age and for the
last fifteen years I have been a
resident of Union County Ohio
For the ten years immediately
preceding last April (1891) I was
a resident of Jackson Township
said County.
I spell my name Fist but I am
frequently called Fish. My name
has been on the Treasurers books as
Fish while on the Auditors books it
was Fist my neighbors call me
by both names. I have been well
acquainted with the people of said
Jackson Township for more than
ten years and know that there is
no other Jacob Fish living in
the Township or has lived there
during the last ten years.
Last April just after the Spring
Election I moved just over the
line of Jackson Township into
Claybourne Township said County.
I was told by one of the Trustees
of Jackson Township (J. H. Teare)

that I might just as well go to Marysville and serve as a juror as any body and although he did not say so in so many words he gave me to understand that my name had been sent in to serve as a juror. This was last year he told me this I cannot give the exact date.

I was served by the Sheriff with a ~~summons~~ suppena as a juror in this case and in good faith appeared under said suppena. and was called and examined as a juror and excused for cause

From the fact that I am called Jacob Fist so often I am satisfied I was the real party intended as a juror. a copy of the summons as a juror in this action is hereto attached marked "A."

I am so frequently called Jacob Fist that I answer to that name as readily as to my real name which as I have said I spell "Fist."

Up to the first of last April I was a resident voter of Jackson Township Grand County and the only man by the name of Jacob Fist or Jacob Fist in said Township.

And further saith not.

Jacob Fist

Sworn to before me and signed in my presence this 28 day of May 1890

R. McCrory Clerk

By W. M. Wright - Depy


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 29 2020

No. .....

State of Ohio, *Plaintiff.*

*vs.*

Ellis Miller, *Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 John Cooley,

2 .....

3 .....

4 .....

5 .....

6 .....

Returnable the 28th day of

May, 1870

E. M. Dorlin

Att'y for State of Ohio

COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 2[illegible] 1890
R. McCleary, Clerk.

No. 806.

State of Ohio. Plaintiff.

vs.

Ellis Miller. Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 Frank Mummel

2 Pottersburg.

3

4

5

6

Returnable the 29th day of

May, 1890

at 8½ o'clock A. M.

Att'y for E. W. Porter.


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 23 1890
R. McCrory, Clerk.

No. _____

The State of Ohio
Plaintiff.

vs.

Ellis Miller
Defendant.

TO CLERK:

Issue Subpoenas to Sheriff of Putnam Co. O. witness, to-wit:

1 _____
2 Elizabeth Harris
3 _____
4 Myrtle Davis —
5 (Near Hartsburg) —
6 _____

Returnable the ~~day of~~ forthwith, 18__

W. S. Hedges and D. Davis
Att'y for Deft —


COM. PLEAS COURT,
FILED
MAY 28 1890
R. McCrory, Clerk.

No. .....

State of Ohio
Plaintiff.

vs.

Ellis Miller
Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

Deft witness, to-wit:

1 .....

2 J. J. Finley

3 " .....

4 Lodd" Longet

5 Joseph Robbins

6 .....

Returnable ~~the~~ forthwith day of

....., 18

W. S. Hoopes & Agey

Att'y for Deft

*Filed and Issued*

.....*18*.....

.....*Clerk.*



Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

# Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*
Ellis Miller
*Defendant.*

*TO CLERK: Issue Subpœna for*

1 Jacob Fish
2
3
4
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7
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9
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11
12

*to appear as witnesses in above named case.* 18 , *at* *o'clock* *M.*

E. M. Parker
*Prosecuting Attorney.*

Sworn to before me and signed
my presence this 2d day of May 1890
R. McCrory Clerk
By W. M. Wright - Deputy

Sheet of Ohio
vs
Ellis Miller
A Davis

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 28 1890
R. McCrory, Clerk

The State of Ohio
vs
Ellis Miller

In Union County
Court of Common
Pleas.

State of Ohio Union County ss.
Thomas Martin being first duly sworn
deposes and says as follows
I am the Sheriff of said County and the
venire for the jury in this case was
placed in my hands to serve.
In serving the same I went to Jackson
township and made inquiry among the residents
of said County for Jacob "Fisk" I was
told that the man I served was called
Jacob Fisk sometimes. also called Jacob
"Fist" I also learned that there was no
other Jacob "Fisk" in said County
or had been there for many years
When I served said Jacob "Fist" or
Jacob "Fisk" I learned from him that
he spelled his name "Fisk" but that
he was commonly called Jacob
"Fisk." being satisfied that he was
the real party intended to be called
as a juror and the party called for
in the venire I made service on him
and he made his appearance as a juror
At the time I made the service the
said Jacob was living in said County
Union Claybourne Township near the
line of said Jackson Township.

Thomas Martin


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY
R. McCrory, Clerk.

No. .....

The State of Ohio

Plaintiff.

vs.

Ellis Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for Deft witness, to-wit:

1 William Kirby

2 Emma Walters

3 Libbie Miller

Cast two Prospect

Marion Co Ohio

5 Jane Dial (Richwood O)

6

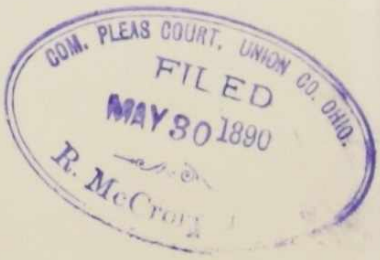
Returnable the forthwith day of

, 18

W. T. Hoopes and Dwayer

Att'y for Deft


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 30 1890
R. McCrory
Clerk.


COM. PLEAS COURT, UNION CO. OHIO.
FILED
MAY 30 1890
R. McCrory

No. .....

State of Ohio
Plaintiff.

vs.

Ellis Fuller.
Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 Calvin Fegley

2 .....

3 .....

4 .....

5 .....

6 .....

Returnable the forthwith day of

....., 18

Porter & Cameron

Att'y for State

*Filed and Issued*

..... *18*

..... *Clerk.*



Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

# Præcipe for Witnesses in State Case.

*No.* *Page*

THE STATE OF OHIO,
*vs.*
Ellis Miller
*Defendant.*

*TO CLERK: Issue Subpœna for*

1 Nicholas Moore.
2
3
4
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12

*to appear as witnesses in above named case.* May 31st 1890, *at* 8½ *o'clock* A. *M.*

Edward W. Porter,
*Prosecuting Attorney.*

No. of Case 806

# COMMON PLEAS COURT.

THE STATE OF OHIO,
vs.
Ellis Miller

**Subpœna for Defft — Witness.**

Returnable Forthwith 18

Ret'd and Filed

Clerk.

Ayers ~~Porter~~

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Mystic Davis | 30 |
| Elizabeth Harris | |
| Served Personally May 30. 1890. | |

D. C. Williamson Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Docketing & Mileage | | 30 |
| Service and Return | | 45 |
| Mileage. ~~80~~ 60. | 4 | 80 |
| Copies | | 50 |
| Total | $6 | 05 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF ~~SAID~~ Putnam COUNTY:

*You are hereby commanded to subpœna*

Elizabeth Harris
Myrtie Davis
Near Hartsburgh

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ~~29th~~ *day of* Forthwith *A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

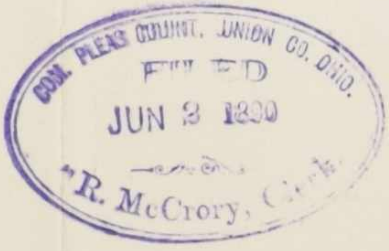
Ellis Miller

*on behalf of the* Defft ; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 28th *day of* May *A. D. 18*90

R. McCray

*Clerk of Court of Common Pleas.*


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 3 1890
R. McCrory, Clerk

No. .....

The State of Ohio

Plaintiff.

vs.

Ellis Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for Deft witness, to-wit:

1 ~~George Davis~~

2 Dole Mullen

3 Marion Kelly crop

4 Chas Stickney

5

6

Returnable the Forthwith day of

Th. J. Hoopes, 18

D. W. Cyer and

Att'y for Deft


COM. PLAS CRT. CUY. CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

No. 806-

State of Ohio

Plaintiff.

vs.

Ellis Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for State witness, to-wit:

1

2 Frank Foole

3

4

5

6

Returnable the fortnight day of

Ew Parker, 18

J L Cannon

Att'y for State

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1880
R. McCrory, Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1880
R. McCrory, Clerk.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 4 1880
R. McCrory, Clerk.

No. .....

The State of Ohio

Plaintiff.

vs.

Ellis Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for Deft witness, to-wit:

1 Philip Livingston

2 Job Dillon

3 ~~James Grove~~

4 ~~Jef Ma~~

5

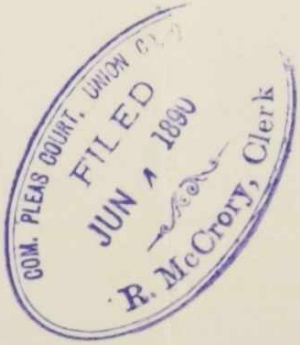
6

Returnable the Forthwith ~~day of~~

, 18

Att'y for


COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 1890
R. McCrory, Clerk.


COM. PLEAS COURT. UNION CO.
FILED
JUN 1890
R. McCrory, Clerk

No. .....

The State of Ohio
Plaintiff.

vs.

Ell Miller
Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

Def witness, to-wit:

1 James Grow
2 Dr Masters
3 Jef Mallot
4 Dr Wright
5 Dr Vogar
6 Dr McKinne

Dr Smith

Returnable the Fortnorth day of

, 18

~~Att'y for~~ Ayers & Hoops
Atty's for Def

*Filed and Issued*

..... *18*

.....

*Clerk.*



Clk. 209. †7-7-4. The Barrett Pub. Co., Springfield, O

State of Ohio vs. Ellis Miller.

**Præcipe for**

**~~GRAND JURY~~ WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 William Beard.

2

3

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15

16

Court

*to appear as witnesses before ~~Grand Jury.~~* June 7" 1890, at 8½ *o'clock A. M.*

E. N. Porter.

*Prosecuting Attorney.*

*Filed and Issued*

..... *18*

..... *Clerk.*



Clk. 209. †7-7-4. The Barrett Pub. Co., Springfield, O

State of Ohio vs. Ellis Fuller

**Præcipe for**

**~~GRAND JURY~~ WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 John Walters

2

3

4

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15

16

*to appear as witnesses ~~before Grand Jury~~. June 9" 1890, at 8 1/2 o'clock A. M.*

E. W. Parker

*Prosecuting Attorney.*

*Filed and Issued*

*18*

*Clerk.*



Clk. 209. 47-7-4. The Barrett Pub. Co., Springfield, O.

# Præcipe for ~~GRAND JURY~~ WITNESSES.

(Sec. 7198.)

TO CLERK: Issue Subpœna for

1 Charles Michaels.

2

3

4

5

6

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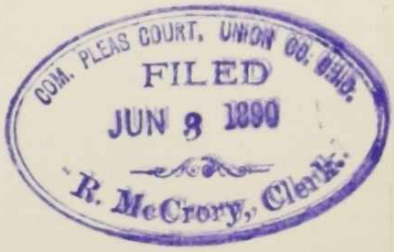
16

to appear as witnesses ~~before Grand Jury,~~ June 10th 1890, at 8½ o'clock P. M.

E. W. Parker

Prosecuting Attorney.


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 8 1890
R. McCrory, Clerk.

No. .....

State of Ohio
*Plaintiff.*

*vs.*

Ellis Miller.
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

3 witness. to-wit:

1 Peter G. Wyngar.

2 Samuel Sanders.

3 John Moore

4 .....

5 .....

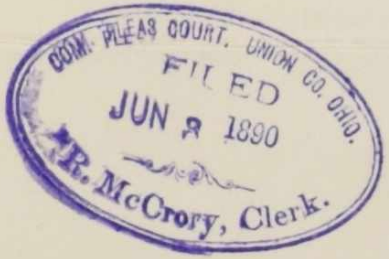
6 .....

Returnable ~~the~~ Forthwith ~~day of~~

.....; ~~0~~

Porter and Cannon

Att'y for State of Ohio.


COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 2 1890
R. McCrory, Clerk.

No. 806

State of Ohio.
*Plaintiff.*

*vs.*

Ellis Miller.
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

1
witness, to-wit:

1 Jake Morse

2

3

4

5

6

Returnable the 4th day of

June, 1890

E. N. Poorbaugh

Att'y for State

*Filed and Issued*

_____ *18*

_____

*Clerk.*



Clk. 209. †7-7-4. The Barrett Pub. Co., Springfield, O

Slatt & Otis vs. Elkins & Fuller

**Præcipe for**

**~~GRAND JURY~~ WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 Lenora Gibson

2

3

4

5

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14

15

16

*to appear as witnesses ~~before Grand Jury~~, June 10th 1890, at 8½ o'clock A. M.*

E. N. Powlen.

*Prosecuting Attorney.*

COM. PLEAS COURT. UNION CO. OHIO.
FILED
JUN 9 1880
R. McCrory, Clerk.

No. .....

The State of Ohio

Plaintiff.

vs.

Ellen Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for State witness, to-wit:

1

2 Wm Oberdier

3 D. Parish

4 Ed Judd.

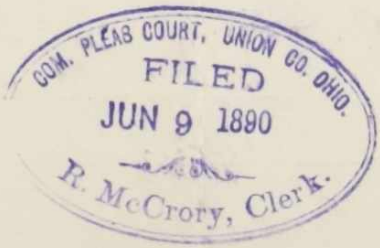
5

6

Returnable the 10 day of June 7th, 1890

E W Porter J H Clemens

Att'y for State of Ohio


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 9 1890
R. McCrory, Clerk.

No. .....

State

Plaintiff.

vs.

Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

Df witness, to-wit:

1 B F Sager

2 C E Harden

3 J H Moore

4

5

6

Returnable the Fourthwork day of

, 18

Ayers & Hoope

Att'y for Df

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 9 1880
R. McCrory, Clerk.

No. .....

State of Ohio. .....
*Plaintiff.*

*vs.*

Ellis Miller. .....
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

2 witness to-wit:

1 S. D. Elliott.

2 Benjamin Locke.

3 .....

4 .....

5 .....

6 .....

Returnable the 10th day of

June, 1890

Porter and Cameron

Att'y for State of Ohio

*Filed and Issued*

*18*

*Clerk.*



Clk. 209. 7-7-4. The Barrett Pub. Co., Springfield, O

State of Ohio vs Ellis Fuller

**Præcipe for**

**~~GRAND JURY~~ WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 David H. Henderson

2

3

4

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14

15

16

*to appear as witnesses ~~before Grand Jury~~.* June 10" 1890, at 8½ o'clock A. M.

E. N. Porter

*Prosecuting Attorney.*

*Filed and Issued*

.....*18*.....

.....

*Clerk.*

Clk. 312. 7-7-8. The Barrett Pub. Co., Springfield, O.

**Præcipe for Witnesses in State Case.**

*No.* *Page*

THE STATE OF OHIO,
*vs.*
Ellis Miller
*Defendant.*

*TO CLERK: Issue Subpœna for*

1 J. H. Treese.
2 Lemont Price.
3 Jackson township.
4
5
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12

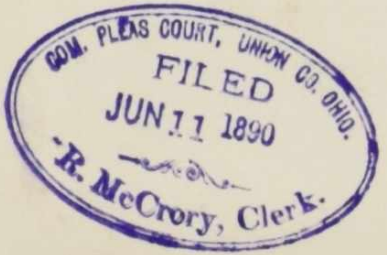
*to appear as witnesses in above named case,* May 27" 1890, *at* 8½ *o'clock* A. *M.*

Edward W. Porter
*Prosecuting Attorney.*

*Filed and Issued*

*18*

*Clerk.*



Clk. 209. 7-7-4. The Barrett Pub. Co., Springfield, O.

State of Ohio vs. Ellis Mills

**Præcipe for**

**~~GRAND~~ JURY WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 William Kinney

2

3

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16

*to appear as witnesses ~~before Grand Jury~~, June 12" 1890, at 8 1/2 o'clock A. M.*

E. N. Parker

*Prosecuting Attorney.*

*Filed and Issued*

*18*

*Clerk.*

Clk. 209. 7-7-4. The Barrett Pub. Co., Springfield, O

State of Ohio vs. Ellis Fuller -

**Præcipe for**

**GRAND JURY WITNESSES.**

(Sec. 7198.)

---

*TO CLERK: Issue Subpœna for*

1 John L. Heard.
2
3
4
5
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11
12
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15
16

COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 6 1890
E. M. [illegible] Clerk

*to appear as witnesses ~~before Grand Jury,~~* June 6" 1890, at 8 1/2 *o'clock* A. *M.*

E. N. Porter -

*Prosecuting Attorney.*


FILED
JUN 12 1890
R. McCrory, Clerk.

No. .....

State of Ohio ..... Plaintiff.

vs.

Ellis Miller ..... Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

1 ..... witness, to-wit:

1 J. H. Graham

2 .....

3 .....

4 .....

5 .....

6 .....

Returnable ~~the~~ forthwith ~~day of~~

....., 18

Porter & Cameron

Att'y for State


COM. PLEAS COURT, UNION
FILED
JUN 12 1890
R. McCrory, Clerk.

No. .....

State of Ohio
*Plaintiff.*

*vs.*

Ellis Miller
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 Thomas Martin

2 .....

3 .....

4 .....

5 .....

6 .....

Returnable ~~the~~ forthwith ~~day of~~

....., ~~19~~

Porter & Cameron

Att'y for State,


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 12 1890
R. McCrory, Clerk

No. .....

State of Ohio

Plaintiff.

vs.

Ellis Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

Std witness, to-wit:

1

2 John Zimmer

3

4 D. Webb

5

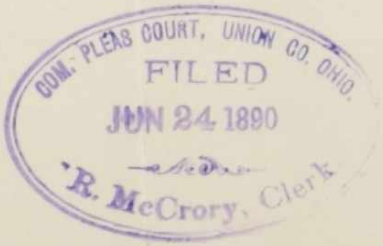
6 Mrs L. F. Martin

Returnable the forthwith day of

, 18

Ewpartie J. P. Clark

Att'y for St


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 24 1890
R. McCrory, Clerk

No. 806

State of Ohio

Plaintiff.

vs.

Alex Miller

Defendant.

TO CLERK:

Issue Subpoenas to Sheriff for

Stat witness, to-wit:

1 L. R. Drake

2 Israel Fogle

3 Conrad Berger

Lewis Cassidy

4 J. P. Crowder

5 George Sewell

H. S. Calver

6 J. C. Petit

Peter Shelter George Greenwell

Returnable the 26 day of

June, 1898

E. W. Porter J. S. Cannon

Att'y for State of Ohio


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 26 1990
R. McCrory, Clerk.

No. 806

State of Ohio
*Plaintiff.*

*vs.*

Ellis Miller
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 George Rittenhouse

2 Frank Schmidt

3

4

5

6

Returnable the 27th day of

June, 1890

at 10 o'clock A. M.

Att'y for Porter and Cameron


COM. PLEAS COURT, UNION CO. OHIO.
FILED
JUN 20 1890
R. McCrory, Clerk.

No. .....

State of Ohio.
*Plaintiff.*

*vs.*

Ellis Miller.
*Defendant.*

TO CLERK:

Issue Subpoenas to Sheriff for

1 witness, to-wit:

1 ~~Frank Schwan~~

2 Frank Schmidt.

3 .....

4 .....

5 .....

6 .....

Returnable the 26" day of

June, 1896

E. N. Poole

Att'y for State of Ohio.

THE STATE OF OHIO,

*vs.*

.....

.....

*No.*.....

..... *Term, 187*.....

**VERDICT.**

*Filed* ..... *187*.....

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Clerk –

Pay Dr.

Walters of Mason

Ohio – one Day

and discharge

him –

Ayers

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. [25.]

**THE STATE OF OHIO**
*vs.*

# COMMON PLEAS,

.....County, Ohio.

*No.*..... .....*Term, A. D. 187*.....

*Indictment for*..... .....

.....

*We, the Jury in this case, find the Defendant* .....

....., *Guilty, in manner and form as*.....*stand*

*charged in the*..... .....*Counts of the Indictment.*

.....

***Foreman.***

State of Border

of

Affidavits

As to George D. Davis, the affidavits of

F. E. Doon.
Job Pettit.
Alex Bird.
George W. Bird.
Nancy Spear.
Samuel Moore.
(Impeaching) W. O. Baldwin.
" H. R. Cahil.
" T. W. Tallman.
" Alfred Davis.
" A. Durfleiger.
" Sylvester W. Shirk.
" F. W. Moffit.
" David Logan.
" James Denman.

As to Richard Harris, the affidavits of

O. W. Smith.
L. D. Wright.
George Hornbeck.
J. W. Keller.
James Holdrette.
Noah Disbennet.
George W. Fox.
J. B. Warner.
O. L. Corey.
David W. Middleton.
James Middleton.

Affidavit of S. M. Cochran. } As to Davis
Affidavit of Frank Smith * }
" " Joseph Bayless. }
" " John Smith. }
" " J. P. Crowder. }

As to Hiram D. Herd the affidavits of

J. A. Wright
Elisha Wells.
D. K. Anthony.
J. W. McElroy.
W. H. Henderson.
Stephen Granston.
John W. Lockwood.
John M. McElroy.
James Herd.
Samuel Benton.
W. W. Rhoades.
R. D. Finley.

As to Robert Breston, the affidavits of

Robert W. Breston.
Levi Roseberry.

State vs Miller } Jury

1 ~~John Langhery~~ ✓✓ C By Deft –
2 ~~J. W. Kile~~ ✓ ✓ Ex for cause.
3 ~~Wells Hildreth~~ ✓✓ C by S
4 ~~Wm Wingfield~~ ✓✓ C. by Deft –
5 L. E. Drake ✓✓
6 ~~Simon Rogers~~ ✓✓ Ex cause
7 Israel Fogle ✓✓
8 ~~Wm H Herd~~ ✓✓ Ex for cause
9 ~~P. B. Smith~~ ✓✓ Ex for C
10 ~~Theodore Bishop~~ ✓✓ Ex for C
11 ~~James Collier~~ ✓✓ Ex for C
12 Conrad Berger ✓✓
13 ~~Adam Richey~~ ✓✓ C. by Deft –
14 ~~G. C. Edwards~~ ✓✓ C by Deft –
15 Lewis Cassady ✓✓
16 J. P. Crowder ✓✓
17 ~~Moses George~~ ✓✓ Ex for C
18 ~~A. J. Whitney~~ ✓✓ C by D
19 ~~Joseph Price~~ ✓✓ C by D
20 ~~Dan Ream~~ ✓✓ Ex for C
21 ~~James A. Reed~~ ✓✓ C. by Def
22 George Sewell ✓✓
23 ~~William Styer~~ ✓✓ Ex for C
24 Sol Britz ✓✓
25 ~~Emanuel Jarvis~~ ✓✓ C by Def
26 Wm Perkins ✓✓ Ex for C
27 ~~Jacob Fish~~ ✓✓ (Fist) Ex for C
28 ~~Beverly Depp~~ ✓✓ Ex for C
29 ~~Jonal Blue~~ ✓✓ Ex for C
30 Frank Schmidt ✓✓
31 H. S. Colver ✓✓
32 ~~Dudley Felkner~~ ✓✓ C by Deft –
33 ~~Hite Lee~~ ✓✓ Ex for C

34 J. C. Petit ✓
35 ~~Lester W. Cline~~ ✓ Ex for C
36 ~~D. C. Leonhard~~ ✓ Ex for C
37 ~~L. H. Bechtel~~ ✓ C by Deft-
38 Peter Schurtzer ✓
39 ~~Levi Kernan~~ ✓ C by Deft-
40 ~~William McAllister~~ ✓ Ex for C
41 ~~John R Taylor~~
42 ~~John W. Robinson~~ ✓ C by Deft-
43 ~~Philip Rupsright~~ ✓ Ex for C
44 ~~Hugh C. Stewart~~ ✓ Ex for C
45 ~~Harrison McVey~~ ✓ C by Deft-
46 George C. Freshwater ✓
47 Solomon Yount
48 Luther Liggett
49 Warret Owen
50 T. P. Shields
51 W. C. Henderson
52 David Shuler

Statement as to order of Affidavits

The State of Ohio.
vs.
Ellis Miller.
} Brief and review of evidence.

As to the charge of misconduct of jurors while in the jury-room per affidavits of Israel Fogle.
George Rittenhouse.
Peter Scherlzer.

As to the statement of John Loyd that L. K. Drake talked about the case at Reed & Bultz livery-stable, per affidavits of L. K. Drake.
Dyer Reed. as to the facts and witnesses impeaching John Loyd as follows:
Jason Lake.
John Cunningham.
John Ogan.
T. H. Moore.
H. L. Clark.
John W. Clark.
John Lake.
W. S. Decker.
Morris Hill.

As to the claim that Frank Smith, one of the jurors, talked about the case to various persons, to-wit:
George Davis,
Ed Waters and wife
Jacob Debolt and
Reynes Harris.

See affidavits of Frank Smith.
Lewis Cassidy
Pelt Schurtzer.
Mary Smith and
William Smith.

Also on the same point, impeaching
George Davis see affidavits of
E. L. Price.
A. M. Hedgecoxe.
Moses Coolige.
S. B. Child.
Dwight Webb and
Marion Hopkins.

Also on the same point impeaching Byrus Harris see affidavits of
Levi Rosebery.
Thomas Baldwin
L. J. Taylor.
E. D. Judd.
S. E. Williams.
G. W. Stephens.
J. D. White.

Also on the same point impeaching
O. E. Walters see affidavits of
Morris Hall.
O. Holmes.
T. H. Moore.
V. A. Collier.
John Lake.
R. E. Gaines.

S. M. Landes.
T. S. Loveless. and
Jason Case.

Also on the same point impeaching Dabol, see affidavit of
John Cunningham
George Smith.
T. S. Loveless.
J. L. Adams.
W. F. Collier.
John Lake.
John Walters.
Jason Case.

*Penitentiary No.* .....

# Certificate of Sentence

—AND—

## COST BILL IN PENITENTIARY CASES.

..... *County.*

The State of Ohio

*vs.*

.....

.....

..... *Years.*

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

.....

*Clerk* ..... *County.*

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

# Certificate for Allowance of Guards.

**Whereas,** *At the present* ..... *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* ..... *and State of Ohio, more than one person, to-wit:*

.....

.....

.....

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* ..... *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* ..... *guards for the purpose aforesaid.*

**I Certify,** *the above to be a true copy of the opinion of said Court, made at its said* ..... *Term, A. D. 18*.....

*Given under my hand and seal of said Court, this* .....

..... *A. D. 18*.....

..... *Clerk.*

*By* ..... *Deputy Clerk.*

# Certificate for Issuing Execution.

**THE STATE OF OHIO,** }

..... *County, ss.* }

*I,* .....

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* .....

.....

*an execution called* **FEIRA FACIAS,** *issued on the* ..... *day of* ..... *18*..... *against the said*

.....

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at* ..... *in the County and State aforesaid, this* ..... *day of* ..... *18*.....

..... *Clerk.*

*By* ..... *Deputy Clerk.*

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O. No. 235.

# CERTIFICATE OF SENTENCE.

*At a term of the Court of Common Pleas, begun and held at the Court House in* Marysville *within and for the County of* Union *and State of Ohio, on the* Second *day of* August *A. 18*90

*Present, the Hon.* Wheeler Rice *Judge.*

*In the record and proceedings of said Court, then and there had among the other things is the following judgment and sentence, to-wit:*

THE STATE OF OHIO, vs. Ellis Miller, } *Indictment for* Murder in the first Degree

*The said* Ellis Miller

*having been found* Guilty of Murder in the first degree

*It is therefore the sentence of the Court that* he be delivered to the Warden of *the State Penitentiary of this* within the next thirty days from this date *and kept at hard labor* that the said Warden on the 2nd day of December A.D. 1890, before the hour of Sunrise on said day, proceed to execute the warrant put into his hands by the said Sheriff, *for the term of* years *and that* Ellis Miller *pay the cost of this prosecution, taxed at* Two thousand and twenty nine and 85/100 dollars

**In Witness Whereof,** *I hereunto set my hand and affix the Seal of said Court, at* Marysville *this* 2d *day of* August *A. D. 18*90

W. H. Lowry **CLERK.**

**Deputy Clerk.**

THE STATE OF OHIO

*To Sheriff of* County, Dr.

| | | |
|---|---|---|
| *For prosecuting charges as per within account,* | $ | |
| *For transportation charges as follows:* | | |
| *Travel for self* miles each way, miles, 8c. per mile, | $ | |
| " " " guard miles each way miles, at 6c. per mile, | | |
| *Transporting* convict " one " " 5c. " " | | |
| *Total charges,* | $ | |

**Received,** *Columbus, O.,* 18 *of the Warden of Ohio Penitentiary, a certificate of allowance on the State Auditor for the above amount.*

**SHERIFF.**

THE STATE OF OHIO, } In the Court of Common Pleas.

Lucas County, ss. } May Term, 1890

No 806

806

THE STATE OF OHIO, vs. Ellis Miller } Indictment for Murder in the first degree,

# COST BILL.

Crim. Ex. Docket, No. D Page 806

806

NOTE.—Clerks should be careful to fill ALL blanks, and insert no "lump" charges.

## CLERK.

| | | | | |
|---|---|---|---|---|
| Doc. and appear Pl'ff and one Def't. 12, each add'l, 4 | | | | 12 |
| Ent. finding indictment, | | 08 | | 8 |
| " Pleas, | each, | 08 | | 8 |
| Indexing docket direct and reverse, | " | 04 | | 4 |
| General Index, | | 08 | | |
| Rule for motion and filing, | | 08 | | |
| Ent. motion on docket and index, | | 08 | | |
| Filing 22 papers and posting in app. doc., | each, | 12 | 2 7 | 3 6 |
| Taking 7 affidavits, | " | 08 | | 5 6 |
| Filing prec., issuing capias; return and its filing, | | 37 | | |
| " " " attachment; return and its filing, | | 37 | | |
| Taking justification of bail, | | 35 | | |
| Entering allowance of bail, | | 04 | | |
| " exhonoration, | | 08 | | |
| Special warrant to bring before Judge; return and filing, | | 33 | | |
| Warrant to discharge prisoner, | | 25 | | |
| Recog. def't and filing, | each, | 29 | | |
| " witness and filing, | " | 29 | | |
| Venire for jury, | | 12 | | 12 |
| Polling jury, | | 25 | | |
| Impaneling jury, | | 12 | | 12 |
| Swearing constable, Qualifying jurors | | 04 | 4 | 4 8 |
| Calling and entering tales jurors and cert., | | 08 | | |
| Filing 73 prec., issuing 73 sub. for one witness and filing, | | 16 | 11 | 6 8 |
| Additional names, 117 | each, | 04 | 4 | 4 8 |
| Swearing 61 witnesses, | " | 04 | 6 | 4 4 |
| Ent. att. of witness, 1115 days | " | 04 | 4 4 | 6 0 |
| Issuing certificate for wit., 161 | " | 04 | 6 | 4 4 |
| Ent on bar and court cal., and ind. each term, 2 | " | 08 | | 1 6 |
| Entering 13 orders on journal, 5200 | " | 08 | 4 | 4 8 |
| " verdict on journal and filing, | | 12 | | 12 |
| " rule on journal, | | 08 | | 8 |
| " judgment on journal, | | 08 | | 8 |
| Indexing 13 ent. on journal, | each, | 04 | | 5 2 |
| Trans. orders on docket, 13 | " | 08 | | |
| " verdict on docket, | | 08 | | 8 |
| " rule on docket, 2 | | 08 | | 16 |
| " judgment on docket, | | 08 | | 8 |
| Copy of indictment and certificate, 600 | | | | 48 |
| Continuance, | each, | 08 | | 8 |
| Nolle pros. or laid away, | | 08 | | |
| Entering on cash book and index, | | 12 | | 12 |
| " execution docket and index, | | 12 | | 12 |
| Notice of motion for new trial, | | 08 | | 8 |
| Cost bill, satisfaction and filing, 4000 | | 37 | | 29 |
| Making two transcripts of this cost bill, 13785 100 words, | | 08 | 3 | 20 |
| Recording 13785 words, at 8c. each 100, | | | 10 | 56 |
| Certificate of sentence, | | 35 | | 35 |
| " allowance of guard, | | 35 | | |
| " to auditor of assignment of counsel, | | 35 | | |
| Prec. for fi. fa. issue, docketing, index., and return, | | 49 | | 53 |
| Certificate for issuing fi. fa, | | 35 | | 35 |
| Indexing pending suits and living judgments, | | 15 | | 15 |
| Indexing judgments, | | 15 | | 15 |
| Certifying affidavits without seal, | | 15 | | |
| " " with 7 " | | 35 | 2 | 45 |
| | | | 137 | 51 |

## SHERIFF.

| | | | |
|---|---|---|---|
| On capias, | | | |
| Calling action, | 12 | | 12 |
| Calling 185 witnesses, | 05 | 9 | 25 |
| " jury, | 10 | | 10 |
| Summoning jury, | 40 | | 40 |
| Serving subpœna on 185 witnesses, | 10 | 18 | 50 |
| 3793 Miles travel, | 08 | 303 | 44 |
| 185 Copies, per 100 words, | 08 | 18 | 50 |
| Committing 1 prisoner to jail, | 60 | | 60 |
| Attending prisoner before court 19 days, | 60 | 11 | 40 |
| Discharging prisoner, | 60 | | 60 |
| Serving and returning order of court, | 34 | | 30 |
| Miles traveled, each, | 08 | | 8 |
| On fi. fa. serv. 35c. miles traveled, " | 08 | | 35 |
| Forfeiting recognizance, | | | |
| Serving indictment, | | | 30 |
| | | 363 | 97 |

## MAYOR.

## JUSTICE.

| | | | |
|---|---|---|---|
| Affidavit, | each, | 40 | 40 |
| Warrant, each defendant named therein, | | 40 | 40 |
| Continuance, | | 20 | |
| 1st mittimus, | | 40 | 40 |
| 2d " | | 40 | |
| Subpœna for witnesses, 25c. for 1 and 5c. for each additional, | | | |
| Recognizance, 1 witness 40c., each additional 10c., | | | |
| Swearing witnesses, | each, | 05 | |
| Judgment, | | 40 | 40 |
| Transferring judgment, | | 15 | 15 |
| Recognizance defendants, | each, | 40 | |
| Transcript, 15c. per 100 words, 300 | | | 45 |
| Certifying transcript, | | 25 | 25 |
| Final mittimus, | | 40 | 40 |
| Filing papers, 3 | each, | 05 | 15 |
| Recording 300 words, 15c. per 100, | | | 45 |
| Order on jailor for prisoner, | | 40 | |
| Appointment of special constable, | | 40 | 3 45 |

## MARSHAL.

| | | | |
|---|---|---|---|
| Constable, | | | |
| Serv. 1 war. on each def't, | 40 | | 40 |
| Travel 11 miles, 20c. for 1st, 5c. for each additional, | | | 75 |
| Serv. sub. on wit. 25 and 10c. | | | |
| Copies " each, | 25 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Serving 1 mittimus on each, | 40 | | 40 |
| Copy " for 1st, | 25 | | 25 |
| Travel 1 miles, 20c. for 1st, 5c. for each additional, | | | 20 |
| Days attend. before J. P.. | 1 00 | 1 | 00 |
| Com. to jail on warrant, | 40 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Cons. bringing pris. out for ex. | 40 | | |
| Marshall " " " " | 20 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Transporting and sustaining pris., which is allowance made by Magistrate, and certified by him, | | 2 | 00 |
| | | 5 | 00 |

## RECAPITULATION.

| | |
|---|---|
| Clerk, | 137 51 |
| Sheriff, | 363 97 |
| Mayor or Justice, | 3 45 |
| Marshall or Constable, | 5 00 |
| Witnesses, | 140 65 |
| Official Stenographer 16 days, | 11 00 |
| " " transcript 100 words, 2-5-00 | 1 80 |
| assistant 1 day | 1 50 |
| Total, to date Aug 2d 1890, | 2029 88 |

This Cost Bill is correct and allowed.

Aug 2d 1890

ATTEST: W. M. Brown Clerk.

Judge.

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| Paniel Easterly | | | 13 | 120 | 14 | 00 | |
| Emanuel Easterly | | | 13 | 120 | 14 | 00 | |
| James S Sevye | | | 12 | 36 | 13 | 80 | |
| Benjamin Johnson | | | 14 | 12 | 14 | 60 | |
| William Kennedy | | | 14 | 10 | 14 | 50 | |
| Edward Osborne | | | 14 | 12 | 14 | 60 | |
| Hettie Kennedy | | | 14 | 10 | 14 | 50 | |
| allen B Carver | | | 13 | 12 | 13 | 60 | |
| John Ell | | | 14 | 12 | 14 | 60 | |
| Adam Fussnol | | | ½ | 32 | 5 | 60 | |
| John Fox | | | 14 | 8 | 14 | 40 | |
| R D Vangorder | | | 14 | 120 | 15 | 00 | |
| Michael Ell | | | 14 | 10 | 14 | 50 | |
| William Davis, | | | | | | | |
| Joseph Davis | | | 14 | 12 | 14 | 60 | |
| Norton Reed | | | 13 | 10 | 13 | 50 | |
| Thomas Gibson | | | 14 | 12 | 14 | 60 | |
| George Paris | | | 14 | 12 | 14 | 60 | |
| Enoch Stewart | | | 14 | 12 | 14 | 60 | |
| Rose Stewart | | | 14 | 12 | 14 | 60 | |
| Henry C Kennedy | | | 14 | 10 | 14 | 50 | |
| Simeon Childs | | | 14 | 8 | 14 | 40 | |
| Susan Childs | | | 14 | 8 | 14 | 40 | |
| John Corley | | | 13 | 8 | 13 | 40 | |
| Edward Corley | | | 14 | 10 | 14 | 50 | |
| Alex Davis | | | 14 | 12 | 14 | 60 | |
| James Williams | | | 14 | 16 | 14 | 80 | |
| William Williams | | | 14 | 16 | 14 | 80 | |
| Ollie Green | | | 13 | — | 13 | 00 | |
| Lew Hollycross | | | 14 | — | 14 | 00 | |
| Wesley Gerard | | | 14 | — | 14 | 00 | |
| Court Gibson | | | 14 | — | 14 | 00 | |
| W M Winget | | | 14 | — | 14 | 00 | |
| S N Bennett | | | 14 | — | 14 | 00 | |
| A B Swisher | | | 14 | — | 14 | 00 | |
| L T Henderson | | | 14 | — | 14 | 00 | |
| H a Rodabaugh | | | 14 | — | 14 | 00 | |
| W A White | | | 14 | — | 14 | 00 | |
| W. O. Shearer | | | 14 | — | 14 | 00 | |
| J D Adams | | | 14 | 32 | 15 | 60 | |
| A B Butler | | | 6 | 34 | 7 | 70 | |
| W W Butler | | | 7 | 34 | 8 | 70 | |
| William Dyal | | | 7 | 34 | 8 | 70 | |
| Jacob Debolt | | | 10 | 34 | 11 | 70 | |
| Glenard Debolt | | | 10 | 34 | 11 | 70 | |
| Mrs Jas Kinney | | | 2 | 34 | 3 | 70 | |

TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100

Sheriff of ..... County, Ohio, for the sum of .....

being the amount of the costs in the foregoing case.

Clerk of ..... County, O.

*Penitentiary No.*

# Certificate of Sentence

—AND—

## COST BILL IN PENITENTIARY CASES.

*County.*

The State of Ohio

*vs.*

*Years.*

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

*Clerk* *County.*

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

# Certificate for Allowance of Guards.

**Whereas,** *At the present* ..... *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* ..... *and State of Ohio, more than one person, to-wit:*

.....

.....

.....

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* ..... *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* ..... *guards for the purpose aforesaid.*

**I Certify,** *the above to be a true copy of the opinion of said Court, made at its said*

..... *Term, A. D. 18*....

*Given under my hand and seal of said Court, this*.....

..... *A. D. 18*....

.....*Clerk.*

*By*.....*Deputy Clerk.*

# Certificate for Issuing Execution.

**THE STATE OF OHIO,**

..... *County, ss.*

*I,* .....

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* .....

.....

*an execution called* **FEIRA FACIAS,** *issued on the* ..... *day of* ..... *18*.... *against the said*

.....

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at*

..... *in the County and State aforesaid, this*

..... *day of* ..... *18*....

.....*Clerk.*

*By*.....*Deputy Clerk.*

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| John Loyd | | | 6 | 34 | 7 | 70 | |
| Malissa Loyd | | | 6 | 34 | 7 | 70 | |
| Ed Walters | | | 14 | 34 | 15 | 70 | |
| Ida Walters | | | 9 | 34 | 10 | 70 | |
| Cyrus Harris | | | 13 | 50 | 15 | 50 | |
| Dr E J King | | | 1 | 32 | 2 | 60 | |
| William Linx | | | 1 | 32 | 2 | 60 | |
| Amos Miller | | | 14 | 32 | 15 | 60 | |
| Mrs Amos Miller | | | 13 | 32 | 14 | 60 | |
| Marion Fleckenger | | | 7 | 34 | 8 | 70 | |
| Marion Hopkins | | | 14 | — | 14 | 00 | |
| Amos Burris | | | 8 | 10 | 8 | 50 | |
| Thomas Mapes | | | 14 | 20 | 15 | 00 | |
| Mrs Thomas Mapes | | | 14 | 20 | 15 | 00 | |
| Alvis Bellus | | | 14 | — | 14 | 00 | |
| Scott Adams | | | 13 | 10 | 13 | 50 | |
| J L Scritchard | | | 1 | 18 | 1 | 90 | |
| Dr D Walters | | | 1 | 60 | 4 | 00 | |
| Dennis McGraw | | | 14 | — | 14 | 00 | |
| William Smith | | | 14 | — | 14 | 00 | |
| Lon Gibson | | | 14 | — | 14 | 00 | |
| Evans Findley | | | 14 | 12 | 14 | 60 | |
| Mrs Evans Findley | | | 14 | 12 | 14 | 60 | |
| Mrs John Fox | | | 13 | 12 | 13 | 60 | |
| John Sheller. | | | 10 | — | 10 | 00 | |
| Robert Epps | | | 14 | 6 | 14 | 30 | |
| Clara Findley | | | 14 | 10 | 14 | 50 | |
| Cassius Williams | | | 14 | 16 | 14 | 80 | |
| W F Davis | | | 13 | 12 | 13 | 60 | |
| John VanPearce | | | 11 | — | 14 | 00 | |
| John Conley | | | | | | | |
| Frank Mummel | | | 2 | 18 | 2 | 90 | |
| J H Freese | | | 4 | 44 | 6 | 20 | |
| Samuel Price | | | 1 | 44 | 3 | 20 | |
| Jacob Fist | | | 1 | 40 | 3 | 00 | |
| Calven Figley | | | 12 | — | 12 | 00 | |
| Nicholas Moore | | | 11 | 8 | 11 | 40 | |
| Thomas Martin | | | 12 | — | 12 | 00 | |
| Frank Fort | | | 10 | — | 10 | 00 | |
| John Monroe | | | 7 | 12 | 7 | 60 | |
| Peter Hymgar | | | 8 | 32 | 9 | 60 | |
| Samuel Landis | | | 1 | 32 | 2 | 60 | |
| John Moore | | | 1 | 44 | 3 | 20 | |
| Alvin Carnes | | | 6 | — | 6 | 00 | |
| W b Malen | | | 6 | — | 6 | 00 | |
| U S Alden | | | 5 | 10 | 5 | 50 | |

*TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100*

*Sheriff of ..... County, Ohio, for the sum of .....*

*being the amount of the costs in the foregoing case.*

*Clerk of ..... County, O.*

*Penitentiary No.*.....

# Certificate of Sentence

—AND—

## COST BILL IN PENITENTIARY CASES.

.....*County.*

The State of Ohio

*vs.*

.....

.....

.....*Years.*

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

.....

*Clerk*.....*County.*

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

# Certificate for Allowance of Guards.

**Whereas,** *At the present* ..... *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* ..... *and State of Ohio more than one person, to-wit:*

.....

.....

.....

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* ..... *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* ..... *guards for the purpose aforesaid.*

**I Certify,** *the above to be a true copy of the opinion of said Court, made at its said*

..... *Term, A. D. 18*.....

*Given under my hand and seal of said Court, this*.....

..... *A. D. 18*.....

.....*Clerk.*

*By*.....*Deputy Clerk.*

# Certificate for Issuing Execution.

**THE STATE OF OHIO,** } *I,* .....

..... *County, ss.* }

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* .....

.....

*an execution called* **FEIRA FACIAS,** *issued on the* ..... *day of* ..... *18*..... *against the said*

.....

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at*

..... *in the County and State aforesaid, this*

..... *day of* ..... *18*.....

.....*Clerk.*

*By*.....*Deputy Clerk.*

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| Martin Wetzel | | | 5 | 10 | 5 | 50 | |
| Jefferson Weiser | | | 4 | 10 | 4 | 50 | |
| Jacob Fisher | | | 5 | 10 | 5 | 50 | |
| William Davis | | | 6 | — | 6 | 00 | |
| Hattie Davis | | | 6 | — | 6 | 00 | |
| Charles Stickney | | | 4 | 24 | 5 | 20 | |
| Thomas Stillings | | | 5 | 12 | 5 | 60 | |
| John D. Herd | | | 6 | — | 6 | 00 | |
| William Beard | | | 4 | 26 | 5 | 30 | |
| John Walters | | | 2 | 32 | 3 | 60 | |
| Charles Mitchell | | | 2 | 10 | 2 | 50 | |
| John Hutsun | | | 1 | 20 | 2 | 00 | |
| William Oberdier | | | 1 | 54 | 3 | 70 | |
| D Parrish | | | 1 | 54 | 3 | 70 | |
| Edward Judd | | | 1 | 50 | 3 | 50 | |
| John White | | | 7 | 6 | 7 | 30 | |
| J. Jenkins | | | 5 | 32 | 6 | 60 | |
| Richard Harris | | | 14 | 80 | 18 | 00 | |
| Sheridan Scott | | | 5 | 32 | 6 | 60 | |
| Cornelius Livingston | | | 6 | 32 | 7 | 60 | |
| J J Findley | | | 3 | 32 | 4 | 60 | |
| Todd Tonquist | | | 6 | 32 | 7 | 60 | |
| Joseph Robbins | | | 8 | 32 | 9 | 60 | |
| William Kerby | | | 1 | 32 | 2 | 60 | |
| Jane Dial | | | 6 | 34 | 7 | 70 | |
| Emma Walters | | | 13 | 44 | 15 | 20 | |
| Libbie Miller | | | 12 | 44 | 14 | 20 | |
| James M Welch | | | 11 | — | 11 | 00 | |
| A L Williams | | | 6 | 22 | 7 | 10 | |
| George Davis | | | 10 | — | 10 | 00 | |
| Henry Mitchell | | | 8 | — | 8 | 00 | |
| Charles Stickney s/r | | | 7 | 40 | 3 | 00 | |
| Wade Mullen | | | 10 | — | 10 | 00 | |
| Marion Holycross | | | 10 | — | 10 | 00 | |
| Curtis Vansickle | | | 9 | 65 | 12 | 25 | |
| Alonzo Wilson | | | 8 | 22 | 9 | 10 | |
| Joseph Livingston | | | 9 | 32 | 10 | 60 | |
| Philip Livingston | | | 2 | 36 | 3 | 80 | |
| Job Willis | | | 3 | 20 | 4 | 00 | |
| James Brown | | | 2 | 10 | 2 | 50 | |
| Dr G H Masters | | | 1 | 40 | 3 | 00 | |
| Jef Mallett | | | 8 | — | 8 | 00 | |
| Dr J N Wright | | | 5 | 20 | 6 | 00 | |
| Dr H. A. Vigor | | | 2 | 10 | 2 | 50 | |
| Dr Chas McClure | | | 5 | 20 | 6 | 00 | |
| John Smith | | | 8 | — | 8 | 00 | |

TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100

Sheriff of ..... County, Ohio, for the sum of .....

being the amount of the costs in the foregoing case.

Clerk of ..... County, O.

Penitentiary No. .....

# Certificate of Sentence

—AND—

## COST BILL IN PENITENTIARY CASES.

..... County.

The State of Ohio

vs.

Ellis Miller

Death ~~Years~~.

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

P M Crory

Clerk Union County.

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

# Certificate for Allowance of Guards.

**Whereas**, *At the present* May *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* Union *and State of Ohio, more than one person, to-wit:*

Ellis Miller

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* One *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* One *guards for the purpose aforesaid.*

**I Certify**, *the above to be a true copy of the opinion of said Court, made at its said* May *Term, A. D. 18*90

*Given under my hand and seal of said Court, this* Second *of* August *A. D. 18*90

P M Crory *Clerk.*

*By* ..... *Deputy Clerk.*

# Certificate for Issuing Execution.

**THE STATE OF OHIO,**
Union *County, ss.*

*I,* P M Crory

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* Ellis Miller

*an execution called* **FEIRA FACIAS**, *issued on the* 2d *day of* Aug *18*90 *against the said* Ellis Miller

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at* Marysville *in the County and State aforesaid, this* 2 *day of* Aug *18*90

P M Crory *Clerk.*

*By* ..... *Deputy Clerk.*

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | TOTAL AMOUNT. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| A J Hare | | | 6 | — | 6 | 00 | |
| Simeon Dewitt | | | 1 | 9 | 1 | 45 | |
| Leonora Gibson | | | 1 | 10 | 1 | 50 | |
| Benjamin Locke | | | 2 | 10 | 2 | 50 | |
| B H Sagar | | | 2 | 55 | 4 | 75 | |
| David H Henderson | | | 1 | 18 | 1 | 90 | |
| Dr King | | | 1 | 32 | 2 | 60 | |
| William Kinney | | | 1 | 32 | 2 | 60 | |
| John Zwerner | | | 1 | — | 1 | 00 | |
| Dwight Webb | | | 1 | — | 1 | 00 | |
| Mrs L F Martin | | | 1 | — | 1 | 00 | |
| J H Graham | | | 1 | 32 | 2 | 60 | |
| C E Harden ✓ | | | 1 | 50 | 3 | 50 | |
| J H Moore | | | 1 | 50 | 3 | 50 | |
| L R Drake | | | 1 | 30 | 2 | 50 | |
| Israel Fogle | | | 1 | 18 | 1 | 90 | |
| Lewis Cassady | | | 1 | 28 | 2 | 40 | |
| J P Crowder | | | 1 | 20 | 2 | 00 | |
| George Sewell | | | 1 | 40 | 3 | 00 | |
| H S Cellner | | | 1 | 28 | 2 | 40 | |
| J C Pettit | | | 1 | 6 | 1 | 30 | |
| Peter Schurtzer | | | 1 | 44 | 3 | 20 | |
| Geo C Freshwater | | | 1 | 18 | 1 | 90 | |
| Frank Schmidt | | | 1 | 18 | 1 | 90 | |
| Geo Rittenhouse | | | 1 | 14 | 1 | 70 | |
| Stephen Cranston | | | 1 | | 1 | 00 | |

TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to Thomas Martin Sheriff of Union County, Ohio, for the sum of Twenty-one and 88/100 Dollars, being the amount of the costs in the foregoing case. Dated Aug 2d 1890 B M Crory

Clerk of County, O.

Criminal Case File

Case No. 807

No 807

# Union Common Pleas.

## STATE of OHIO.

*against*

William Mayo et al

*Defendant.*

*Journal No.* ____ *Page* ____

*Record No.* ____ *Page* ____

*Ex. Doc.* ____ *Page* ____

C. E. ARVIGUST & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

No 807

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

William Mayo Isaac Mayo
& Alvin Rogers

# INDICTMENT.

— FOR —

Disturbing a Meeting

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Samuel Sherwood
Foreman of Grand Jury.

*Filed* May 27th *1870*

R McCrory *Clerk.*

Edward W Porter
Prosecuting Attorney.

Copy for Deft.

*On this* ..... *day of* .....

*18*....., *Defendant arraigned, and pleads* ..... *guilty to this indictment.*

..... Clerk.

I Certify this to be a true Copy of the Original Indictment now on file in my Office.
May 27th 1870
R McCrory Clerk
By W. M. Wright Deputy

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* May *in the year of our Lord one thousand eight hundred and* Ninety

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

William Mayo, Frank Mayo and Alvin Rogers

*late of said County, on the* Ninth *day of* March *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* and in the township of Paris, did unlawfully, willfully maliciously and knowingly interrupt and molest a certain religious Society called the Salvation Army, then and there being met together for the purpose of religious Worship in a certain Hall there situate and belonging to said Society

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter
Prosecuting Attorney, Union County, Ohio.

No 807

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

William Mays, Frank Mays, and Alvin Rogers.

# INDICTMENT.

— FOR —

Disturbing a Meeting.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Samuel Sherwood
Foreman of Grand Jury.

*Filed* COM. PLEAS COURT, UNION CO. O. FILED MAY 27 1890 R. McCrory, Clerk *18*

*Clerk.*

Edward W. Porter.
Prosecuting Attorney.

Copy for Deft.

*On this* ..... *day of* .....

*18*....., *Defendant arraigned, and pleads* ..... *guilty to this indictment.*

.....

.....
Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* May *in the year of our Lord one thousand eight hundred and* Ninety.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

William Mays, Frank Mays and Alvin Rogers

*late of said County, on the* Seventh *day of* March *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* and in the township of Paris, did unlawfully, willfully, maliciously and knowingly interrupt and molest a certain religious society, called the Salvation Army, then and there being met together for the purpose of religious worship, in a certain hall there situate and belonging to said religious society.

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward N. Potts
Prosecuting Attorney, Union County, Ohio.

Doc. ..... Page .....

# THE STATE OF OHIO

*vs.*

William Mayo

Frank Mayo & Alvin Rogers

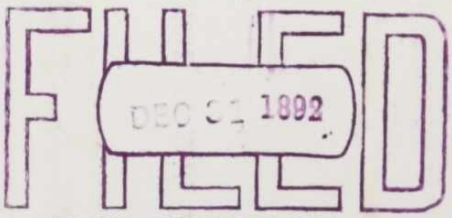
## CAPIAS.

*Ret'd and filed* ..... 187....

COM. PLEAS COURT, UNION CO., OHIO

FILED

DEC 31 1892



R. McCRORY Clerk.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House, Columbus, O.

THE STATE OF OHIO,

Union County, ss. } ~~I have arrested~~ the within named William Mayo was not found in my County

| FEES. | |
|---|---|
| Service, . . . . | $ 80 |
| Mileage, . . . | 100 |
| Conveyance, . . | |
| Assistance, . . | |
| Sustenance, . . | |
| Return, . . . | 20 |
| Total, . . . | $1.50 |

Thomas Martin Sheriff.

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. 

# CAPIAS.

THE STATE OF OHIO, Union County, ss. } To the Sheriff of said County, Greeting:

**WE COMMAND YOU** To take William Mayo Frank Mayo and Alvin Rogers

and them safely keep, so that you have their body before the Judge of the Court of Common Pleas, at the Court House in Marysville, in said County of Union,

to answer to an indictment for

Disturbing a meeting

and hereof fail not, and have you then there this writ.

WITNESS, R McCrory Clerk of said Court, at Marysville, Ohio, this 27 day of May A. D. 1870

R. McCrory Clerk.

By W. M. Wright Deputy Clerk.

Criminal Case File

Case No. 808

No. 808

# Union Common Pleas.

## STATE of OHIO.

*against*

Frank Orr

*Defendant.*

Nov. 15/90 Nolle.

1890.

*Journal No.* ____ *Page* ____

*Record No.* ____ *Page* ____

*Ex. Doc.* ____ *Page* ____

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

No 808

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

Frank Orr.

# INDICTMENT.

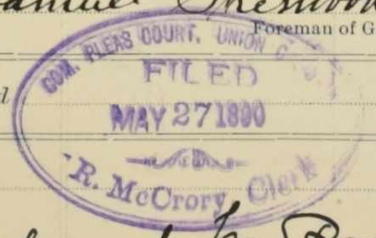
— FOR —

House Breaking and Petit Larceny.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Samuel Sherwood
Foreman of Grand Jury.




*Filed* ..... *18* .....

..... *Clerk.*

Edward W. Porter.
Prosecuting Attorney.

*On this* ..... *day of* .....
*18*....., *Defendant arraigned, and pleads* ..... *guilty to this indictment.*

.....

.....
Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* May *in the year of our Lord one thousand eight hundred and* Sixty.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Frank Orr

*late of said County, on the* 16th *day of* May *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* about the hour of eleven o'clock in the day time of said day, the warehouse & there situate of William Howard, unlawfully, willfully, maliciously and forcibly did break and enter into, with intent, then and there, the goods, chattels and property of the said William Howard in the said ware-house then and there being, then and there willfully, maliciously and forcibly to steal, take and carry away; and then and there one skinning knife of the value of twenty-five cents, of the personal property, goods and chattels of the said William Howard, in the same ware-house then and there being found, then and there willfully, maliciously and feloniously did steal, take and carry away,

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter.
Prosecuting Attorney, Union County, Ohio.

Criminal Case File

Case No. 809

No 809

# Union Common Pleas.

## STATE of OHIO.

*against*

Oliver B. Mathers

*Defendant.*

*Journal No.* ..... *Page* .....

*Record No.* ..... *Page* .....

*Ex. Doc.* ..... *Page* .....

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

No 809-

Union County Common Pleas.

THE STATE OF OHIO,

vs.

Oliver B. Mallin

# INDICTMENT.

— FOR —

Embezzlement.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Samuel Sherwood

Foreman of Grand Jury.

Filed ..... 18 .....

COM. PLEAS COURT, UNION CO. OHIO
FILED
MAY 27 1890
R. McCrory, Clerk

..... Clerk.

Edward W. Parlin.

Prosecuting Attorney.

*On this ..... day of .....*

*18....., Defendant arraigned, and*

*pleads ..... guilty to this*

*indictment.*

.....

.....

Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* May *in the year of our Lord one thousand eight hundred and* Ninety.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Oliver B. Mallin

*late of said County, on the* 15th *day of* September *in the year of our Lord one thousand eight hundred and* Eighty-seven, *with force and arms, in said County of Union and State of Ohio,* being the agent of a certain incorporated company known as the Union School Furniture Company, of the city of Battle Creek, and State of Michigan, and he the said Oliver B. Mallin being then and there, not a person under the age of eighteen years, and being then and there, not an apprentice, certain money belonging to the said Union School Furniture Company, of the amount of eleven dollars, and of the value of eleven dollars, the money and property of the said Union School Furniture Company, did unlawfully, fraudulently and feloniously embezzle and convert to his own use, without the assent of it, the said Union School Furniture Company his said employer, and without the assent of any owner or owners of said money; which said money had then and there come into the possession, and care of him the said Oliver B. Mallin by virtue of his said employment as such agent of the said Union School Furniture Company as aforesaid,

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Poston.
Prosecuting Attorney, Union County, Ohio.

Criminal Case File

Case No. 810

Nov. 26" let

No 810

# Union Common Pleas.

## STATE of OHIO.

*against*

Edward Durst —

*Defendant.*

NOV TERM. 18 90

Dec 3d 1890

Penitentiary

One year

General Index.

| | | | |
|---|---|---|---|
| *Journal No.* | 15 | *Page* | 437 |
| *Record No.* | 3 | *Page* | 183 |
| *Ex. Doc.* | D | *Page* | 817 |

C. E. ARROGUST & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

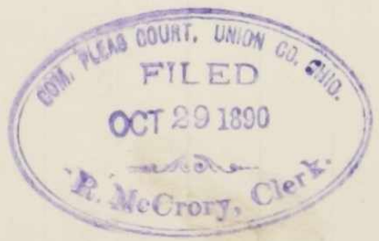
State of Ohio
vs
Ed. Durst

To the Commissioners:

The defendant herein is under indictment for a felony, and the costs should be paid. Respfy Submitted

E. N. Porter,
Pros. Atty.

Nov. 29th 1890.



State of Ohio
vs
Ed Durst

| | |
|---|---|
| Complaint | 40 |
| Warrant | 40 |
| Docket entry | 60 |
| Judgment | 40 |
| papers filed | 10 |
| Recog | 40 |
| Record | 15 |
| Lot | 20 |
| Mittimus & fly | 45 |
| Transcript | 60 |
| Certificate | 25 |
| | $3.95 |
| Marshalls fees | |
| Serv of warrant | 40 |
| Mileage | 20 |
| attending trial | 100 |
| Service and | |
| return Mittis | 40 |
| Copy | 25 |
| Mileage 32 Miles | 1.96 |
| Transportation | 3.00 |
| assistance | 1.50 |
| | $9.01 |

8 71

State of Ohio Union County S.S.

Before me the undersigned a Mayor of the village of Richwood Union County Ohio on this 22nd day of October 1890 personally came John Cuningham Marshal of said village who being duly sworne according to law deposes and says on about the 12" day of October 1890 at the village of Richwood Union County Ohio, one Ed Durst then and there being did unlawfully and maliciously shoot at affiant with a Revolver then and there held by said Ed Durst with intent then and there to kill affiant contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Ohio, (Signed) John Cuningham

Sworne to and subscribed before me this 22nd day of October 1890

Mo

Jason Case
Mayor
Of the village of Richwood Ohio

The above complaint was made and sworne to before me and subscribed in my presence on this 22nd day of October 1890

Thereupon I issued a warrant against Ed Durst and handed W. S. Decker Dept Marshal of the village of Richwood Ohio, warrant returned withe the body of the Defendant Ed Durst, withe the return as follows received this writ October 27" 1890 and executed the

Same by arresting the within named Ed Durst and now have him in Court this 27th day of Oct 1890
fees $1.60

W S Deckes Dept
Marshal

The Defendant was forthwith arraigned before me and plead not Guilty and Waived Examination of witnesses. I therefore Ordered him to enter into a Recognizance in the Sum of One Thousand Dollars with Sufficient Sureties for his appearance at Court. The Defendant not offering Sufficient bail I issued a Mittimus for his Commitment to the Jail of Union Co and delivered the Same to W. S. Deckes Dept Marshal

Jason Case
Mayor of Richwood O

October 28th 1890 Mittimus returned with the following indorsement Rec this writ Oct 27th 1890 and by virtue of the Same I have Committed the body of the within named Ed Durst to the Jail of Union County Ohio and left with the Jailor Keeper a Certified Copy of this writ Service $1.60 Copy 25 Mileage 32 Miles 1.82 Transportation $3.00 Assistance 1.50 Total $7.07

W. S. Deckes Dep
Marshal

State of Ohio Union County Claborne Township ss

I do hereby certify that the above is a full and true Copy from my docket of the proceedings had by and before me at my office in said Township in the above action

Jason Case

Mayor of the

Village of Richwood Ohio

No 810

Union County Common Pleas.

THE STATE OF OHIO,

VS.

Edward Durst

# INDICTMENT.

FOR

Shooting at with intent to kill.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown

Forman of Grand Jury.

Filed 189

FILED
NOV 7 1890

Clerk.

Edward W. Pole.

Prosecuting Attorney.

---

On this 15 day of Nov 1890, Defendant arraigned, and pleads Not guilty to this Indictment.

B. McCrory

Clerk of Court.

By W. M. Wright Deputy

STATE OF OHIO, UNION COUNTY, SS:

I, R. McCRORY, Clerk of the Court of Common Pleas, do hereby certify that the foregoing is a True and correct copy of the Indictment found by the Grand Jury at the Term, 189.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Court at Marysville, this day of

189

Clerk of Courts.

Marysville Tribune, No 502

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Ninety.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Edward Durst

*late of said County, on the* 12th *day of* October *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* with a certain pistol, commonly called a revolver, then and there loaded with gun-powder and six leaden balls, which said pistol, he, the said Edward Durst in his right hand then and there had and held, on John Cunningham did unlawfully, maliciously, feloniously, and purposely shoot at and toward, with intent then and there and thereby, him, the said John Cunningham, unlawfully, maliciously, feloniously, and purposely to kill, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second count: And the Jurors aforesaid, upon their oaths aforesaid, do further find and present, that the said Edward Durst, on the 12th day of October, in the year of our Lord one thousand eight hundred and ninety, at the county of Union aforesaid, with a certain pistol, commonly called a revolver, then and there loaded with gun-powder and six leaden balls, which said pistol, he, the said Edward Durst in his right hand then and there had and held, on John Cunningham did unlawfully, maliciously, feloniously, and purposely shoot at and toward, with intent then and there and thereby, him, the said John Cunningham,

unlawfully, maliciously, felonously and purposely to wound, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Edward W. Porter, Prosecuting Attorney,
Union County Ohio.

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

.....

Prosecuting Attorney, Union County, Ohio.

No. 810.

The State of Ohio
vs.
Edward Durst

Entry.

COM. PLEAS COURT. UNION CO. OHIO.
FILED
NOV 15 1900
R. McCrory, Clerk.

V-15-P-416

E. N. Fowler
Pros. Atty.

The State of Ohio.
vs.
Edward Durst.

No. 810.
Indictment for Shooting
at with Intent to
Kill.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant Edward Durst being brought into court in custody of the Sheriff and arraigned upon said indictment, for plea thereto saith he is "not guilty;" and puts himself upon the country, and the Prosecuting Attorney doth the like.

And it appearing that said defendant is in indigent circumstances, and unable to employ counsel, the court, at his request, assign J. W. Ayers James B. Cole as counsel to defend him.

E. W. Poston.
Pros. Atty.

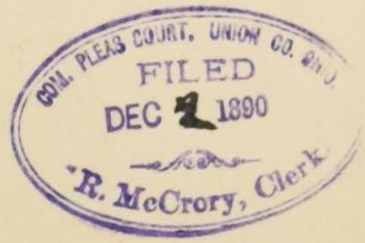
No. 810.

The State of Ohio

vs.

Edward Durst.

Entry.



COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 2 1890
R. McCrory, Clerk

J. 15. P. 437.

E. W. Porter,
Pros. Atty.

No. 810.

The State of Ohio
vs.
Edward Dusk.

Indictment for shooting at with Intent to Kill.

Entry.

This day came the Prosecuting Attorney, and the defendant being present in open court and by counsel, this cause came on for trial upon the plea of "not guilty" heretofore entered by the defendant in said cause; and thereupon came a jury, to-wit: — — — — —

who were duly impannelled and sworn to well and truly try, and true deliverance make, between the State of Ohio, and the prisoner at the bar, Edward Dusk, and thereupon the State introduced its evidence to the jury and rested its case.

And thereupon the defendant, Edward Dusk, (by his counsel) asked, and obtained leave to withdraw his plea of "not guilty" to said indictment, and to plead guilty to the second count of said indictment, and thereupon the defendant pleaded that he is guilty in manner and form as he stands charged in the second count in said indictment. And

the prosecuting attorney accepting said plea of guilty, by leave of the court entered a nolle prosequi on the first count of said indictment. And thereupon by the consent of the defendant, in open court, and on his motion, a juror is withdrawn from said panel, and the jury discharged from further consideration of said case.

And thereupon, the defendant being inquired of whether he had any thing to say why sentence should not be pronounced against him, upon his plea of guilty to the said second count of said indictment, and having nothing further to say why sentence should not be pronounced against him, the court order, adjudge, and sentence, the said defendant, Edward Durst, to be imprisoned and confined in the penitentiary of the State and kept at hard labor, but without any solitary confinement for the period of one year, and that he pay the costs of this prosecution, for which execution is awarded.

E. M. Pruitt,
Pros. Atty.

Z

State vs Ed. Durrs -
No 810

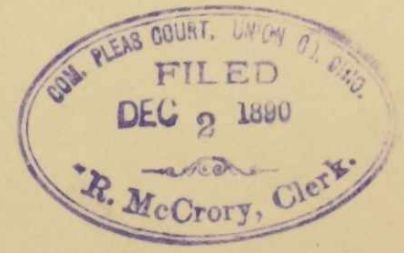
1 Ruben Poling
2 David Steidmore
3 Geo Smallwood
4 Wm McMannis
5 Robert Maskell
6 Jerome Albaugh
7 J. E. McCune
8 B. F. Norris
9 N. Farnum
10 L. C. Davis
11 Joseph Powell
12 Oscar Murphy

State of Ohio

vs

Edward Drust

Entry




J-15-P-437

State of Ohio
vs
Edward Durst
} Cause No 810

This day on Motion of the prosecuting Attorney John L Porter is appointed to assist said prosecuting attorneys in the conduct and trial of said defendant in the above entitled cause. And said John L Porter in open court accepted said appointment.

X

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Ed Durst

**Subpœna for** State **Witness.**

*Returnable* Dec 1st *1890*

*Ret'd and Filed*

*Clerk.*

COMMON PLEAS COURT, DAVIS CO. OHIO
FILED
DEC 2 1890
W. H. McCrory, Clerk.

Porter

*Att'y for* State

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| John Cunningham P | 32 |
| Jason Case P | 32 |
| Thomas M Bittle P | 32 |
| Tod Tongue P | 32 |
| Del Robinson P | 40 |
| William Charles P | 36 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* | 5 | 60 |
| *Copies* | | 60 |
| *Total* | 6 | 80 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna

John Cunningham Jason Case
Thomas M. Biddle Tod Longuet—
Dell Robinson and William Charles

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 1st day of Dec A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Edward Durst—

on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, the 24th day of Nov A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.
pr

No. of Case

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Edward Durst

**Subpœna for** State **Witness.**

*Returnable* Dec 2d 1880

*Ret'd and Filed* Clerk.

COM. PLEAS COURT, UNION CO. O.
FILED
DEC 2 1880
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

Sheriff.

*I hereby certify this to be a true copy of the original subpœna.*

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Benton Cahill C | 32 |
| Fred Moffitt C | 32 |

Thomas Martin Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage* | 3 | 20 |
| *Copies* | | 20 |
| *Total* | 3 | 60 |

Clk. 313. +-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpœna
Benton Cahill
and
Fred Moffitt
to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of December, A. D. 1870, at 8-30 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes
Edward Durst
on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 1st day of Dec A. D. 1870

B. McCrory
Clerk of Court of Common Pleas.

per W

88
32
120

No. of Case 810

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Ed Durst

**Subpœna for** State **Witness.**

*Returnable* Forthwith *18*

*Ret'd and Filed*

*Clerk.*

Porter

*Att'y for* State

*Rec'd this Writ* *18*

*at* *o'clock* *M.*

*Sheriff.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 2 1890
R. McCrory, Clerk

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Henery Martin P | 32 |
| Mike Monroe P | 32 |
| Benjamin Bem P | 40 |
| Alfred Oglesby P | 88 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 40 |
| *Mileage* | 9. | 60 |
| *Copies* | | 40 |
| *Total* | 10. | 40 |

Clk. 313. +-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpæna Henry Martin
Mike Monroe Benj Beers
Wm Ogleby
Alfred Ogleshee

to be and appear before the Court of Common Pleas, at the Court House in said County, on the ——— day of Forthworth, A. D. 18 , at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Edward Dursh

on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 2d day of Dec A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

W

No. of Case 810

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Ed Durst

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed* COM. PLEAS COURT UNION CO. OHIO. FILED DEC 9 1890 R. McCrory, Clerk. *Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| Ed Bonham | P | 50 |
| L. E Boggs | P | 44 |
| Albert Tracy | P | 32 |

Thomas Marten *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage* | 4 | 80 |
| *Copies* | | 30 |
| *Total* | 5 | 40 |

Clk. 313. +-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } To the Sheriff of said County:

*You are hereby commanded to subpœna* Ed Bonham, L. E. Boggs and Albert Tracey

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ..... *day of* Fortnorth, *A. D. 18* ..., *at* ..... *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Ed Durst —

*on behalf of the* State; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the seal of said Court, this* 2d *day of* Dec *A. D. 18*90.

R. McCrory

*Clerk of Court of Common Pleas.*

W

No. of Case 810

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Ed Furst

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed*

COM. PLEAS COURT, UNION CO., O.
FILED
DEC 2 1899
R. McCrory, Clerk.

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Jamie Beem P. | 32 |

*Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* | 2 | 88 |
| *Copies* | | 10 |
| *Total* | $ | 88 |

Clk. 313.

+-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } To the Sheriff of said County:

*You are hereby commanded to subpœna*

Fannie Beem

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* ..... *day of* Forthwith *, A. D. 18* ..... *, at* ..... *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Edward Durst —

*on behalf of the* ..... *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the seal of said Court, this* 2d *day of* Dec *A. D. 18*90

B. McCrory

*Clerk of Court of Common Pleas.*

W

No. of Case 810

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Edward Durst

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 2 1890
R. McCRORY, CLERK

*Att'y for*

*Rec'd this Writ* Dec 2 1890

*at* 3 *o'clock* P *M.*

Thomas Martin *Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

Thomas Martin *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Howard Wallest P. | 5 0 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 10 |
| *Mileage* | 4 | 00 |
| *Copies* | | 10 |
| *Total* | 4, | 20 |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County.

*You are hereby commanded to subpœna* Howard Walter

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* day of Forthwith, *A. D. 18* , *at* o'clock *A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Edward Durst

*on behalf of the* State; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the seal of said Court, this* 2d day of Dec *A. D. 18*90

H. McCord
*Clerk of Court of Common Pleas.*

*No. of Case* 1

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Edward Durst —

**Subpœna for** Defl — **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

Ayers
*Att'y for* Defl —

*Rec'd this Writ* 18

*at* o'clock *M.*

COM. PLEAS COURT, MONTGOMERY CO., OHIO
FILED
DEC 2 1890
R. MARTIN, CLERK

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| Thomas Sporatt | P | 32 |
| Bird Walters | P | 32 |
| Ed Bonham | C | 50 |
| Albert Isacy | P | 32 |
| Benjamin Binky | | 32 |
| Josiah Decker | C | 42 |
| Christ Stulby | P | 32 |

Thomas Martin *Sheriff.*

### SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 70 |
| *Mileage* | 8 | 00 |
| *Copies* | | 70 |
| *Total* | 9 | 40 |

Clk 313. ('7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to subpœna Thomas Spratt
Bird Walters, Ed Bonham
Albert Tracey Benjamine Smiley
Jonah Decker and Chris Stultz

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 1st day of December A. D. 1890, at o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Edward Durst

on behalf of the Defft; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 26th day of Nov A. D. 1890

P. McGrew
Clerk of Court of Common Pleas.
By W. M. Winget Deputy

*No. of Case*

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Edward Durst -

**Subpœna for** Defl - **Witness.**

*Returnable* Dec 2d 1890

*Ret'd and Filed*

COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 2 1890
R. McCrory, Clerk

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| George Ward | P | 32 |
| H Beckwith | P | 32 |
| Ed James | P | 32 |
| William Long | P | 32 |
| Leonard Graham | P | 32 |

Jane Sutton Sick &
not Served.

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 50 |
| *Mileage* | 4 | 00 |
| *Copies* | | 60 |
| *Total* | 5 | 10 |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } To the Sheriff of said County:

You are hereby commanded to subpœna Dave Sutton
George Wood & Beckwith
Ed James, William Long
and Leonard Graham

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2 day of Dec, A. D. 1890, at 8 1/2 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Edward Durst

on behalf of the Defft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 1st day of Dec A. D. 1890

H. McCoach
Clerk of Court of Common Pleas.

per W

*No. of Case*

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Edward Durst —

**Subpœna for** Deft — **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 2 1890
R. McCrory, Clerk.

Ayers

*Att'y for* Deft —

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Mrs E Durst C. | 32 |
| Miss Durst C | 32 |
| Harry Own P | 82 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 30 |
| *Mileage* | 3 | 20 |
| *Copies* | | 30 |
| *Total* | 3. | 80 |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpœna
Mrs Edwin Durst-
Mrs Durst- and
Harry Owen
to be and appear before the Court of Common Pleas, at the Court House in said County, on the 10th day of Dec, A. D. 1890, at one o'clock P. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes
Edward Durst-
on behalf of the Defft-; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 28th day of Nov A. D. 1890

P. McCrory
Clerk of Court of Common Pleas.
pr W-

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Edward Darst —

**Subpœna for** State **Witness.**

*Returnable* 18

*Ret'd and Filed*

COMMON PLEAS COURT, [illegible] OHIO.
FILED
DEC 8 1880
[illegible], Clerk.

*Clerk.*

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| Lucy Smith C | 32 |
| Mrs Green C | 32 |
| William Croft C | 32 |
| Robert Walters C | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 40 |
| *Mileage* | 4 | 00 |
| *Copies* | | 40 |
| *Total* | 4. | 80 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna* Lucy Smith, Mrs Green William Croft and Robert Walters

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 1st *day of* December *A. D. 18*90*, at* One *o'clock* P. *M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Edward Darst —

*on behalf of the* State *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 28th *day of* Nov *A. D. 18*90

R. McCrory

*Clerk of Court of Common Pleas.*

W

X

*No. of Case* .....

## COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Ed Durst

**Subpœna for** State **Witness.**

*Returnable* Dec 10th *1840*

*Ret'd and Filed* .....

..... *Clerk.*

Perin

*Att'y for* State

*Rec'd this Writ* ..... *18*

*at* ..... *o'clock* ..... *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 2 1840
R. McCrory, Clerk.

..... *Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

..... *Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Henry Stites C | 32 |
| Edward Linder C | 32 |
| Isaiah Tyler C | 32 |
| Adam Fosnot C | 32 |
| Ralph Moffet C | 32 |
| David Johnson P | 32 |

Thomas Martin *Sheriff.*

### SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* | 4 | 00 |
| *Copies* | | 60 |
| *Total* | 5 | 20 |

Clk 313. (7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

You are hereby commanded to subpœna
Henry Stiles Edward Finley
Isaiah Tyler. Adam Fosnaugh
Ralph Moffitt & David Johnson
to be and appear before the Court of Common Pleas, at the Court House in said County, on the 1st day of Dec A. D. 1890, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Edward Durst —
on behalf of the State; and thereof to fail not, under the penalty the law. And have you then and there this writ.

Witness my hand and the Seal of said Court, this 24th day of Nov A. D. 1890

B. McCoy
Clerk of Court of Common Pleas.

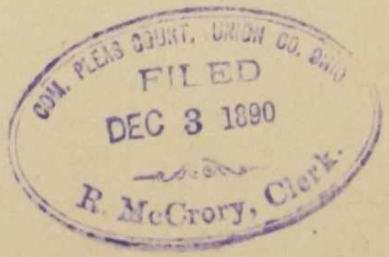
No. 810.

The State of Ohio.

vs.

Edward Dunn

Entry.




J-13-P-438

E. K. Foster.
Pros. Atty.

The State of Ohio
vs.
Edward Dusch

No. 810.

Indictment for Shooting at
with Intent to Kill.

Entry.

Hon. D. R. Ayers having on a former day been assigned as counsel to defend ~~and John L. Porter was assigned to assist the State~~ the defendant herein, it is ordered by the court that ~~the~~ he be paid for said services the sum of twenty-five dollars ~~each~~.

E. R. Porter
Pros. Atty.

State of Ohio

vs

Edward Dawson

Entry

COM. PLEAS COURT, [illegible]
FILED
DEC 8 1890
R. McCrory, Clerk



J-15-P-439-

State of Ohio
vs
Edward Dunk
} Cause No 810

The Court allows John L Porter for his services in assisting the prosecuting attorney in the trial of this cause, the sum of twenty five Dollars, and order the same paid.

Penitentiary No. 810

# Certificate of Sentence

—AND—

**COST BILL IN PENITENTIARY CASES.**

..... County.

The State of Ohio

vs.

Ed Durst

Pen

One Years.

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

Clerk ..... County.

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

## Certificate for Allowance of Guards.

**Whereas,** *At the present* ..... *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* ..... *and State of Ohio, more than one person, to-wit:*

.....

.....

.....

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* ..... *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* ..... *guards for the purpose aforesaid.*

**I Certify,** *the above to be a true copy of the opinion of said Court, made at its said* ..... *Term, A. D. 18* .....

*Given under my hand and seal of said Court, this* .....

..... *A. D. 18* .....

..... Clerk.

By ..... Deputy Clerk.

## Certificate for Issuing Execution.

**THE STATE OF OHIO,**
Union County, ss.

*I,* R. McCrory

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* Edward Durst

*an execution called* **FEIRA FACIAS,** *issued on the* 24th *day of* Dec 1890 *against the said* Edward Durst

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at* Marysville *in the County and State aforesaid, this* 4th *day of* Dec *18* .....

..... Clerk.

By ..... Deputy Clerk.

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O. No. 235.

# CERTIFICATE OF SENTENCE.

*At a term of the Court of Common Pleas, begun and held at the Court House in* Marysville *within and for the County of* Union *and State of Ohio, on the* 3d *day of* November *A. 18*42 *Present, the Hon.* John A Price *Judge.*

*In the record and proceedings of said Court, then and there had among the other things is the following judgment and sentence, to-wit:*

THE STATE OF OHIO, *vs.* Edward Durst- } *Indictment for* Shooting at- with intent- to kill

*The said* Edward Durst-

*having* been found *Guilty*

*It is therefore the sentence of the Court that* he *be imprisoned in the Penitentiary of this State and kept at hard labor* no part- of which time to be kept- in Solitary Confinement-

*for the term of* One *years and that* he *pay the cost of this prosecution, taxed at* $

**In Witness Whereof,** *I hereunto set my hand and affix the Seal of said Court, at* *this* *day of* *A. D. 18*

*CLERK.*

*Deputy Clerk.*

THE STATE OF OHIO

*To Sheriff of* *County, Dr.*

| | | |
|---|---|---|
| *For prosecuting charges as per within account,* | $ | |
| *For transportation charges as follows:* | | |
| *Travel for self* *miles each way,* *miles, 8c. per mile,* | $ | |
| " " " *guard* *miles each way* *miles, at 6c. per mile,* | | |
| *Transporting* *convict* " *one* " " 5c. " " | | |
| *Total charges,* | $ | |

**Received,** *Columbus, O.,* *18* *of the Warden of Ohio Penitentiary, a certificate of allowance on the State Auditor for the above amount.*

*SHERIFF.*

THE STATE OF OHIO, } In the Court of Common Pleas.

Huron County, ss. } November Term, 18 80

No 810

THE STATE OF OHIO, vs. Edward Durst

Indictment for Stealing at within last 2 Yrs

# COST BILL.

Crim. Ex. Docket, No. 810 Page

NOTE.—Clerks should be careful to fill ALL blanks, and insert no "lump" charges.

CLERK.

| | | | | |
|---|---|---|---|---|
| Doc. and appear Pl'ff and one Def't. 12, each add'l, 4 | | | 12 | |
| Ent. finding indictment, | | 08 | 8 | |
| " Pleas, 2 | each, | 08 | 16 | |
| Indexing docket direct and reverse, | " | 04 | 4 | |
| General Index, | | 08 | 8 | |
| Rule for motion and filing, | | 08 | | |
| Ent. motion on docket and index, | | 08 | | |
| Filing 17 papers and posting in app. doc., | each, | 12 | 2 04 | |
| Taking affidavits, | " | 08 | | |
| Filing prec, issuing capias; return and its filing, | | 37 | | |
| " " " attachment; return and its filing, | | 37 | | |
| Taking justification of bail, | | 35 | | |
| Entering allowance of bail, | | 04 | | |
| " exhonoration, | | 08 | | |
| Special warrant to bring before Judge; return and filing, | | 33 | | |
| Warrant to discharge prisoner, | | 25 | | |
| Recog. def't and filing, | each, | 29 | | |
| " witness and filing, | " | 29 | | |
| Venire for jury, | | 12 | 12 | |
| Polling jury, | | 25 | 25 | |
| Impaneling jury, | | 12 | 12 | |
| Swearing constable, | | 04 | 4 | |
| Calling and entering tales jurors and cert., | | 08 | | |
| Filing 11 prec., issuing 11 sub. for one witness and filing, | | 16 | 1 76 | |
| Additional names, 29 | each, | 04 | 1 16 | |
| Swearing 45 witnesses, | " | 04 | 1 80 | |
| Ent. att. of 45 witness, 2 dayes | " | 04 | 3 60 | |
| Issuing certificate for wit., | " | 04 | 1 80 | |
| Ent on bar and court cal., and ind. each term, | " | 08 | 8 | |
| Entering 5 orders on journal, | " | 08 | 40 | |
| " verdict on journal and filing, | | 12 | 12 | |
| " rule on journal, | | 08 | | |
| " judgment on journal, | | 08 | 8 | |
| Indexing 6 ent. on journal, | each, | 04 | 24 | |
| Trans. 4 orders on docket, | " | 08 | 8 | |
| " verdict on docket, | | 08 | 8 | |
| " rule on docket, | | 08 | 8 | |
| " judgment on docket, | | 08 | 8 | |
| Copy of indictment and certificate, | | | 1 00 | |
| Continuance, | each, | 08 | | |
| Nolle pros. or laid away, | | 08 | | |
| Entering on cash book and index, | | 12 | 12 | |
| " execution docket and index, | | 12 | 12 | |
| Notice of motion for new trial, | | 08 | | |
| Cost bill, satisfaction and filing, | | 37 | 37 | |
| Making two transcripts of this cost bill, 25-00 | 100 words, | 08 | 2 00 | |
| Recording 230 words, at 8c. each 100, | | | 1 84 | |
| Certificate of sentence, | | 35 | 35 | |
| " allowance of guard, | | 35 | 35 | |
| " to auditor of assignment of counsel, | | 35 | 35 | |
| Prec. for fi. fa. issue, docketing, index., and return, | | 49 | 49 | |
| Certificate for issuing fi. fa, | | 35 | 35 | |
| Indexing pending suits and living judgments, | | 15 | 15 | |
| Indexing judgments, | | 15 | 15 | |
| Certifying affidavits without seal, | | 15 | | |
| " " with " | | 35 | 35 | |
| | | | 21 40 | |

SHERIFF.

| | | | |
|---|---|---|---|
| On capias, | | | |
| Calling action, | 12 | | 12 |
| Calling 45 witnesses, | 05 | 2 | 25 |
| " jury, | 10 | | 10 |
| Summoning jury, | 40 | | 40 |
| Serving subpœna on 45 witnesses, | 10 | 4 | 50 |
| 666 Miles travel, | 08 | 53 | 28 |
| 45 Copies, per 100 words, | 08 | 3 | 60 |
| Committing 1 prisoner to jail, | 60 | | 60 |
| Attending prisoner before court 4 days, | 60 | 2 | 40 |
| Discharging prisoner, | 60 | | |
| Serving and returning order of court, | 34 | | 34 |
| Miles traveled, | each, 08 | | 43 |
| On fi. fa. serv. 35c. 1 miles traveled, " | 08 | | |
| Forfeiting recognizance, | | | |
| Serving indictment, | | | 35 |

$ 68,37

MAYOR. Jason Carl

JUSTICE.

| | | | |
|---|---|---|---|
| Affidavit, | each, | 40 | 40 |
| Warrant, each defendant named therein, | | 40 | 40 |
| Continuance, | | 20 | |
| 1st mittimus, | | 40 | |
| 2d " | | 40 | |
| Subpœna for witnesses, 25c. for 1 and 5c. for each additional, | | | |
| Recognizance, 1 witness 40c., each additional 10c., | | | |
| Swearing witnesses, | each, | 05 | |
| Judgment, | | 40 | 40 |
| Transferring judgment, | | 15 | |
| Recognizance defendants, | each, | 40 | |
| Transcript, 15c. per 100 words, | | | 75 |
| Certifying transcript, | | 25 | 25 |
| Final mittimus, | | 40 | 40 |
| Filing papers, | each, | 05 | 10 |
| Recording words, 15c. per 100, | | | 85 |
| Order on jailor for prisoner, | | 40 | |
| Appointment of special constable, | | 40 | |
| | | | 345 |

MARSHAL. W. S. Beaton

| | | | |
|---|---|---|---|
| Constable, | | | |
| Serv. war. on each def't, | | 40 | 40 |
| Travel 1 miles, 20c. for 1st, 5c. for each additional, | | | 20 |
| Serv. sub. on wit. 25 and 10c. | | | |
| Copies " | each, | 25 | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Serving mittimus on | each, | 40 | 40 |
| Copy " | for 1st, | 25 | 25 |
| Travel 32 miles, 20c. for 1st, 5c. for each additional, | | | |
| Days attend. before J. P.. | | 1 00 | 1 00 |
| Com. to jail on warrant, | | 40 | |
| Travel 32 miles, 20c. for 1st, 5c. for each additional, | | | 1 75 |
| Cons. bringing pris. out for ex. | | 40 | |
| Marshall " " " " | | 20 | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Transporting and sustaining pris., which is allowance made by Magistrate, and certified by him, | | | 4 50 |
| | | | 8 50 |

RECAPITULATION.

| | | |
|---|---|---|
| Clerk, | 21 | 40 |
| Sheriff, | 68 | 37 |
| Mayor or Justice, | 3 | 45 |
| Marshall or Constable, | 8 | 50 |
| Witnesses, | 145 | 40 |
| Official Stenographer days, | | |
| " " transcript 100 words, | | |
| Total, | 249 | 42 |

1.90
.80
2.70

ATTEST: ..... Clerk.

This Cost Bill is correct and allowed.

..... Judge.

..... 18.....

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| John Cunningham | | | 2 | 32 | 3 | 60 | |
| Jason Case | | | 2 | 32 | 3 | 60 | |
| Thos M. Biddle | | | 2 | 32 | 3 | 60 | |
| Jod Tonguet- | | | 2 | 32 | 3 | 60 | |
| Del Robinson | | | 2 | 40 | 4 | 00 | |
| Wm Charles | | | 2 | 36 | 3 | 80 | |
| Henry Stiles | | | 2 | 32 | 3 | 60 | |
| Edward Finley | | | 2 | 32 | 3 | 60 | |
| Isaiah Tyler | | | 2 | 32 | 3 | 60 | |
| Adam Fausnaugh | | | 2 | 32 | 3 | 60 | |
| Ralph Moffitt | | | 2 | 32 | 3 | 60 | |
| David Johnson | | | 2 | 32 | 3 | 60 | |
| Lewey Smith | | | 2 | 32 | 3 | 60 | |
| Mrs Jesse Green | | | 2 | 32 | 3 | 60 | |
| Wm W. Croft- | | | 2 | 32 | 3 | 60 | |
| Robert Walters | | | 2 | 32 | 3 | 60 | |
| Benton Cahill | | | 1 | 32 | 2 | 60 | |
| Fred Moffitt | | | 1 | 32 | 2 | 60 | |
| Henry Martin | | | 1 | 32 | 2 | 60 | |
| Mike Munroe | | | 1 | 32 | 2 | 60 | |
| Benj Beem | | | 1 | 36 | 2 | 80 | |
| Alfred Oglesbee | | | 1 | 88 | 5 | 40 | |
| Ed Bonham | | | 2 | 50 | 4 | 50 | |
| L. E. Boggs | | | 1 | 44 | 3 | 20 | |
| Albert- Tracey sr | | | 1 | 32 | 2 | 60 | |
| Jamie Beeth | | | 1 | 32 | 2 | 60 | |
| Howard Walter | | | 1 | 32 | 2 | 60 | |
| Elmer Fausnaugh | | | 2 | 32 | 3 | 60 | |
| Thos Spratt | | | 2 | 32 | 3 | 60 | |
| Bird Walters | | | 2 | 32 | 3 | 60 | |
| Albert- Tracey 2d | | | 2 | 32 | 3 | 60 | |
| Benj Sinkney | | | 2 | 32 | 3 | 60 | |
| Jonah Decker | | | 2 | 42 | 4 | 10 | |
| Chris Stultz | | | 2 | 32 | 3 | 60 | |
| Anna Dirst- | | | 2 | 32 | 3 | 60 | |
| Rebecca Dirst- | | | 2 | 32 | 3 | 60 | |
| Harry Owen | | | 2 | 32 | 3 | 60 | |
| Geo Ward | | | 1 | 32 | 2 | 60 | |
| S. Beelsmith | | | 1 | 32 | 2 | 60 | |
| Ed James | | | 1 | 32 | 2 | 60 | |
| William Long | | | 1 | 32 | 2 | 60 | |
| Leonard Graham | | | 2 | 32 | 3 | 60 | |
| Jonah Lamer | | | 1 | 32 | 2 | 60 | |
| | | | | | 145 | 40 | |

*TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100*

*Sheriff of ..... County, Ohio, for the sum of .....*

*being the amount of the costs in the foregoing case.*

*Clerk of ..... County, O.*

Criminal Case File

Case No. 811

No 811

# Union Common Pleas.

## STATE of OHIO.

*against*

George Eakins

*Defendant.*

Dec 3d 1890

Penitentiary One Year

NOV TERM. 1890

## General Index.

Journal No. 15 Page 439

Record No. 3 Page 187

Ex. Doc. D Page 811

C. E. Augoust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

The State of Ohio

to

George Eakin

Transcript

To Commissioners.

The defendant herein has been indicted for a felony. The costs should be paid.

Respfy Submitted.

E. W. Poole.

Pros. Atty.

COM. PLEAS COURT, UNION CO., OHIO.

FILED

OCT 7 1890

R. McCRORY Clerk.

The State of Ohio Union County Paris Township ss

The State of Ohio
Vs
George Eatkin

Before me W C Malin one of the Justices of the Peace for Said County: Personaly came Marion Holycroos Who being duly Sworn according to Law deposes and Says that on or about the 5 day of July A D 1890 one George Eakin in the Night Season to wit: about the hour of twelve in the Night of the Same day in the County of Union aforesaid in to the Barn of Benjamin Norris there situate: Wilfully Maliciously forcibly felonously and Burglarsly did break and Enter with intent then and there the goods chattles and Valuable property of the Said Benjamin Norris in the Said Barn then and there being: then and there felonously Willfully and Burglarously to Steal take and Carry away: and then and there in the Said barn one hundred and Nineteen Pounds of Wool of the Value of Forty one and 40/100 Dollars of the goods chattles and Property of the Said Benjmin Norris in the Said Barn then and there being found then and there felonously and burglariously did Steal take and Carry away

A M Holycroos

Sworn to by Marion Holycroos before me and Signed by him in my presence this 15th day of September A D 1890

W C Malin J P

On the 15th day of September A D 1890 I issued a warrent for the arrest of the Defendent and delivered the Same to A M Holycroos Constable

W C Malin J P

on the 16th day of September A D 1890 Warrent returned with the following Indorsement

September 16th 1890 I now have the within named George Eatkin in Court Fees Seris 40 Milage 550 Conveyance 2 35 Attendence 1,00 total 9,25

A M Holycroos Constable

On the 16th day of September A D 1890 the Defendent being in Court and the charges being read to him Says for Plea that he is Guilty

I therefore ordered him to enter into a Recognizence in the Sum of Four hundred Dollars for his appearance at the next term of the Court of Common Pleas for Said County

The defendent not offering Sufficient Bail I issued a Mittimus for his Commitment to the Jail of Said County and delivered the Same to A M Holycroos Constable

W C Malin J P

On the 16th day of September ~~A~~ D 1890 ~~Warr~~ Mittimus returned with the following Indorsement

September 16th 1890 Received this writ and took the within Named George Eokin to the Jail of Union County and Delivered him to the Jailor Thomas Martin Fees Series 40 Milage 20 Copy 25 to tol 85

A M Holycross Constable

| Justices Fees | | Constables Fees | |
|---|---|---|---|
| Filing Paper | 20 | Warrent | 40 |
| Affidavit | 40 | Milage | 550 |
| Warrent | 40 | Attendence | 100 |
| Millimus | 40 | Conveiance | 235 |
| Judgment | 40 | | $9.25 |
| Sales Tactor | 20 | Millimus | 85 |
| Record | 105 | | $10.10 |
| Transcript | 105 | | |
| Certificat | 25 | | |
| | $435 | | |

The State of Ohio Union County Parris Township ss

I do hereby certify that the above is a full and true copy from my docket of the Proceedings had by and before me at my office in said Township in the above action

W C Malin J P

October 6th 1890

No. 811.

The State of Ohio.

vs.

George Eakin

Entry

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 15 1899
R. McCrory, Clerk

J-15-P-416

E. L. Poorbaugh.
Pros. Atty.

The State of Ohio.
vs.
George Eakin.

No. 811.

Indictment for Burglary and Grand Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant George Eakin being brought into court in custody of the Sheriff, and arraigned upon said indictment for plea thereto saith he is "not guilty;" and puts himself upon the country, and the Prosecuting Attorney doth the like.

And it appearing that said defendant is in indigent circumstances and unable to employ counsel, the court, at his request, assign James B. Cole as counsel to defend him.

E. W. Poe

Pros. Atty.

Nov 15th 1890
arraigned Plead Int-
Guilty

No. 811

State of Ohio, Union Co.

COURT OF COMMON PLEAS.

November Term, 1890.

THE STATE OF OHIO,

vs.

George Eakin.

*INDICTMENT FOR*

BURGLARY AND Grand LARCENY.

*A TRUE BILL:*

Andrew Brown

*Foreman of the Grand Jury.*

This bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, for the reason of the Prosecuting Attorney.

*Prosecuting Witness.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 7 1890
R. McCrory, Clerk.

*Plea*

*Filed* 18

*Clerk.*

Edward F. Porter

*Prosecuting Att'y* Union *Co.*

Odell & Mayer, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio.

**ON THE** day of 18 I received a duly certified copy of the within indictment, by handing the same to

*Defendant.*

*Fees, $*

*By* *Deputy.*

*Sheriff.*

Odell & Mayer, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio. 

# State of Ohio, Union County,

## THE COURT OF COMMON PLEAS.

November Term in the Year Eighteen Hundred and Sixty

Union County, ss:

THE GRAND JURORS of the County of Union in the name, and by the authority of the State of Ohio, on their oaths do present and find that

George Eakin

about the hour of Twelve o'clock, in the night season of the Fifth day of July in the year one thousand eight hundred and Sixty in the County of Union aforesaid, into a certain Barn of James B. Norris

there situate and being, wilfully, maliciously, forcibly and burglariously did break and enter, with intent thereby then and there the personal goods, chattels, property and monies of ~~said~~ Benjamen Norris

in the said Barn then and there being feloniously, to steal, take, and carry away, and then and there in the said barn one hundred and nineteen pounds of wool of the value of Forty-one and 60/100 Dollars of the goods, chattels, and property of the said Benjamen Norris in the said barn then and there being found then and there feloniously and burglariously did steal, take, and carry away, contrary to the form of the Statute in case made and provided, and against the peace and dignity of the State of Ohio. Second count: And the Grand Jurors aforesaid, of the county of Union aforesaid, in the name, and by the authority of the State of Ohio aforesaid, on their oaths aforesaid, do further present and find that George Eakin, late of said county, on the fifth day of July, in the year of our Lord one thousand eight hundred and sixty, with force and arms, in

xix said county of Union and State of Ohio, unlawfully and feloniously did steal, take and carry away, one hundred and nineteen pounds of wool of the value of forty-one and 60/100 Dollars, of the goods, chattels and property of Benjamin Norris, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Edward W. Porter, Prosecuting Attorney,
Union County Ohio.

*No. of Case* 811

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

George Eakin

**Subpœna for** Deft — **Witness.**

*Returnable* Dec 2d 1890

*Ret'd and Filed*

*Clerk.*

Jas Cole

*Att'y for* Deft

COMMON PLEAS COURT, UNION
FILED
DEC 2 1890
R. McCrory, Clerk

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| George Wortine C | 8 |
| Susan Wortine C | 8 |
| George E Eakin C | 8 |
| Tobias Beightler C | 8 |
| James Gardner C | 8 |
| Mrs Gardner C | 8 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 60 |
| *Mileage* | 2 | 40 |
| *Copies* | | 60 |
| *Total* | 3, | 60 |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpœna George Worline
Susan Worline George E Eakin
Tobias Beightler James Gardner
and Mrs Gardner

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of Dec, A. D. 1890, at 8-30 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes George Eakin on behalf of the Deft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 1st day of Dec A. D. 1890

R. McCray
Clerk of Court of Common Pleas.
pr W

130

No. of Case 811–

# COMMON PLEAS COURT.

THE STATE OF OHIO,

vs.

George Eakin

**Subpœna for** Pltff **Witness.**

Returnable Dec 2d 1840

Ret'd and Filed



COM. PLEAS COURT, UNION CO. OHIO. FILED DEC 2 1840 R. McC

Clerk.

Porter

Att'y for

Rec'd this Writ 18

at o'clock M.

Sheriff.

I hereby certify this to be a true copy of the original subpœna.

Sheriff.

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Ben Norris P | 8 |
| Marion Holy Cross P | |
| James Norris C | 8 |
| Theodore Polesey P | 10 |
| Wm McManus P | |
| T. R. Drum P | 4 |
| Charles Gardner P | 8 |

Thomas Marton Sheriff.

SHERIFF'S FEES.

| | | |
|---|---|---|
| Service and Return | | 70 |
| Mileage | 2 | 40 |
| Copies | | 70 |
| Total | 3 | 80 |

Clk. 313. +-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpœna Benjamine Norris
Marion Holycross, James Norris
Theodore Bling, William McMannis
T. R. Drum and Charles Gardner

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 2d day of December, A. D. 1890, at 8-30 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes George Eakin

on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 29th day of November A. D. 1890

R. McCrory
Clerk of Court of Common Pleas.

W

*No. of Case* 811

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

George Eakin

**Subpœna for** Deft **Witness.**

*Returnable* Dec 2d 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT ... DEC 5 1890 ... R. McCrory, Clerk.

Jas. Coles

*Att'y for* Deft

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Elizabeth Beightler C | 10 |
| Jas H Roney C | |
| Jacob Leonard C | 10 |
| Michael O'Brian C | 8 |
| Jacob Nash. not found | |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 40 |
| *Mileage* | 1 | 60 |
| *Copies* | | 40 |
| *Total* | 2 | 40 |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

*You are hereby commanded to subpœna*

Elizabeth Beightler Jas. H. Rowe
Jacob Leonard, Jacob Nash
& Michael Obrian

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 2d *day of* Dec, *A. D. 18*90, *at* 8-30 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

George Eakin

*on behalf of the* Defts; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the seal of said Court, this* 1st

*day of* Dec *A. D. 18*90

R. McCrory
*Clerk of Court of Common Pleas.*

Jno W

No. 811.

The State of Ohio.

vs.

George Eakin.

Entry.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 3 1890
R. McCrory, Clerk.

J. 15. P. 439.

E. R. Porter.
Pros. Atty.

The State of Ohio.
vs.
George Eakins.

No. 811.

Indictment for Burglary and Grand Larceny:-

Entry.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "guilty;" thereupon he was inquired of if he had anything to say why judgment should not be pronounced against him, and having nothing but what he hath already said;

It is therefore adjudged by the court, that the said defendant, George Eakins, be imprisoned and confined in the penitentiary of this State, and kept at hard labor, but without any solitary confinement, for the period of one year; and that he pay the costs of this prosecution, for which execution is awarded.-

E. H. Porter.
Pros. Atty.

No. 811.

The State of Ohio

vs.

George Eakins.

Entry.



COM. PLEAS COURT, UNION CO.
FILED
DEC 3 1890
R. McCrory, C.

J-15-P440

E. W. Poole,
Pros. Atty.

The State of Ohio.
vs.
George Eakin.

No. 811.

Indictment for Burglary & Grand Larceny.

Entry -

Now. James B. Coen having been, for a former day, assigned as counsel to defend the defendant herein, it is ordered by the court that he be paid for said services the sum of twenty-five dollars.

E. F. Poston
Pros. Atty.

Penitentiary No. 811

# Certificate of Sentence

—AND—

**COST BILL IN PENITENTIARY CASES.**

..... County.

The State of Ohio

vs.

Geo Eakin

Pen

One Years.

I hereby certify the within Cost Bill to be a true copy of the original on file in my office.

Clerk ..... County.

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O.

## Certificate for Allowance of Guards.

**Whereas,** *At the present* ..... *Term of the Court of Common Pleas, begun and held at the Court House, in the County of* ..... *and State of Ohio, more than one person, to-wit:*

.....

.....

.....

*were convicted and sentenced to imprisonment in the Penitentiary of this State, and the Court, being of opinion that it is such an extraordinary case as requires the allowance of* ..... *guards to assist the Sheriff in the transportation of said convicts to said Penitentiary, do allow said* ..... *guards for the purpose aforesaid.*

**I Certify,** *the above to be a true copy of the opinion of said Court, made at its said* ..... *Term, A. D. 18*

*Given under my hand and seal of said Court, this* ..... *A. D. 18*

..... Clerk.

By ..... Deputy Clerk.

## Certificate for Issuing Execution.

**THE STATE OF OHIO,**
Union County, ss.

I, R. McCrory

*Clerk of the Court of Common Pleas, in and for said County, hereby certify, that upon the judgment and sentence in the case of the* State of Ohio *vs.* George Eakin

*an execution called* **FEIRA FACIAS,** *issued on the* 3d *day of* Dec 1890 *against the said* George Eakin

*for the costs of this prosecution according to law, and has been returned by the Sheriff of said County, endorsed "No goods or chattels, lands or tenements found, whereon to levy," and that no money has been made of the Defendants to satisfy any part of said costs.*

**Witness** *my official signature, and the Seal of said Court, at* Marysville *in the County and State aforesaid, this* 4th *day of* December 1890

..... Clerk.

By ..... Deputy Clerk.

The Troup Mfg. Co., Blank Book Makers, Stationers, Printers and Legal Blank Publishers, Dayton, O. No. 235.

# CERTIFICATE OF SENTENCE.

*At a term of the Court of Common Pleas, begun and held at the Court House in* Marysville *within and for the County of* Union *and State of Ohio, on the* Third *day of* November *A. 18*90

*Present, the Hon.* John A. Price *Judge.*

*In the record and proceedings of said Court, then and there had among the other things is the following judgment and sentence, to-wit:*

THE STATE OF OHIO, *vs.* George Eatsin } *Indictment for* Burglary & Grand Larceny

*The said* George Eatsin

*having* Been Found *Guilty* as charged in the Indictment.

*It is therefore the sentence of the Court that* He *be imprisoned in the Penitentiary of this State and kept at hard labor* No part of said time to be kept in Solitary Confinement —

*for the term of* One *years and that* He *pay the cost of this prosecution, taxed at* Eighty one dollars and Eighty-one cents

**In Witness Whereof,** *I hereunto set my hand and affix the Seal of said Court, at* Marysville *this* 4th *day of* December *A. D. 18*90

CLERK.

Deputy Clerk.

THE STATE OF OHIO

*To Sheriff of* County, Dr.

| | | |
|---|---|---|
| *For prosecuting charges as per within account,* | $ | |
| *For transportation charges as follows:* | | |
| *Travel for self* miles each way, miles, 8c. per mile, | $ | |
| " " " guard miles each way miles, at 6c. per mile, | | |
| *Transporting* convict " one " " 5c. " " | | |
| *Total charges,* | $ | |

**Received,** *Columbus, O.,* 18 *of the Warden of Ohio Penitentiary, a certificate of allowance on the State Auditor for the above amount.*

SHERIFF.

THE STATE OF OHIO,
Union County, ss.

In the Court of Common Pleas.

No 811

Nov Term, 18 90

THE STATE OF OHIO,
vs.
George Eakin

Indictment for Burglary & Grand Larceny

# COST BILL.

Crim. Ex. Docket, No. ..... Page .....

NOTE.—Clerks should be careful to fill ALL blanks, and insert no "lump" charges.

CLERK.

| | | | | |
|---|---|---|---|---|
| Doc. and appear Pl'ff and one Def't. 12, each add'l, 4 | | | 12 | |
| Ent. finding indictment, | | 08 | 8 | |
| " Pleas, 2 | each, | 08 | 16 | |
| Indexing docket direct and reverse, | " | 04 | 4 | |
| General Index, | | 08 | 8 | |
| Rule for motion and filing, | | 08 | | |
| Ent. motion on docket and index, | | 08 | | |
| Filing 9 papers and posting in app. doc., | each, | 12 | 1 08 | |
| Taking affidavits, | " | 08 | | |
| Filing prec., issuing capias; return and its filing, | | 37 | | |
| " " " attachment; return and its filing, | | 37 | | |
| Taking justification of bail, | | 35 | | |
| Entering allowance of bail, | | 04 | | |
| " exhonoration, | | 08 | | |
| Special warrant to bring before Judge; return and filing, | | 33 | 33 | |
| Warrant to discharge prisoner, | | 25 | | |
| Recog. def't and filing, | each, | 29 | | |
| " witness and filing, | " | 29 | | |
| Venire for jury, | | 12 | 12 | |
| Polling jury, | | 25 | | |
| Impaneling jury, | | 12 | 12 | |
| Swearing constable, | | 04 | 4 | |
| Calling and entering tales jurors and cert., | | 08 | | |
| Filing 3 prec., issuing 3 sub. for one witness and filing, | | 16 | 1 8 | |
| Additional names, 16 | each, | 04 | 64 | |
| Swearing witnesses, | " | 04 | | |
| Ent. att. of 18 witness, | " | 04 | 72 | |
| Issuing certificate for wit., | " | 04 | 72 | |
| Ent on bar and court cal., and ind. each term, | " | 08 | 8 | |
| Entering 3 orders on journal, | " | 08 | 24 | |
| " verdict on journal and filing, | | 12 | | |
| " rule on journal, | | 08 | | |
| " judgment on journal, | | 08 | 8 | |
| Indexing 4 ent. on journal, | each, | 04 | 16 | |
| Trans. 3 orders on docket, | " | 08 | 24 | |
| " verdict on docket, | | 08 | | |
| " rule on docket, | | 08 | | |
| " judgment on docket, | | 08 | 8 | |
| Copy of indictment and certificate, | | | 1 00 | |
| Continuance, | each, | 08 | | |
| Nolle pros. or laid away, | | 08 | | |
| Entering on cash book and index, | | 12 | 12 | |
| " execution docket and index, | | 12 | 12 | |
| Notice of motion for new trial, | | 08 | | |
| Cost bill, satisfaction and filing, | | 37 | 37 | |
| Making two transcripts of this cost bill, $25.00 | 100 words, | 08 | 2 00 | |
| Recording 2300 words, at 8c. each 100, | | | 1 84 | |
| Certificate of sentence, | | 35 | 35 | |
| " allowance of guard, | | 35 | | |
| " to auditor of assignment of counsel, | | 35 | 35 | |
| Prec. for fi. fa. issue, docketing, index., and return, | | 49 | 49 | |
| Certificate for issuing fi. fa, | | 35 | 35 | |
| Indexing pending suits and living judgments, | | 15 | 15 | |
| Indexing judgments, | | 15 | 15 | |
| Certifying affidavits without seal, | | 15 | | |
| " " with " | | 35 | | |
| | | | 12 90 | |

SHERIFF.

| | | | |
|---|---|---|---|
| On capias, | | | |
| Calling action, | 12 | 12 | |
| Calling 19 witnesses, | 05 | 95 | |
| " jury, | 10 | | |
| Summoning jury, | 40 | 40 | |
| Serving subpœna on 19 witnesses, | 10 | 1 90 | |
| 80 Miles travel, | 08 | 6 40 | |
| Copies, per 100 words, | 08 | 1 52 | |
| Committing prisoner to jail, | 60 | 60 | |
| Attending prisoner before court 3 days, | 60 | 1 80 | |
| Discharging prisoner, | 60 | | |
| Serving and returning order of court, | 34 | | |
| Miles traveled, each, | 08 | | |
| On fi. fa. serv. 35c. 2 miles traveled, " | 08 | 51 | |
| Forfeiting recognizance, | | | |
| Serving indictment, | | 30 | |
| | | 14 70 | |
| | | 16 | |
| | | 14.86 | |

MAYOR.

JUSTICE. Union

| | | | | |
|---|---|---|---|---|
| Affidavit, | each, | 40 | | 40 |
| Warrant, each defendant named therein, | | 40 | | 40 |
| Continuance, | | 20 | | |
| 1st mittimus, | | 40 | | |
| 2d " | | 40 | | |
| Subpœna for witnesses, 25c. for 1 and 5c. for each additional, | | | | |
| Recognizance, 1 witness 40c., each additional 10c., | | | | |
| Swearing witnesses, | each, | 05 | | |
| Judgment, | | 40 | | 40 |
| Transferring judgment, | | 15 | | |
| Recognizance defendants, | each, | 40 | | |
| Transcript, 15c. per 100 words, | | | 1 05 | |
| Certifying transcript, | | 25 | 25 | |
| Final mittimus, | | 40 | 40 | |
| Filing papers, 4 | each, | 05 | 20 | |
| Recording words, 15c. per 100, | | | 1 05 | |
| Order on jailor for prisoner, | | 40 | | |
| Appointment of special constable, | | 40 | | |
| | | | | 4.15 |

MARSHAL.

Constable,

| | | | |
|---|---|---|---|
| Serv. war. on each def't, | 40 | | 40 |
| Travel 110 miles, 20c. for 1st, 5c. for each additional, | | 5 50 | 5 50 |
| Serv. sub. on wit. 25 and 10c. | | | |
| Copies " each, | 25 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Serving mittimus on each, | 40 | | 40 |
| Copy " for 1st, | 25 | | 25 |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | 20 |
| Days attend. before J. P.. | 1 00 | 1 00 | |
| Com. to jail on warrant, | 40 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Cons. bringing pris. out for ex. | 40 | | |
| Marshall " " " " | 20 | | |
| Travel miles, 20c. for 1st, 5c. for each additional, | | | |
| Transporting and sustaining pris., which is allowance made by Magistrate, and certified by him, | | 2 35 | |
| | | | 10 10 |

RECAPITULATION.

| | | |
|---|---|---|
| Clerk, | 12 90 | 12 90 |
| Sheriff, | 14 70 | 14 70 |
| Mayor or Justice, | 12 29 | 10 11 |
| Marshall or Constable, | | 4.15 10 |
| Witnesses, | | |
| Official Stenographer days, | | |
| " " transcript 100 words, | | |
| Total, | | 81.81 |
| | | 4.15 |
| | | 85.96 |
| | | 249.42 |
| | | 335.38 |
| | | 332.32 |
| | | 3.06 |

This Cost Bill is correct and allowed.

ATTEST: ..... Clerk.

..... 18 .....

..... Judge.

# Witnesses in Attendance Under Recognizance or Subpoena.

NOTE.—The Mileage of Witnesses is to be allowed BOTH WAYS at 5 cts. per mile, and the WHOLE DISTANCE should be stated, and not ONE way at 10 cts. per mile.

| NAME. | Before Justice or Police Judge. | | In Court. | | Total Amount. | | REMARKS. |
|---|---|---|---|---|---|---|---|
| | Days at 50c. | Miles at 5c. | Days at $1.00. | Miles at 5c. | Dolls. | Cts. | |
| Benj Norris | | | 2 | 8 | 2 | 40 | |
| Marion Holycross | | | 2 | | 2 | 00 | |
| Jas B. Norris | | | 2 | 8 | 2 | 40 | |
| Theodore Bling | | | 2 | 10 | 2 | 50 | |
| Wm McMannis | | | 2 | | 2 | 00 | |
| J. B. Drumm | | | 2 | 11 | 2 | 20 | |
| Chas Gardner | | | 2 | 8 | 2 | 40 | |
| Lester Eakin | | | 2 | 8 | 2 | 40 | |
| Geo Worline | | | 2 | 8 | 2 | 40 | |
| Susan Worline | | | 2 | 8 | 2 | 40 | |
| Geo E Eakin | | | 2 | 8 | 2 | 40 | |
| Viola Brightler | | | 2 | 8 | 2 | 40 | |
| Jas Gardner | | | 2 | 8 | 2 | 40 | |
| Mary Gardner | | | 2 | 8 | 2 | 40 | |
| Libbie Brightler | | | 2 | 10 | 2 | 50 | |
| J. H. Roney | | | 2 | | 2 | 00 | |
| Jacob Leonard | | | 2 | 10 | 2 | 50 | |
| Jacob Nash | | | 2 | | 1 | 00 | |
| Michael Obrian | | | 2 | 8 | 2 | 40 | |
| | | | | | | | 44 10 |

*TO THE AUDITOR OF STATE.—Sir: You will please issue your warrant on the Treasurer of State to ..... Dollars, 100*

*Sheriff of ..... County, Ohio, for the sum of .....*

*being the amount of the costs in the foregoing case.*

*Clerk of ..... County, O.*

Criminal Case File

Case No. 812

No 812

# Union Common Pleas.

## STATE of OHIO.

*against*

Leslie Eakin

*Defendant.*

Nolled

Larceny 6856.

Receiving 6858.

Forgery 7227.

23 O.S. 339. as to forgery transaction

1898

*Journal No.* 15 *Page* 440

*Record No.* *Page*

*Ex. Doc.* D *Page* 812

C. E. Arbogast & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

The State of Ohio

vs

Leslie Eakin

Transcript

COM. PLEAS COURT, UNION CO., OHIO.
FILED
OCT 7 1880
R. McCRORY Clerk.

To Commissioners:

The defendant herein has been indicted for a felony. The costs should be paid.

Respfy submitted

E. W. Porter.

Pros. Atty.

The State of Ohio Union County ss

Before Wm Malin Justice of the Peace for Said County

The State of Ohio
vs
Leslie Eakin

Personally came Marion Holycross, who being duly sworn according to Law deposes and Says that on or about the 5th day of July A.D. 1890 one Leslie Eakin in the Night season to wit, about the hour of twelve in the night of the Said day; in the county of Union aforesaid: In to the barn of Benjamin Norris there situate: Unlawfully Maliciously forcably felonously and burglarously did brake and enter with intent then and there the goods chattles and valuable property of the said Benjamin Norris. In the Said Barn then and there being then and there feloniously wilfully and burglarously to Steal take and carry away: and then and there in the said barn one hundred and Nineteen pounds of wool of the ~~Said~~ value of Forty and 60/100 Dollars of the goods chattles and property of the Said Benjamin Norris in the said barn then and there being found then and there feloniously and burglariously did Steal take and carry away

Said Affiant further Says that Lesler Eakin on the 12th day of July A.D. 1890 239 pounds of wool of the value of Seventy one & 70/100 Dollars the Goods chattles and property of Benjamin Norris and Rondolph Burris then lately before Stollen taken and carried away Unlawfully and feloniously did receive and bring with intent thereby to defraud the Said Benjamin Norris and Rondolph Burris the owners of the Same he the Said Leslie Eakin then and there well Knowing the Said Goods and property to have been feloniously Stolen as aforesaid and Said affiant Says that Said Leslie Eakin is Guilty as aforesaid and further Sayeth not

Marion Holycross

Sworn to by Marion Holycross before me and Signed by him in my presents this 6th day of September A.D. 1890

Wm Malin J.P.

on the 6th day of September A.D. 1890 I issued a Warrent for the arrest of the Defendent Leslie Eakin and delivered the Some to A.M. Holycross Constable

Wm Malin J.P.

on the 8th day of September A.D. 1890 Warrent returned With the following Indorsement

September 8th 1890 I have the Body of the within Named Leslie Eakin in Court: Fees Servis 40 Milage 20 Attendence 100 total 1,60

A.M. Holycross Constable

September 8th 1890 The Defendent Leslie Eakin Being in Court and Charges read to him the defendant Waved Examination

I therefore required him to Enter in to a Recognizance in the Sume of One hundred and twenty five dollars for his appearance at the Court of Common Pleas for Union County Ohio. The defendant refused to Give Said Recognizance I Therefore Issued a Mittemus for his Confinement of the Defendant in the Jail of Union County Ohio and delivered the Same to A.M. Holycross Constable

Wm Malin J.P.

On the 8th day of September 1890 Mittimus returned With the following Indorsement

Septber 8th Received this Writ and took the within Named Leslie Eakem to the Jail of Union County and delivered him to the Jailor Thomas Martin

Fees Servis 40 Milage 20 Copy 25 Total 85

A.M. Holycross Constable

The State of Ohio Union County Paris Township ss

I do hereby certify that the above is a full and true copy from my Docket of the Proceedings had by and before me at my office in Said Township in the above action

Oct 6th 1890

Wm Malin J.P.

Justices fees

| | |
|---|---|
| Filing Papers | 25 |
| Affidavit | 40 |
| Warrent | 40 |
| Mittimus | 40 |
| Record | 1 05 |
| Transcript | 1 05 |
| Certificate | 25 |
| Satisfaction | 20 |
| Recognizance | 40 |
| | $4,00 |
| | 4,40 |

Constables fees

| | |
|---|---|
| Serving Warrent | 40 |
| Milage | 20 |
| Attendence | 1 00 |
| Mittimus | 40 |
| Milage | 20 |
| Copys | 25 |
| | $2,45 |

The State of Ohio

vs

Leslie Eakin

Transcript




To Commissioners:

The defendant herein has been indicted for a felony. The costs should be paid.

Respy submitted.

E. W. Poston.

Pros. Atty.

The State of Ohio Union County Paris Township 88

~~State of~~ The State of Ohio vs Leslie Eakin

Before W C Malin one of the Justices of the Peace for Said County

Came Marion Holycross who being duly sworn according to Law deposes and sayes that on or about the 12 day of July AD 1890 one Lester Eakin in the night season to wit about the hour of Twelve in the night of the same day: in the County of Union afforesaid in the Storehouse of Randolph Burris there situate Unlawfully maliciously forcilly felonniously and burglarously did break and enter with intent then and there the goods Chattles and Valuables property of the Said Randolph Burris in the Said Store house then and there being then and there felonniously Willfully and burglarously to Steal take and Cary away and then and there in the Said Store house one hundred and twenty Pounds wool of the Value of Thirty Six Dollars of the goods Chattles and property of the Said Randolph Burris in the Said Store house then and there being found then and there felonniously and burglarously did Steal take and Cary away and this affiant further sayes that he veraly believes the Said Leslie Eakins is guilty of the facts Charge and further Saith not

Sworn to by Marion Holycross before me and signed by him in my presence this 8th day of September AD 1890

W C Malin JP

On the 8th day of September AD 1890 I issued a Warrent for the arrest of the Said Leslie Eakin and delivered the Same to A M Holycross Constable

W C Malin JP

On the 8th day of September AD 1890 Warrent returned with the following Indorsement

September 8 1890 I have the Body of the within named Leslie Eakin in Court Fees Seris 40 Milage 70 Attendence 1.00 ~~total~~ ~~1.50~~ Conveiance 1.50 Mittimus 85 Assistance 1.50 [illegible]

A M Holycross Constable

Sept 8th AD 1890 the Defendent Leslie Eakin being in Court and Charges read to him, the Defendent waved Examination: I therefore Requerd him to Enter in to a Recognizence in the Sume of One hundred and twenty five Dollars fore his apperance at the Court of Common Please of Union County Ohio: The Defendent refused to give Sutch Recognizence I therefore issued a Mittimus for his Confinement of the Defendent to the Jail of Union County Ohio and delivered the Same to A M Holycross Constable

W C Malin JP

On the 8th day September AD 1890 Mittimus Returned with the following Indorsement

September 8th Received this writ and took the within named Leslie Eakin to the Jail of Union County and delivered him to the Jailor Thomas Martin Fees Levis 40 Milage 20 copy 25 total 85

A M Globy cross Constable

| Justices Fees | | Constables Costs | |
|---|---|---|---|
| Filing & Papers | 20 | Warrant | 40 |
| Affidavit | 40 | ~~Milage~~ Attendance ~~20~~ | 100 |
| Warrent | 40 | ~~Attendance~~ Comm ~~40~~ | 150 |
| Mileages | 40 | Mileages | ~~40~~ 85 |
| Satisfaction | 20 | ~~Mileage~~ ~~20~~ | 70 |
| Recognisance | 40 | | |
| Record | 105 | copy Milage ~~25~~ | |
| Transcript | 105 | ~~Attendance~~ | 150 |
| Certificat | 25 | | 595 |
| ~~$1,95~~ | 4,35 | | |

The State of Ohio Union County Paris Township ss

I do hereby certify that the above is a full and true copy from my Docket of the Proceedings had by and before me at my office in said township in the above action

W H Malin J P

Oct 6th 1890

Nov 15th 1890
Arraigned Plea not
Guilty —

No. 812

State of Ohio, Union Co.

COURT OF COMMON PLEAS

November Term, 1890.

THE STATE OF OHIO,

vs.

George Eakin.

INDICTMENT FOR

BURGLARY AND Grand LARCENY.

A TRUE BILL:

Andrew Brown

Foreman of the Grand Jury.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the court, at the request of the Prosecuting Attorney —

~~Prosecuting Witness.~~

Plea

Filed 18

COM. PLEAS COURT, UNION CO. OHIO
FILED
NOV 7 1890
R. McCory, Clerk.

Clerk.

Edward W. Porter

Prosecuting Att'y Union Co.

Odell & Mayer, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio.

ON THE day of 18 I served a duly certified copy of the within indictment, by handing the same to

Defendant .

Fees, $

Sheriff.

By Deputy.

Odell & Mayer, Blank Book Manufacturers and Legal Blank Publishers, Dayton, Ohio. 

# State of Ohio, Union County,

## THE COURT OF COMMON PLEAS.

November Term in the Year Eighteen Hundred and Ninety.

Union County, ss:

THE GRAND JURORS of the County of Union in the name, and by the authority of the State of Ohio, on their oaths do present and find that

George Eakin

about the hour of Twelve o'clock, in the night season of the Twelfth day of July in the year one thousand eight hundred and Ninety in the County of Union aforesaid, into a certain Store-House of

Randolph Burris

there situate and being, wilfully, maliciously, forcibly and burglariously did break and enter, with intent thereby then and there the personal goods, chattels, property and monies of said

Randolph Burris

in the said Store-House then and there being feloniously, to steal, take, and carry away and then and there in the said Store-House one hundred and twenty pounds of wool of the value of thirty-six dollars of the goods, chattels, and property of the said Randolph Burris in the said Store-House then and there being found then and there feloniously and burglariously did steal, take, and carry away, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second count: And the Grand Jurors aforesaid, of the county of Union aforesaid, in the name, and by the authority of the State of Ohio aforesaid, on their oaths aforesaid, do further find and present that George Eakin, late of said county, on the twelfth day of July in the year of our Lord one thousand eight hundred and ninety, with force

and arms in said county of Union and State of Ohio, unlawfully and feloniously did steal, take and carry away one hundred and twenty pounds of wool of the value of thirty-six dollars, of the goods, chattels, and property of Randolph Burris, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Edward W. Porter, Prosicuting Attorney.
Union County Ohio.

No. 812.

The State of Ohio

vs.

Geo. Eakin

Entry.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 15 1890
R. McCrory, Clerk.

J-15-P-417

E. K. Perkins,
Pros. Atty.

The State of Ohio. } No. 812.
vs. } Indictment for Burglary and
George Eakin. } Grand Larceny.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant George Eakin being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto, saith he is "not guilty;" and puts himself upon the country, and the Prosecuting Attorney doth the like.

And it appearing that said defendant is in indigent circumstances, and unable to employ counsel, the court, at his request, assign James B. Cole as counsel to defend him.

E. H. Porter.
Pros. Atty -

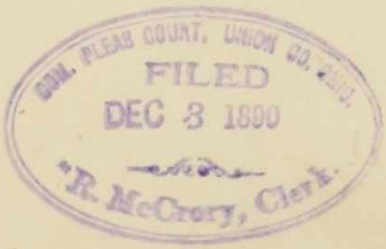
No. 812.

The State of Ohio

vs.

George Eakin.

Entry.




J-15-P 440

E. H. Porter. Pros. Atty.

The State of Ohio.
vs.
George Eakin.

No. 812.

Indictment for Burglary and Grand Larceny.

Entry.

Nolle prosequi is entered herein, by order of court, at request of the prosecuting attorney.

E. M. Porter.
Pros. Atty.

No. 812.

The State of Ohio

vs.

George Eakins.

Entry.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
DEC 8 1890
R. McCrory

J-15-P-440-

E. W. Porter.
Pros. Atty.

The State of Ohio.
vs.
George Eatcins

No. 812.

Indictment for Burglary & Grand Larceny.

Entry.

Hon. James B. Cole having been, on a former day, assigned as counsel to defend the defendant herein, it is ordered by the court that he be paid the sum of twenty-five dollars.

E. W. Porter,
Pros. Atty.

Criminal Case File

Case No. 813

No 813

# Union Common Pleas.

## STATE of OHIO.

*against*

Lester Eakin

*Defendant.*

1890

*Journal No.* *Page*

*Record No.* *Page*

*Ex. Doc.* *Page*

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

On this ..... day of .....

189..., Defendant arraigned, and pleads

..... guilty to this Indictment.

.....

.....

Clerk of Court.

STATE OF OHIO, UNION COUNTY, SS:

*I, R. McCRORY, Clerk of the Court of Common Pleas, do hereby certify that the foregoing is a True and correct copy of the Indictment found by the Grand Jury at the* ..... *Term, 189...*

*IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Court at Marysville, this* ..... *day of* .....

*189...*

.....

Clerk of Courts.

No 813

Union County Common Pleas.

*THE STATE OF OHIO,*

*VS.*

Leslie Eakin.

# INDICTMENT.

FOR

Grand Larceny, and Receiving and Concealing Stolen Goods.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown

Foreman of Grand Jury.

COM. PLEAS COURT, UNION CO., OHIO.
FILED
NOV 7 1890
R. McCrory, Clerk.

*Filed* ..... *189...*

*Clerk.*

Edward W. Porter.

Prosecuting Attorney.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Sixty.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Lestir Eakin

*late of said County, on the* 12th *day of* July *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* unlawfully and feloniously did steal, take, and carry away, one hundred and twenty pounds of wool of the value of thirty cents per pound, to-wit, of the value of thirty-six dollars, the personal property of Randolph Burris; and one hundred and nineteen pounds of wool, of the value of thirty-three and a third cents per pound, to-wit, of the value of thirty-nine and 65/100 dollars, the personal property of Benjamin Norris, making the value of all of said wool, by the said Lestir Eakin so unlawfully and feloniously stolen, taken, and carried away, to be seventy-five and 65/100 dollars, and he the said Lestir Eakin then and there unlawfully and feloniously did steal, take, and carry away all the said wools, so belonging to said Randolph Burris and to the said Benjamin Norris at the same time, and in the same transaction, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second count: And the Grand Jurors aforesaid, of the State of Ohio, aforesaid, within and for the body of the County of Union aforesaid, on their oaths aforesaid, do, further find and present that the said Lestir Eakin, on said 12th day of July, in the year of our Lord one thousand eight hundred and ninety, in the county of Union, afore-

said, unlawfully, fraudulently, and feloniously, did receive, and did conceal, one hundred and twenty pounds of wool of the value of thirty cents per pound, to-wit, of the value of thirty-six dollars, of the personal property of Randolph Burris, and one hundred and nineteen pounds of wool of the value of thirty-three and one-third cents per pound, to-wit of the value of thirty-nine and 65/100 dollars, the personal property of Benjamin Norris, making the value of all of said wools, so unlawfully, fraudulently, and feloniously so received and concealed by the said Lester Eakin, to be seventy-five and 65/100 dollars, and the said Lester Eakin so unlawfully, fraudulently, and feloniously did receive and conceal all of said wools, so belonging to the said Randolph Burris, and to the said Benjamin Norris, at the same time and in the same transaction. All of said wools of the said Randolph Burris, and the said Benjamin Norris, then and there, and lately before having been stolen, and he the said Lester Eakin then and there, when he so unlawfully, fraudulently, and feloniously did receive, and did conceal said wools, then and there well knew that all of said personal property had been stolen as aforesaid, and so the Jurors aforesaid, on their oaths aforesaid, do say that the said Lester Eakin then and there in manner and form aforesaid, unlawfully and feloniously did steal, take, and carry away, the said personal property of the said Randolph Burris and of the said Benjamin Norris contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Edward N. Porter, Prosecuting Attorney.
Union County Ohio.

~~contrary to the form of the Statute in such case made and provided, and against~~
~~the peace and dignity of the State of Ohio.~~

~~Prosecuting Attorney, Union County, Ohio~~

*On this* ..... *day of* .....

*189*..., *Defendant arraigned, and pleads*

..... *guilty to this Indictment.*

.....

..... Clerk of Court.

STATE OF OHIO, UNION COUNTY, SS:

***I, R. McCRORY,*** *Clerk of the Court of Common Pleas, do hereby certify that the foregoing is a True and correct copy of the Indictment found by the Grand Jury at the* November *Term, 1890.*

***IN TESTIMONY WHEREOF,*** *I hereunto subscribe my name and affix the Seal of the Court at Marysville, this* 17 *day of* Nov

*189*0

R. McCrory
Clerk of Courts.

By W. M. Wright Dep't

No 813

Union County Common Pleas.

*THE STATE OF OHIO,*

*VS.*

Lester Eakin

# INDICTMENT.

— FOR —

Grand Larceny, and Receiving & Concealing Stolen Goods

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown
Forman of Grand Jury.

Filed November 7th 1890

R. McCrory Clerk.

Edward W. Porter
Prosecuting Attorney.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Ninety

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Lester Eakins

*late of said County, on the* 12th *day of* July *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* unlawfully and feloniously did steal, take, and carry away, one hundred and twenty pounds of wool of the value of thirty cents per pound, towit, of the value of thirty-six dollars, the personal property of Randolph Burris; and one hundred and nineteen pounds of wool, of the value of thirty three and a third cents per pound, towit, of the value of thirty-nine and 65/100 dollars, the personal property of Benjamin Norris, making the value of all of said wool, by the said Lester Eakins so unlawfully and feloniously stolen, taken, and carried away, to be seventy-five and 65/100 dollars, and the the said Lester Eakins then and there unlawfully and feloniously did steal, take, and carry away all of the said wools, so belonging to said Randolph Burris, and to the said Benjamin Norris at the same time, and in the same transaction, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second Count: And the Grand

Jurors aforesaid, of the State of Ohio, aforesaid, within and for the body of the County of Union aforesaid, on their oaths aforesaid, do further find and present that the said Lester Eakin, on said 12th day of July, in the year of our Lord one thousand eight hundred and ninety, in the County of Union, aforesaid, unlawfully, fraudulently, and feloniously, did receive, and did conceal, one hundred and twenty pounds of wool of the value of thirty cents per pound, to-wit, of the value of thirty-six dollars, of the personal property of Randolph Burris, and one hundred and nineteen pounds of wool of the value of thirty-three and one-third cents per pound, to-wit, of the value of thirty-nine and 65/100 dollars, the personal property of Benjamin Norris, making the value of all of said wools, so unlawfully, fraudulently, and feloniously so received and concealed by the said Lester Eakin to be seventy-five and 65/100 dollars, and the said Lester Eakin so unlawfully, fraudulently, and feloniously did receive and conceal all of said wools, so belonging to the said Randolph Burris, and to the said Benjamin Norris, at the same time and in the same transaction. All of said wools of the said Randolph Burris, and the said Benjamin Norris, then and there, and lately before having been stolen, and he the said Lester Eakin then and there, when he so unlawfully, fraudulently and feloniously did receive, and did conceal said wools, then and there well knew that all of said personal property had been stolen as aforesaid, and so the Jurors aforesaid, on their oaths aforesaid, do say that the said Lester Eakin then and there in manner and form aforesaid, unlawfully and feloniously did steal, take, and carry away the said personal property of the said Randolph Burris and of the said Benjamin Norris contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Edward W. Porter, Prosecuting Attorney,
Union County, Ohio.

~~contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.~~

~~Prosecuting Attorney, Union County, Ohio.~~

Criminal Case File

Case No. 814

No. 814

# Union Common Pleas.

## STATE of OHIO.

against

Kate Chambers

Defendant.

NOV TERM. 1890

November 17th 1890
Plea Guilty
Fine $5.00

C 449 { Malen 4.45
Ohio 126 { Holyoves 1.85

General Index.

Journal No. 15 Page 418

Record No. 3 Page 189

Ex. Doc. Crim Ⓓ Page 814.

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

Return to D. APPLETON & CO.,
Room 8, 200 Main Street, CINCINNATI, Ohio,
If not delivered within 10 days.







R. McCray Esq
Marysville
Ohio


1891
AM

CINCINNATI, O., MAY 15 1891 189

M R. McCrory Marysville O

SUBSCRIPTION DEPARTMENT.

CINCINNATI OFFICE,
**200 MAIN STREET.**

C. H. BUNDY, Manager.

TO D. APPLETON & CO. DR.
PUBLISHERS
NEW YORK.

| | | |
|---|---|---|
| To 6 | *Payment on Cyclopædia of American Biography as per contract due.* | $3 00 |

*Received Payment,* MAY 16 1891
D. APPLETON & CO.
*C. H. Bundy, Genl. Mgr.*

*Please remit, returning this bill to be receipted.*

The State of Ohio

vs

Kate Chambers

Transcript

Com

COM. PLEAS COURT, UNION CO., OHIO
FILED
OCT 7 1880
R. McCRORY Clerk.

Commissioners:

The defendant herein was convicted of a misdemeanor but except in witnesses.
costs should not be paid, An allowance may be paid however, under authority of Sec. 1309 Rev. Stat. Respy Submitted.

E. N. Porter
Pros. Atty.

The State of Ohio
Against
Kate Chambers

The State of Ohio Union County ss Paris Township
Before Wm Malin Justice of the Peace

The State of Ohio )
Union County ss ) Before me Wm Malin one of the Justices of the Peace for said County; Personally came Amanda Freadmand Who being duley Sworn according to Law. deposeth and Saith that on or a bout the 16th day of August AD 1890 at the County of Union aforesaid one Kate Chambers in and upon the body of her the said Amanda Freedmand then and there being an unlawful assault did make and her the said Amanda Freedmand then and there unlawfully did strike beat wounnd and ill Treat and other wrongs to the said Amanda Freedmand then and there did contrary to the form of the Statute in such case made and provided and against the peace and Dignity of the State of Ohio and further this deponent Saith not

Amanda Freedmond

Sworn to and Subscribed before me at the County aforesaid this 18th day of August AD 1890 Wm Malin JP

on the 18th day of August AD 1890 Issued a warrant for the arrest of the defendent Kate Chambers and Delivered the Same to A M Holycross Constable Wm Malin JP

on the 18th day of August AD 1890 Warrent returned with the following Indorsement

Persuant to the comand of this writ I have arrested the within Named defendent and have her now in court this 18th day of August 1890 Fees Serv 1 40 Milage 1 20 Attendance 100 total 1.60

A M Holycross Constable

On the 18th day of August AD 1890 Issued a Subpeona for the following named witnesses to wit in behalf of the State to wit Mary Kelly Jene Rogers Lida Freedmond & Lewis Dilts

on the 18th day of August AD 1890 Subpeona returned with the following Indorsement

August 18th AD 1890 I received this writ; Returned by the defendent waiving Examenation and Bond over to the Common pleas Court Fees Return 25 A M Holycross Constable

August 18th AD 1890 the defendent being in court waives an Examination I therefore ordered her to Enter in to a Recognizence in the Sume of one hundred Dollars for her apperance to the Court of Common Pleas of Union County Ohio; The defendent Entered in to a Recognizence for her apperance at the Court of Common Pleas with Kate Chambers and Joseph Cooper as her Bonds man

Wm Malin JP

I Therefore required the Complainant to give Security for Costs

I Acknowledge my self Responcible for Costs in case the above Complaint Shall be dismissed N Freadmond

Sworn to and Subscribed before me this 18th day of August 1890

Wm Malin JP

Justices Fees

Constables Fees

| | | | |
|---|---|---|---|
| Filing 4 papers | 20 | Warrent | 40 |
| Affedavit | 40 | Milage | 20 |
| Warrent | 40 | Attendence | 1.00 |
| Subpeana | 40 | Subpeona | 25 |
| Recognizence | 40 | | 1.85 |
| Indorsement | 40 | | |
| Subpeana | 20 | | |
| Record | 90 | | |
| Transcript | 90 | | |
| ~~Transcript~~ | 25 | | |
| Certificat | [illegible] | 4.45 | |

The State of Ohio Union County Paris Township ss

I do hereby certify that the above is a full and true copy from my Docket of the Proceedings had by and before me at my office in Said Township in the above action.

October 7 1890

Wm Malin JP

No 814

Union County Common Pleas.

THE STATE OF OHIO,

*vs.*

Kalt Chambers.

# INDICTMENT.

— FOR —

Assault and Battery.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown
Foreman of Grand Jury.

*Filed* FILED NOV 7 1890 *18*

*Clerk.*

Edward W. Poke
Prosecuting Attorney.

*On this* 17th *day of* November *18*90, *Defendant arraigned, and pleads* ..... *guilty to this indictment.*

.....

.....
Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Ninety.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Kate Chambers

*late of said County, on the* Sixteenth *day of* August *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* unlawfully, violently, and in a menacing manner did assault and batter one Amanda Freemon, then and there being, and her the said Amanda Freemon, then and there did strike, beat, wound, and ill-treat, and other wrongs to her the said Amanda Freemon then and there did,

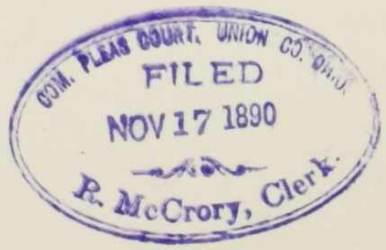
*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter.
Prosecuting Attorney, Union County, Ohio.

No. 814.

The State of Ohio
vs.
Kate Chambers.

Entry.




J-15-P. 418-

E. N. Porter,
Pros. Atty.

The State of Ohio.
vs.
Kate Chambers.
} Indictment for Assault & Battery.

No. 814.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith she is "guilty;" Thereupon after being fully advised in the premises, it is ordered and adjudged by the court, that the said Kate Chambers pay a fine of five dollars, and the costs of this prosecution; and execution is awarded.

E. B. Parker
Pros. Atty.

Criminal Case File

Case No. 815

No 815

# Union Common Pleas.

## STATE of OHIO.

*against*

Frank Somers

*Defendant.*

Dec 3rd 1890

Fine $10.00 & cost

NOV TERM 18 90

## General Index.

| | | | |
|---|---|---|---|
| *Journal No.* | 15 | *Page* | 439 |
| *Record No.* | 3 | *Page* | 190 |
| *Ex. Doc.* | D | *Page* | 815 |

State of Ohio
vs
Frank Sommes

Commissioners:

The defendant herein was convicted of a misdemeanor, but costs should not be paid, except witness fees. An allowance may be made under Sec. 1309 Rev. Stat.

Respfy Submitted

E. N. Porter.

Pros. Atty.

COM. PLEAS COURT, UNION CO., OHIO

FILED

AUG 8 1890

R. McCRORY Clerk.

State of Ohio
vs
Frank Sommes
Mayors fees
Affidavit 40
Warrant 40
Docket entry 75
Continuance 20
Recog for trial 40
Judgment 40
papers filed 15
Record 15
Recognizance 40
Seal 20
Transcript 75
Certificate 25
$4.45
Marshals fees
Summons & return 40
Mileage 20
Attendy Trial 100
$1,60

Before Jason Case A Mayor of the Village of Richwood Union County Ohio

State of Ohio Union County ss

Before me personly Came Alford Oglesbee, Who being first duly Sworne according to law Says that on or about the 2nd day of August A D 1890 at Said Village of Richwood one Frank Sommes then and there being did unlawfuly malicously assault Stab and Wound with intent to Kill him the Said Alford Oglesbee Contrary to the Statutes in Such Cases made and provided

Alford. Oglesbee

Sworne and Subscribed before me this 3rd day of August A D 1890, Jason Case

Mayor

August 3rd 1890 issued a warrant for the arrest of the above named Frank Sommes and handed John Cunningham Marshal of the aforesaid Village

August 3rd 1890 Warrant returned with the following indorsment I have the body of the within named Frank Sommes now in Court. fees Service & return 40 mileage 20 Attendy Trial Total 160 John Cunningham

Marshal

Aug 3rd 1890 I arraigned the accused Frank Sommes and after hearing the above affidavit read and explained Said Defendant

plead Not guilty thereto and Asked an
Adjournment Untill August 6th 1890 Adjournment
Granted and hearing Set for August 6th 1890 at 9
Oclock A M, Thereupon the Defendant was
required to enter into a recognizance in
the Sum of Five Hundred Dollars which
was done with Kate W Sammes and Frank L
Worren as Surety
August 6th 1890 at 9 Oclock A M Defendant
Frank Sammes Appeard at my office and
Waived examination of Witnesses to sustain
the Charge and Submits to be bound over to the
Court of Common Pleas It is Thereupon on
This 6th day of August 1890 Ordered by me
The Said Mayor of the Village of Richwood Union
County Ohio That the Defendant Frank Sammes
enter into a recognizance in the Sum of
Five Hundred Dollars with Good and
Sufficient Security for his appearance before
the Court of Common Pleas on the 1st
day of the next Term thereof to be holden
in Said County of Union which was done
accordingly Samel Sammes Mrs Isabel
Sammes And J F Wertsbaugh his
Sureties

Jason Case
Mayor
Of the Village of Richwood
Union County Ohio

The State of Ohio Union County Ohio ss
I do hereby Certify that the above is a full and
true Copy from my Docket of the proceedings
had by and before me at my office in Said
County in the above action

Jason Case
Mayor
of the Village of Richwood
Union County Ohio

No 815

Union County Common Pleas.

THE STATE OF OHIO,

vs.

Frank Sommer.

# INDICTMENT.

— FOR —

Cutting with Intent to Wound.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown
Foreman of Grand Jury.

Filed FILED NOV 7 1890 18

R. McCrory, Clerk.

Clerk.

Edward W. Porter.
Prosecuting Attorney.

On this 28 day of Nov 1890, Defendant arraigned, and pleads Not guilty to this indictment.

R. McCrory
Clerk.

By W. M. Wirgis Dep

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Sixty

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Frank Sommer

*late of said County, on the* 2nd *day of* August *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* in and upon one Alfred Oglesbee, then and there being, unlawfully and violently did make an assault, and with a certain knife which he the said Frank Sommer then and there in his right hand had and held, him the said Alfred Oglesbee, unlawfully, maliciously, and feloniously, did cut, thereby giving to the said Alfred Oglesbee, in and upon the right wrist of him the said Alfred Oglesbee, five wounds, with intent then and there and thereby, him the said Alfred Oglesbee to wound,

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Poorbaugh
Prosecuting Attorney, Union County, Ohio.

THE STATE OF OHIO,

*vs.*

.....

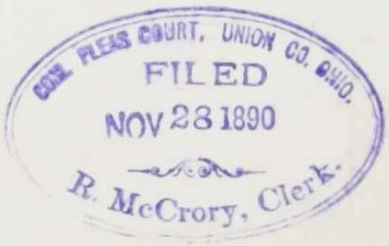
.....

*No.*.....

..... *Term, 187*....

# VERDICT.

*Filed* ..... *187*....




J-15-P-432-

Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. [25.]

**THE STATE OF OHIO**

*vs.*

Frank Somer.

# COMMON PLEAS,

Union County, Ohio.

*No.* 815 Nov *Term, A. D.* 1890

*Indictment for* cutting with intent to wound.

*We, the Jury in this case, find the Defendant* Frank Somer

not *Guilty* of the intent to wound *in manner and form as* he *stands*

*charged in the* Indictment. ~~*Counts of the Indictment.*~~

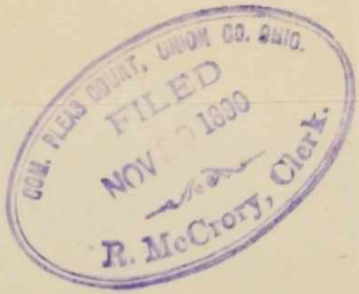
but we find him guilty of assault and battery as he stands charged in the indictment.

Arthur Flesher

*Foreman.*

State vs F Somers No 816

Geo Smallwood
W. McMannis
Robert Maskel
Jerome Albaugh
J. E. McCune
B. F. Norris
N. Farnum
L. C. Davis
Joseph Powell +
Oscar Murphy
Charles Jacob +
12 Arthur Flesher
~~Ruben Poling~~
~~David Skidmore~~


COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 1890
R. McCrory, Clerk.

X

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Frank Somers

**Subpœna for** State **Witness.**

*Returnable* Nov 28th 1890

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 28 1890
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the orignal subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Hugh Davese C | 32 |
| Elmer Canier P | 32 |
| Fred Beem P | 32 |
| F. Wurtzbaugh P | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 40 |
| *Mileage* | 3 | 20 |
| *Copies* | | 40 |
| *Total* | 4, | 00 |

Clk 313.

(*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } TO THE SHERIFF OF SAID COUNTY:
Union County.

*You are hereby commanded to subpœna*

Hugh Savere Elmer Canier
Fred Beem and F Wurtzbaugh

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* Nov *A. D. 18*90*, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Frank Somers

*on behalf of the* State *; and thereof to fail not, under the penalty the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, this* 24th *day of* Nov *A. D. 18*90

R. McCrory
*Clerk of Court of Common Pleas.*

W

X

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*
Frank Somers

**Subpœna for** State **Witness.**

*Returnable* Nov 28 1890

*Ret'd and Filed*

*Clerk.*

FILED
NOV 28 1890
R. McCrory, Clerk.



*Att'y for*

*Rec'd this Writ* 18

*at* *o'clock* *M.*

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES | MILES. |
|---|---|
| John Cunningham C | 32 |
| Joseph Jenkins C | 32 |
| L-E Bogs C | 40 |
| Ollie Casspere C | 32 |
| Alfred Oglesby P | 80 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 50 |
| *Mileage* | 9 | 60 |
| *Copies* | | 50 |
| *Total* | 10 | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

John Cunningham Joseph Jenkins
Alfred Oglesbee L. E. Boggs
and Ollie Casepere

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* Nov *A. D. 18*90*, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Frank Somers *on behalf of the* State*; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 24th *day of* Nov *A. D. 18*90

R. McCrory
*Clerk of Court of Common Pleas.*

pr W

X

*No. of Case*

COMMON PLEAS COURT.

*THE STATE OF OHIO,*
*vs.*

Frank Somers

**Subpœna for** Deft **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

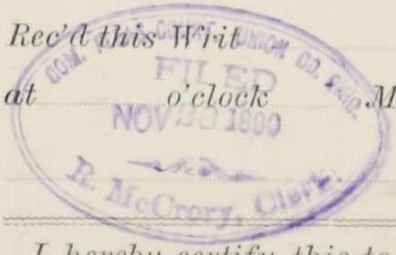
Robinson & Woodburn

*Att'y for* Deft

*Rec'd this Writ* 18

*at* *o'clock* *M.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 28 1890
R. McCrory, Clerk.



*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Wm Savese C | 32 |
| Dr B P Hall C | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | 20 |
| *Mileage* | 3. | 20 |
| *Copies* | | 20 |
| *Total* | 3, | 60 |

Clk. 313. (*7-5)-7-7-12. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

[Section 7287.]

THE STATE OF OHIO, Union County. } TO THE SHERIFF OF SAID COUNTY:

*You are hereby commanded to subpœna*

William Severe

and

Dr B. P. Hall

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 28th *day of* Nov *A. D. 18*90*, at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Frank Somers

*on behalf of the* Deft *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the Seal of said Court, the* 26th *day of* Nov *A. D. 18*90

R. McCrory

*Clerk of Court of Common Pleas.*

W

No 815

C

**SUBPŒNA FOR**

Deft

Common Pleas.

**STATE OF OHIO**

AGAINST

Frank Somers

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 23 1890
R. McCrory.

*Clerk Court of Common Pleas.*

*By* ..... *Deputy.*

Witnesses must notify the Clerk of their appearance and claim their attendance each day; otherwise no fees will be allowed.

ODELL & MAYER,
Blank Book Manufacturers, Stationers, Printers and Legal Blank Publishers, Dayton, Ohio

Fred Beem C 32

Firman Wurtzbaugh C 32

Eugene Merchant C 32

Thomas Martin Sheriff

Fees
Service 30
Mileage 3,20
Copies 30
3,80

Odell & Mayer, Blank Book Manufacturers, Stationers, Printers and Legal Blank Publishers, Dayton, Ohio. 

# State of Ohio, Union County, ss.

COURT OF COMMON PLEAS.

To Fred Beem

Firman Wurstybaugh

and

Eugene Merchant

You are required to attend on the 28th day of Nov A. D. 1880 at 9 o'clock A M. at the Court House in Marysville in said County, before the said Court of Common Pleas, to testify as a witness on behalf of the ~~plaintiff~~, defendant, in case pending undetermined in said Court, wherein the State of Ohio is plaintiff, and Frank Somers is defendant, and not depart the Court without leave. Herein fail not under the penalty of the law.

**Witness** my hand and seal of said Court, at Marysville this 24th day of Nov A. D. 1880.

[SEAL.]

B. McCrory

Clerk of Court of Common Pleas Union County, O.

By W. M. Wright Deputy.

No 815

**SUBPŒNA FOR**

Union Common Pleas.

**STATE OF OHIO**

AGAINST

Frank Somers

COM. PLEAS COURT
FILED
NOV 23 1890
R. McCrory, Clerk.

Clerk Court of Common Pleas.

By Deputy.

Witnesses must notify the Clerk of their appearance and claim their attendance each day; otherwise no fees will be allowed.

ODELL & MAYER,
Blank Book Manufacturers, Stationers, Printers and Legal Blank, Publishers, Dayton, Ohio

The State of Ohio
Marion County SS
Shiffs Fees

M — 32
S — 10
C — 16
58p

Received this writ Nov 25th 1890 and I served the same Nov 27th 1890 by delivering a true and certified copy hereof to the within named Elias Oglesby personally —

P. Kelly Sheriff
Marion Co. O.

Odell & Mayer, Blank Book Manufacturers, Stationers, Printers and Legal Blank Publishers, Dayton, Ohio. 

# State of Ohio, Union County, ss.

COURT OF COMMON PLEAS.

To Elias Oglesby

(West-Silver Street-Marion Ohio)

You are required to attend on the 28th day of November A. D. 1880 at 9 o'clock A. M. at the Court House in Marysville in said County, before the said Court of Common Pleas, to testify as a witness on behalf of the ~~plaintiff~~, defendant, in case pending undetermined in said Court, wherein the State of Ohio is plaintiff, and Frank Somers is defendant, and not depart the Court without leave. Herein fail not under the penalty of the law.

**Witness** my hand and seal of said Court, at Marysville this 24th day of Nov A. D. 1880.

[SEAL.]

R. McCrory

Clerk of Court of Common Pleas Union County, O.

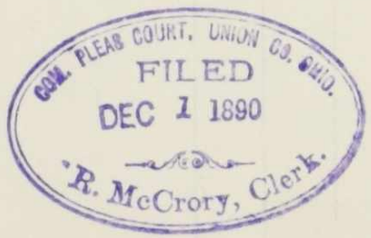
By W. M. Winget Deputy.

The State of Ohio

v

Frank Sommers

Motion for Speedy Trial



The State of Ohio
vs
Frank Sommers

Court of Common Pleas
Union County Ohio
Indictment —

The defendant moves the court to set aside the verdict of the jury against him in this case and grant him a new trial for the reasons following

1st said verdict is against the weight of the evidence

2d The court erred in directing the jury on a point that the prosecuting Atty had not raised against the defendant & therefore which Defts Counsel had no opportunity to speak with the jury viz — On the question of self defence the court charged the jury as to the defendants right when he was in imminent danger of ~~great bodily~~ harm, or in good faith supposed he was, having reasonable grounds for such belief, he might defend himself with a knife, but it must be danger of great bodily harm, not an ordinary assault & battery but some thing more than an ordinary assault & battery of which the jury must judge."

This point had not been made & was stated by the court just at the close of the charge & as defendants Counsel believes caused the verdict of guilty

J W Robinson Atty for Deft
R E Woodhen

Nov 29, 1890

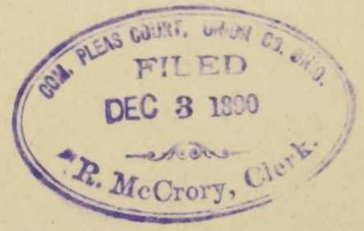
No.

The State of Ohio,

vs.

Frank Sommer.

Entry




J-15-P. 439-

E. N. Parkin, Pros. Atty.

The State of Ohio. vs. Frank Sommers. } No. Indictment for cutting with intent to wound.

Entry.

The defendant herein having been heretofore convicted of assault and battery, was this day brought into court in custody of the sheriff, and informed by the court of the verdict of the jury and inquired of if he had anything to say why judgment should not be pronounced against him; and having nothing but what he hath already said;

It is therefore adjudged by the court that the said defendant, Frank Sommers, pay a fine of ten dollars, and the costs of this prosecution; and execution is awarded.

E. N. Parker,
Pros. Atty.

No.

The State of Ohio

vs.

Frank Somma.

Entry.




J-15-P-433-

E. H. Porter.
Pros. Atty.

The State of Ohio
vs.
Frank Sommer

No.

Indictment for cutting with Intent to Wound.

Entry.

Now came the prosecuting attorney on behalf of the State of Ohio, and the defendant with his Counsel; also came the following named persons as jurors, towit:

who were duly impanneled and sworn according to law. And the said jury having heard the testimony addduced by the parties, the arguments of counsel, and the charge of the court, retired to their room in charge of the Sheriff for diliberation.

And afterward came the jury, conducted into court by the Sheriff, and returned the following verdict in writing, signed by their foreman towit:

"We the jury on the issue joined, find the defendant not guilty of cutting with intent to wound, as he stands charged in the indictment, but find him guilty of assault and battery, &c."

And thereupon said defendant is ordered into custody of the sheriff to await sentence.

WITNESS FEES.—Continued.

| NAMES OF WITNESSES. | Pliff. | Deft. | NAMES OF WITNESSES. | Pliff. | Deft. |
|---|---|---|---|---|---|
| | | | | | |

*No.* ..... *Crim. App. Doc.* ..... *Page* .....

# COST BILL.

..... Common Pleas.

THE STATE OF OHIO,

AGAINST

Frank Somers

..... *Term, 18*

*Filed* ..... *A. D. 18*

..... *Clerk.*

COM. PLEAS CRIM. UNION CO. OHIO.
FILED
DEC 4 [illegible]
R. McC[illegible]

The Barrett Publishing Company, Springfield, Ohio.

Clk. 355. (*7-1)-7-6-8. The Barrett Publishing Company, Springfield, Ohio

No. 815 Crim. Cost Bill Nov Term. | Crim. App. Doc. Page

# THE SATE OF OHIO,

AGAINST

Frank Somers

County,

## COURT OF COMMON PLEAS.

Revised Statutes of Ohio, 1880, Secs. 1260-3.

| CLERK'S FEES. | | Pltf. | Deft. |
|---|---|---|---|
| Doc. and app. pltf. and one deft, | 12 | 12 | |
| additional, | each, 4 | | |
| Entering finding indictment, | 8 | 8 | |
| Entering pleas, | each, 8 | 8 | |
| Indexing docket, | " 4 | 4 | |
| Index'g judgm'ts & final ord., each case. | 15 | 15 | |
| Index'g pend'g suits & liv. judg. " " | 15 | 15 | |
| Entering motion on docket and index, | 8 | 8 | |
| Filing 10 papers & post. in app. doc. ea. | 12 | 1 20 | |
| Taking affidavits, | " 8 | | |
| Certifying " without seal, | 15 | | |
| " " with " | 35 | | |
| Filing prec., iss. capias, return & filing, | 37 | | |
| " " " Att., " " | 37 | | |
| Taking justification of bail, | 35 | | |
| Entering allowance of bail, | 4 | 4 | |
| Spec. war. to bring before judge, ret. & fil. | 33 | | |
| Warrant to discharge prisoner, | 25 | | |
| Recog. of 1 def't and filing 1 each, | 29 | 29 | |
| " wit. " " | 29 | | |
| Poling jury when required, | 25 | | |
| Impaneling jury & administering oaths, | 12 | 12 | |
| Call and ent. tales jur. and cert., each, | 8 | | |
| Fil. 5 prec., iss. 5 sub. for 1 wit. & fil. | 16 | 80 | |
| 10 additional names. | each, 4 | 40 | |
| Swearing 14 witnesses, | " 4 | 56 | |
| Ent att. of 14 " 1 days, | " 4 | 56 | |
| Certif. | " 4 | 56 | |
| Qualifying 12 jurors, | each, 8 | 96 | |
| Ent. bar and court cal. & in., each term, | 8 | 8 | |
| Ent'g—orders on journal, per 100 words, | 8 | 80 | |
| " verdict on journal and filing, | 12 | 12 | |
| " rule on journal, | 8 | 8 | |
| " judgment on journal, | 8 | 8 | |
| Surplus record on journal, per 100 words, | 8 | 16 | |
| Indexing entries on journal, 4 | each, 4 | 16 | |
| Transcribing—orders on docket, | " 8 | 8 | |
| " verdict on " | 8 | 8 | |
| " rule on " | each, 8 | 8 | |
| " judgm't on " " | 8 | 8 | |
| Copy of indictment and certificate, | | 1 00 | |
| Continuance, | each, 8 | | |
| Nolle pros., quashed or laid away, | 8 | | |
| Ent. on cash book and index, | 12 | 12 | |
| " " ex. docket " | 12 | 12 | |
| Notice of motion for new trial, | 8 | 8 | |
| Cost bill and filing, | 29 | 29 | |
| Certificate of sentence, | 35 | 35 | |
| Recording 23[illegible] words at 8c. each 100, | | 1 84 | |
| List for grand jur. and pros. atty., | | 25 | |
| General index, | 8 | 8 | |
| TOTAL CLERK'S FEES, | $ | 12 12 | |

| SHERIFF'S FEES. | | Pltfs. | Defts. |
|---|---|---|---|
| On attachment, | | | |
| On capias, | | | |
| Calling 16 witnesses, | 5 | 80 | |
| Calling jury, | 10 | 10 | |
| Summoning jury, | 40 | 40 | |
| Calling action, | 12 | 12 | |
| Serving subpœna on 14 witnesses, | 10 | 1 40 | |
| 240 miles travel, | each, 8 | 19 20 | |
| copies for each 100 words, | 8 | 1 40 | |
| Bringing prisoner to court | times, 60 | | |
| Com. prisoner to jail, | " 60 | | |
| Discharging prisoner, | 60 | | |
| Miles travel, | each, 8 | | |
| On fi. fa. serv., 30c. miles trav. | " 8 | | |
| Forfeiting recognizance, | 10 | | |
| Serving indictment, | | 90 | |
| Transportation, | | 23 72 | |
| Shff Marion Co— | | | 58 |
| Jason Carl JP | | 4 45 | |
| John Cunningham Mar | | 1 60 | |
| TOTAL SHERIFF'S FEES, | $ | | |

NAMES OF WITNESSES.

| | | | |
|---|---|---|---|
| Boots & Pace 126-27 | 29 | 50=11 | 80 |

2950
1180
4130

TOTAL WITNESS FEES, $

TOTAL FEES, $

Criminal Case File

Case No. 816

No 816

# Union Common Pleas.

## STATE of OHIO.

*against*

Harry Owen

*Defendant.*

Nov. Term 1890

Indictment—

~~Capias~~

Rolled

Journal No. 15 Page 440

Record No. Page

Ex. Doc. D Page 816

C. E. Arbogast & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

State of Ohio
vs
Harry Owens

COM. PLEAS COURT, UNION CO., O.
FILED
AUG 8 1890
R. McCRORY Clerk.

To Comrs.

The within charge is a misdemeanor. Costs should not be paid. An allowance may be made however, under Sec. 1309. Rev. Stat.

Respy submitted.

E. W. Porter.
Pros. Atty.

State of Ohio
vs
Harry Owens
fees
Affidavit 40
Warrant 40
Docket Entry 75
Cert 20
Recog for Trial 40
Papers filed 15
Record 15
Bond 40
Judgment 40
Set 20
Transcript 75
Cert 25
$4.45
Marshals
fees
Service of
Warrant 40
Mileage 20
Attendy trial 100
$1.60

Before Jason Case a Major of the village of Richwood Union County Ohio
State of Ohio Union County - SS.
Before me Jason Case Major personly came John Cunningham who being duly sworne according to law deposes and says that Harry Owens at the village of Richwood on or about the 2nd day of August AD 1890 then and there being did unlawfully Carry and Concealed on and about his person a dangerous weapon to wit a long Knife and did there and then with said Knife attempt to Stab and wound Affiant Contrary to the Statutes made and provided John Cunningham
Sworne and Subscribed before me this 3rd day of August 1890
Aug 3rd 1890 Issued warrant against the above named Harry Owens and handed John Cunningham Marshal
August 2nd 1890 This day came Harry Owens in Custody of John Cunningham Marshal who made return of the warrant as follows
Aug 2nd 1890 received this warrant and have the body of said Harry Owens now in Court
August 2nd 1890 owing to the dangerous Condition of the Defendant I recognized him the said Owens under a bond of Two Hundred Dollars for his appearance on August 3rd at 9 Oclock A M

Which Was done accordingly with S.C. Owens
as Surity
Aug 3rd 1890 at 9 Oclock A M Defendant
not able to appear I adjourned Trial
untill Aug 6th 1890 at 9 Oclock A M
August 6th 1890 9 Oclock A M Defendant
Harry Owens appeared and after hearing the
Affidavit Read plead not Guilty and
Waived examination of Witnesses and Submits
to be bound over to the Court of Common
Pleas Thereupon Ordered by Me the Said Mayor
that the Defendant Harry Owens enter
into a Recognizance in the Sum of
Two Hundred Dollars With Sufficient
Security for his appearance at the Court
of Common Pleas on the 1st day of the
next Term thereof to be holden in Said
County of Union Which Was done accor-
dingly S.C. Owens and S.C. Owens his
Sureties

Jason Case
Mayor
of the Village of Richwood
Union County Ohio

The State of Ohio Union County ss
I do hereby Certify that the above is a full
and True Copy from my docket of the
proceedings had by and before me at my
office in Said County in the above Action

Jason Case
Mayor

State of Ohio

to 816

Harry Owen

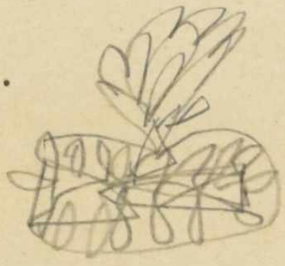
State of Ohio
vs 816
Harry Orum

Cameron.

Sec. 6892
" 7317,

---

Porter. Sec. 6892.



No 816

Union County Common Pleas.

THE STATE OF OHIO,

vs.

Harry Owen.

# INDICTMENT.

— FOR —

Carrying Concealed Weapons.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Andrew Brown

Foreman of Grand Jury.

Filed COM. PLEAS COURT, UNION CO., OHIO. FILED NOV 7 1890 R. McCrory, Clerk. 18

Clerk.

Edward W. Poston.

Prosecuting Attorney.

*On this* ..... *day of* .....

*18*....., *Defendant arraigned, and pleads* ..... *guilty to this indictment.*

.....

.....

Clerk.

Marysville Tribune Print. No. 71.

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* November *in the year of our Lord one thousand eight hundred and* Sixty.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Harry Owen

*late of said County, on the* 2nd *day of* August *in the year of our Lord one thousand eight hundred and* Sixty, *with force and arms, in said County of Union and State of Ohio,* unlawfully did carry concealed on and about his person a dangerous weapon, to-wit, a very large sharp-bladed knife.

*contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

Edward W. Porter
Prosecuting Attorney, Union County, Ohio.

The State of Ohio

vs

Harry Owens

Motion to Quash




L. L. Cameron

The state of Ohio Union county ss,

To the court of common pleas.

| | | |
|---|---|---|
| The state of Ohio, | : | Indictment for carrying |
| Vs, | : | C Concealed weapons, |
| Harry Owens, | : | Motion to Quash, |

The said Harry Owens, moves the court to quash said indictment by reason of certain defects apparent on the face of the record in this to wit:

The knife mentioned in said indictment is not sufficiently described.

It does not appear from said indictment whether said knife was a bowie knife, dirk, or common pocket knife.

From any thing that does appear from said indictment the knife was only what is commonly called a pocket knife, and it does not appear whether the same was lawful or unlawful.

There is no sufficient discription of the weapon, named.

J L Cannon

Attorney for Harry Owens,

No. 816.

The State of Ohio

vs.

Harry Owen.

Entry.



COM. PLEAS COURT, UNION CO. OHIO
FILED
DEC 3 1890
R. McCrory, Clerk.

J-15-P-440-

E. H. Porter
Pros. Atty.

No. 816.

The State of Ohio
vs.
Harry Alven.

Indictment for carrying
Concealed Weapons.
Bulky.

And now this cause coming on for hearing on the motion of the defendant to quash the said indictment, the court being fully advised in the premises, grant the same -

E. M. Parker,
Pros. Atty.

Criminal Case File

Case No. 817

817

~~No 818~~

# Union Common Pleas.

## STATE of OHIO.

*against*

Archie Jones

*Defendant.*

Feby 12 1891

No Indictment found.

*Journal No.* _____ *Page* _____

*Record No.* _____ *Page* _____

*Ex. Doc.* _____ *Page* _____

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

Transcript

State of Ohio

vs

Archie Jones

To Court:

The writer is for a misdemeanor, and no indictment found. Only an allowance, under Sec. 1309, should be paid.

Respy E. N. Porter
Pros. Atty.

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 27 1930
R. McCrory, Clerk

State of Ohio
V S
Archie Jones

# Transcript

State of Ohio Union County S.S.

Before me Jason Case. one of the Justices of the in and for said county. personally came G. W. Coldwell who being duly sworn accordi-ng to Law. deposes and says that on or about the 18th day of November A.D. 1890. one Ten gallon keg of whiskey was stolen from the freight house of the New York. Lake Erie. and Western. Railroad Company Lesse of the New York. Pensylvania. and Ohio. R.R. and that said Archie Jones did unlawfully receive and conceal said keg of whiskey. And took from said keg of whiskey a portion thereof well knowing the same to have been stolen

G W Coldwell

Sworn to and subscribed before me this 22nd day of November A.D. 1890.

Jason Case JP

Upon the above complaint being filed. I issued warrant for the said Archie Jones. And Delivered same to John Cunningham Marshall who made return thereon as follows. I have the the Body of the within named Archie Jones now in court Novr 22 a d 1890 John Cunningham Marshall

Novr 22 A D 1890. This day came the said Archie Jones in custody of the marshall. and

Over

upon being by me arraigned. And the above complaint read to him pleaded not guilty. and demanded trial

Subpoena issued for witnesses as follows C.K. Holverstott. Joseph Nyz. G.M. Coldwell and John Cunningham. And Delivered Same To John Cunningham Marshall. Who made return thereon as follows. I have served the within writ on C K Holverstott. Joseph Nyz. G.M. Coldwell. And John Cunningham personally Nov 24 1890

John Cunningham Marshal

Continuance asked for by Said Archie Jones and Granted by me until Nov 24 A.D. 1890 at 2 Oclock P.M. and prisoner remanded to the Keeping of Marshall in default of Bail

November 24 A.D. 1890 2 Oclock P.M.

The said Archie Jones in charge of John Cunningham Marshall. appeared in Court. and Witnesses being present pursuant to Order. Trial was had The following Witnesses were examined according to C.K. Holverstott. Joseph Nyz. G.M. Coldwell and John Cunningham. After hearing the Evidence it is by me considered that there is sufficient ground upon which to Bind said Archie Jones over to court it is therefor by me ordered that That the said Archie Jones give Bond for his appearance forthwith Before the Court of Common Pleas of Union Co in the Sum of $100.00.

Upon the said Archie Jones failing to give bond as required. I issued Mittimus Committing the said Archie Jones unto the Jail of Union Co Ohio and delivered the Same unto John

Cunningham Marshall. Who made return

thereon as follows

November 25th – ad 1890 By virtue of this writ I have Delivered the Body of the within named Archie Jones to Thomas Martin Sheriff and Jailer of Union Co Ohio and have his receipt therefor

John: Cunningham

Marshall

| Justice Fees | | Constables fees | | | |
|---|---|---|---|---|---|
| affidavit | 40 | Warrant | 40 | Witness fees | |
| Warrant | 40 | Mileage | 20 | G W Caldwell | 50 |
| Subpoena witness | 40 | attendance on trial | 1.00 | John Cunningham | 50 |
| Swearing same | 20 | Subpoena witness | 55 | Joseph Nye | 50 |
| filing papers | 25 | Mileage | 20 | C K Holverston | 50 |
| Continuance | 25 | Sustenance for prisoner | 3.00 | | 200 |
| Judgement | 40 | Millinus | 40 | | 1285 |
| Millinus | 40 | Copy | 40 | | 495 |
| Docketing | 1.00 | mileage | 320 | Total cost | $19.80 |
| Transcript | 400 | Conveying prisoner | 350 | | |
| Certifying | 25 | | 1285 | | |
| | $19.95 | | | | |

The State of Ohio Union Co Clarkcourse Tp ss

I do hereby certify that the above is a full and true copy from my Docket of the proceedings had by and before me at my office in said Township in the above action

Given under my hand and seal this 26th day of November A D 1890 Jason Case JP

No. .....

Docket ..... Page .....

THE STATE OF OHIO

*vs.*

.....

.....

**Warrant to Discharge Prisoner Before Trial.**

*Ret'd and filed* ..... *188*....

COM. PLEAS COURT, UNION CO., OHIO

FILED

FEB 20 1891

R. McCRORY Clerk.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House, Columbus, Ohio.

# RETURN.

RECEIVED this writ on the 20th day of February A.D. 1891, at 3 o'clock P.M., and pursuant to its command I discharged from the Gail of said County the within named Archie Jones, this 20th day of February 1891

Thomas Matton Sheriff

Fees
Service 80
Mileage 16
discharge 60
10 6

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

# Warrant to Discharge Prisoner Before Trial.

THE STATE OF OHIO, Union County, ss. } Court of Common Pleas of said County.

THE STATE OF OHIO, vs. } Charge of Thomas Martin Sheriff of said County

To the Sheriff of said County, Greeting:

Whereas, The Defendant Archie Jones was, on the — day of , A.D. 189 , committed to the Jail of said County of Union , by Jason Case Justice of the Peace of Claibourne Township in default of bail to appear before the Court of Common Pleas of said County, at the February term thereof, to answer the charge of Receiving Stolen Goods,

and whereas, the Grand Jury of said County having failed to find an indictment against the said Archie Jones, upon said charge as aforesaid

It was thereupon ordered by said Court that said defendant go hence of said charge without day.

You are therefore ordered to discharge the said Archie Jones from your custody forthwith.

WITNESS my hand and the Seal of said Court, at Marysville, this 20th day of Feby A.D. 1891.

J. M. Emery

Clerk County.

By Deputy.

COM. PLEAS COURT, UNION CO., OHIO.

FILED

FEB 20 1891

R. McCRORY Clerk.

At the Office.

Feb, 19th 1891.

Sheriff Martin:

The Grand Jury did not find an indictment against Archie Jones, hence he should be released.

Respy

E. N. Porter.

Pros. Atty.

Criminal Case File

Case No. 818

No 818

# Union Common Pleas.

## STATE of OHIO.

against

Otho Jones

Defendant.

FEB TERM 1891

Feby 11th 1891
Indict for Burglary &
Petit Larceny —
"Feby 26th 1891 Verdict —
not Guilty" Judgt vs
State for cost —

General Index.

Journal No. 15 Page 489 —

Record No. 3 Page 224

Ex. Doc. D Page 818

C. E. Arbogust & Co., Blank Book Manufacturers, Legal Blank Publishers and Stationers, Xenia, O.

Transcript
State of Ohio
V S
Otho Jones

COM. PLEAS COURT, UNION CO. OHIO.
FILED
NOV 27 1890
R. McCrory, Clerk

13.52
83.01
25.75
2.50
$93.78

| | | |
|---|---|---|
| Assistant | | 150 |
| Transportation Officer | | 400 |
| Sup. Witness | 5 | 65 |
| Mittimus | | 40 |
| Copies | | 40 |
| Transportation Prisoner to gaol | | 3.50 |
| Subsistence | " | 3.00 |
| Mileage | | 3.20 |
| | | 20.30 |
| | | 2.50 |
| | | 5.45 |
| | | 28.25 |

The State of Ohio
vs
Otho Jones

# Transcript

The State of Ohio Marion Co S. S.

Before me J. L. Dudley Mayor of the City of Marion Ohio personally came George W. Coldwell who being duly sworn according to law Deposes and saith that Otho Jones late of the County of union and State of Ohio. On or about the 16th day of November in the year of our Lord one thousand Eight hundred and ninety at the county of union afore said did in the night season of the same day to wit about the hour of 10 oclock at night. in the county of union aforesaid into a certain freight house the property of the New York. Lake Erie. and western. Rail Road Company lessee of the New york. Pensylvania. and Ohio Rail Road there situate did unlawfully maliciously and forcably break and enter into with intent then and thereby the personal property of the said New York. Lake Erie. and Western Rail Road company lessee of the new york Pensylvania and Ohio Rail Road in the said freight house then and there being unlawfully to steal take and carry away one keg of Whiskey of the value of $25.00 of the property of the said New York. Lake Erie. and Western Railroad Company lessee the New York Pensylvania. and Ohio Rail Road. in said freight house then and there being found. then and there unlawfully did steal take and carry away Contrary to the form of the Statute in such cases made and provided and against the peace and dignity of the State of Ohio. And before he could be arrested for said crime he fled from the County of union

Over

into the county of marion in the State of Ohio where he is now a fugitive from justice. and this deponent doth verily believe that the said Otho Jones is guilty of the fact charged and further deponent saith not

Signed G. W. Caldwell

Sworn to and Subscribed before me at the County aforesaid this 24th day of November A D 1890

Seal

J S Dudley
Mayor

Upon the above complaint being filed I issued Transfer-warrant to G.W. Coldwell Rail Road Policeman of the N.Y.P. and O.R.R. and therein Directed and Commanded him to take the said Otho Jones if he be found in your county. or if he shall have fled that you pursue after him the said Otho Jones into any other county in this State. and take and safely keep the said Otho Jones So that you have his body before some magistrate in the County of Union having competent jurisdiction to answer the said complaint and be further dealt with according to Law

Given under my hand and Seal this 24th Day of November A D 1890

Seal J S Dudley Mayor of the City of marion O

State of Ohio
v s
Otho Jones

The State of Ohio Union County ss
On or about the hour of Eleven Oclock A M on the 24 day of November A D 1890. Personally appeared before me Jason Case one of the Justices of the peace in and for the County of Union State of Ohio. G.W. Coldwell Policeman of the N.Y.P. and O. R R having in his Charge and custody one Otho Jones who

was Arrested upon a Transfer Warrant issued by J. L. Dudley Mayor of the City of Marion. Marion Co Ohio. The said policeman G. H. Caldwell made return upon warrant as follows. I have the body of the within named Otho Jones now in Court (said warrant also included a verbatim copy of complaint and Affidavit by and upon which said Warrant was issued)

G. H. Caldwell

Policeman N.Y. P & O R.R.

Upon being arraigned before me and Complaint being read to him said Otho Jones. pleaded not guilty to said complaint and charge. and demanded trial.

Case continued until 3 Oclock P M November 24 A D 1890. Subpoena issued for the following Witnesses. Wm Severs. Joseph Nye G. H. Caldwell John Cunningham Archie Jones and C. K. Holverstott and same delivered to John Cunningham Marshall. who made return thereon as follows. I have Served the within writ upon Wm Severs Joseph Nye G H Caldwell John Cunningham and C K Holverstott and Archie Jones personally this 24 Day of November A D 1890

John Cunningham

Marshall

Nov 24 A D 1890. On or about 3 Oclock P M the said Otho Jones being in custody of G. H. Caldwell Policeman N.Y. P & O R.R. appeared in Court. and the Witness being present pursuant to Order. Trial was Had. and Witnesses examined according to Law. After hearing the Evidence it is therefore by me Considered that the said

Otho Jones enter into a recognizance in the sum of $300.00 for his appearance forthwith before the Common Pleas Court of Union Co Ohio.

On his failure to comply with said Order I issued Writtinis Committing the said Otho Jones to the Jail of Union there to await and abide the action of the Court and Delivered said writ to John Cunningham Marshall who made return thereon as follows

November 25th A D 1890. By Virtue of this writ I Delivered the Body of the within named Otho Jones to Thomas Martin Sheriff and Jailer of Union Co O And have his receipt therefor

John Cunningham

Marshall

The State of Ohio Union County Claibourne Tp S. S.

I do hereby certify that the above is a full and true copy from my docket of the proceedings had by and before me at my office in said township in the above action Given under my hand and Seal this 26th day of November A D 1890 Jason Case J.P.

State of Ohio
v s
Tina Jones

State of Ohio Union Co ss

Justices Costs

| | |
|---|---|
| Affidavit | 40 |
| Warrant | 40 |
| Subpoena 5 Witnesses | 30 |
| Entering " " | 25 |
| Filing papers | 20 |
| Continuance | 25 |
| Mittimus | 40 |
| Judgement | 40 |
| Docketing | 1.20 |
| Transcript | 1.20 |
| Certifying | 25 |
| | 5.45 |

Witness fees each

| | |
|---|---|
| Wm Severe | 50 |
| Joseph Frye | 50 |
| G. W. Caldwell | 50 |
| John Cunningham | 50 |
| J K Holverstott | 50 |
| | 2.50 |

Constables Costs

| | |
|---|---|
| Warrant Service & Return | 40 |
| Mileage Prisoner 15 miles | 75 |
| Officer 30 miles | 150 |
| Attendance at trial | 100 |
| Assistant | 150 |
| Transportation Officer | 400 |
| Sup. Fees 5 | 65 |
| Mittimus | 40 |
| Copies | 40 |
| Transportation Prisoner to jail | 3.50 |
| Subsistence " " | 3.00 |
| Mileage | 3.20 |
| | 20 30 |
| | 2 50 |
| | 5 45 |
| | 28.25 |

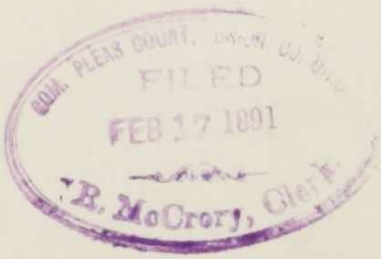
No. 818.

The State of Ohio

vs.

Otis Jones.

Entry




J-15-P-475-

The State of Ohio
vs.
Otto Jones.

No. 818.

Indictment for burglary &c.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, and the defendant being brought into court in custody of the Sheriff, and arraigned upon said indictment, for plea thereto saith he is "not guilty"; and puts himself upon the country and the Prosecuting Attorney doth the like,

E. W. Parker
Pros Atty.

On this 17 day of Feb
189 1, Defendant arraigned, and pleads
Not guilty to this Indictment.

R McCrory
Clerk of Court.
Dr W. W. Wright
Dep

STATE OF OHIO, UNION COUNTY, SS:

*I, R. McCRORY, Clerk of the Court of Common Pleas, do hereby certify that the foregoing is a True and correct copy of the Indictment found by the Grand Jury at the* ____ *Term, 189*__.

*IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Court at Marysville, this* ____ *day of* ____

*189*__

Clerk of Courts.

Copy for Deft.

Copy for Deft.

No 818

Union County Common Pleas.

*THE STATE OF OHIO,*

*VS.*

Otho Jones.

# INDICTMENT.

— FOR —

Burglary and Petit Larceny.

This Bill of Indictment found upon testimony sworn and sent to the Grand Jury by order of the Court, at the request of the Prosecuting Attorney.

A TRUE BILL.

Ulrich Cahill
Forman of Grand Jury.

COM. PLEAS COURT, UNION CO., O.
FILED
FEB 18 1891

*Filed* ____ 189__

*Clerk.*

Edward D. Porter.
Prosecuting Attorney.

Marysville Tribune, No 502

# In the Court of Common Pleas.

THE STATE OF OHIO, }
UNION COUNTY, SS. }

*Union County, Ohio, of the term of* February *in the year of our Lord one thousand eight hundred and* Ninety-one.

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Union, impaneled, sworn and charged to inquire of crimes and offenses committed within the said County of Union, in the name and by the authority of the State of Ohio, on their oaths, do find and present, that*

Otho Jones

*late of said County, on the* 16th *day of* November *in the year of our Lord one thousand eight hundred and* Ninety, *with force and arms, in said County of Union and State of Ohio,* in the night season, to wit: about the hour of ten in the night of the same day, in the county of Union aforesaid, into the warehouse there situate of the New York, Lake Erie and Western Rail Road Company, lessee of the New York, Pennsylvania and Ohio Rail Road, willfully, maliciously, forcibly, feloniously and burglariously, did break and enter, with intent then and there, the goods, chattels and valuable property of the said New York Lake Erie and Western Rail Road Company, lessee of the New York, Pennsylvania and Ohio Rail Road, in the said ware-house there and there being, then and there feloniously, willfully and burglariously to steal, take and carry away; and then and there in the said ware-house, one keg of whiskey of the value of twenty-five dollars, of the goods and chattels and property of the said New York, Lake Erie and Western Rail Road Company, lessee of the New York, Pennsylvania and Ohio Rail Road, in the said ware-house there and there being found, then and there feloniously and burglariously did steal, take and carry away, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Second Count: And the Jurors aforesaid,

upon their oaths aforesaid, do further find and present that the said Otho Jones, on the 16th day of November, in the year of our Lord one thousand eight hundred ninety, at the county of Union aforesaid, unlawfully did steal, take, and carry away one keg of whiskey, of the value of twenty-five dollars, the personal property of the New York, Lake Erie and Western Rail Road Company, lessee of the New York, Pennsylvania and Ohio Rail Road, contrary to the form of the Statute in such case and provided, and against the peace and dignity of the State of Ohio.

Edward W. Porter, Prosecuting Attorney.
Union County Ohio.

~~contrary to the form of the Statute in such case made and provided, and against~~

~~the peace and dignity of the State of Ohio.~~

~~Prosecuting Attorney Miami County, Ohio~~

354

No 818

State of Ohio
vs
Otho Jones

Page 354

~~Geo McPeck~~

J. W. Shirk

John W. Cartmell

L. C. Conrad

Marion Johnson

Leonard Church

~~Danl Anderson~~

D. Webb

J. B. Whelpley

Joseph Boff

G. R. Greenwalt

~~Henry Harrington~~

Chas Stewart

John Nicely

C. A. Militeen

No. 818.

The State of Ohio

vs.

Otis Jones.

Entry.




E. H. Porter.
Pros. Atty.

No. 818.

The State of Ohio
vs.
Altro Jones.

Indictment for Burglary.

Now comes the Prosecuting Attorney on behalf of the State of Ohio, the defendant being brought into court in custody of the Sheriff; also came the following named persons as jurors, to wit: J. W. Shirk, John W. Cartnell, L. C. Conrad, Marion Johnson, Leonard Church, D. Webb, J. B. Whelpley, Joseph Roff, G. R. Greenwalt, Charles Stewart, John Nicely, C. A. Milliken, who were duly impaneled and sworn according to law.

And the said jury having heard the testimony adduced by the state, the court ordered the clerk to prepare a verdict of "Not Guilty."

It is therefore considered by the court that the said jury be, and ~~are~~ hereby are discharged from further consideration of this case; and that the defendant go hence without day, and recover from the state his costs.

E. W. Parker,
Pros. Atty.

THE STATE OF OHIO,

*vs.*

.....

.....

*No.*.....

..... *Term, 187*.....

# VERDICT.

*Filed* ..... *187*.....




Published by Siebert & Lilley, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, Ohio.

Published by SIEBERT & LILLEY, Blank Book Manufacturers and Legal Blank Publishers, Opera House Building, Columbus, O. [25.]

**THE STATE OF OHIO**
*vs.*
Otho Jones

# COMMON PLEAS,

Union County, Ohio.

No. 518 For Term, A. D. 187

*Indictment for* Burglary & Larceny

*We, the Jury in this case, find the Defendant* Otho Jones

Not, *Guilty, in manner and form as he stands charged in the* Indictment. ~~Counts of the Indictment.~~

Jas. B. Whitney
Foreman

1873

No. of Case 818

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Otho Jones

**Subpœna for** Deft **Witness.**

*Returnable* Feby 25 1891

*Ret'd and Filed*

*Clerk.*

W. W. Merchant

*Att'y for* Deft

*Rec'd this Writ* 18

*at* o'clock M.

*Sheriff.*

COM. PLEAS COURT, UNION CO. OHIO
FILED
FEB 26 1891
R. McCrory, Clerk.

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| George Keller P. | 145 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | |
| *Mileage* | | |
| *Copies* | — | — |
| *Total* | | |

Clk. 313.

+-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, Union County. } To the Sheriff of said County:

*You are hereby commanded to subpœna* George Heeeler Marion Ohio

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 25 *day of* February *, A. D. 1891 , at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes* Otho Jones *on behalf of the* Deft *; and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

Witness *my hand and the seal of said Court, this* 21st *day of* Feby *A. D. 1891*

R. McCrory
*Clerk of Court of Common Pleas.*

W

+

*No. of Case* 818

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Otho Jones

**Subpœna for** Deft — **Witness.**

*Returnable* Feb 25 1891

*Ret'd and Filed*

*Clerk.*

Merchant —

*Att'y for* Deft —

*Rec'd this Writ* 18

*at* o'clock M.

COM. PLEAS COURT, UNION CO. OHIO. FILED FEB 26 1891 R. McCrory, Clerk.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Wilber Jones P | 32 |
| Mary A Jones P | 32 |
| Peyton Welch P | 40 |
| Oliver Christler P | 40 |

Thomas Marton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | |
| *Mileage* | | |
| *Copies* | | |
| *Total* | | |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

You are hereby commanded to subpæna Harry Owen
Wilber Jones, Mary A. Jones
Payton Welsh & wife
Oliver Christler

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 25 day of Feb, A. D. 1891, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Otto Jones on behalf of the Defl; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 19th day of Feb A. D. 1891

R. McCourt
Clerk of Court of Common Pleas.

W

No. of Case 818

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Otis Jones

**Subpœna for** Deft **Witness.**

*Returnable* 18

*Ret'd and Filed*

*Clerk.*

Merchant

*Att'y for* Deft

COM. PLEAS COURT. UNION CO. OHIO. FILED FEB 20 1891 R. McCrory, Clerk

*Rec'd this Writ* 18

*at* o'clock

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| William Woods | P | 32 |
| Carl Baur | P | 32 |
| Howard Woodruff | P | 32 |
| Jesse Isaham | P | 32 |

Thomas Morton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | |
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Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio.

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Wyan County.

You are hereby commanded to subpœna William Woods
Earl Bauer
Howard Woodruff
and Jessie Graham

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 25 day of Feby, A. D. 1891, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes

Otho Jones

on behalf of the Deft; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 19th day of Feby A. D. 1891

R. McCord
Clerk of Court of Common Pleas.

W

No. of Case 818

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Otho Jones

**Subpœna for** State **Witness.**

*Returnable* Feby 25th 1891

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT, UNION CO. OHIO.
FILED
FEB 26 1891
E. McCrory, Clerk.

*Att'y for* Forker

*Rec'd this Writ* 18

*at* o'clock M.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | MILES. |
|---|---|
| Benjamin C Palmer P | 140 |
| Edward Masterson P | 140 |
| William Decker P | 40 |

Thomas Morton *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
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| *Copies* | | |
| *Total* | | |

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# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County. }

*You are hereby commanded to subpœna*

Benjamine C Palmer
Edward Masterson
and William Decker

*to be and appear before the Court of Common Pleas, at the Court House in said County, on the* 25th *day of* Feby, *A. D. 184*1, *at* 9 *o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes*

Otho Jones

*on behalf of the* State; *and thereof to fail not, under the penalty of the law. And have you then and there this writ.*

*Witness my hand and the seal of said Court, this* 19th *day of* Feby *A. D. 184*1

R. McCrory.
*Clerk of Court of Common Pleas.*

W

No. of Case 818

# COMMON PLEAS COURT.

THE STATE OF OHIO,

*vs.*

Otho Jones

**Subpœna for** State **Witness.**

*Returnable* Feby 25th 1891

*Ret'd and Filed*

*Clerk.*

COM. PLEAS COURT. UNION CO. OHIO
FILED
FEB 26 1891
R. McCrory, Clerk.

*Att'y for*

*Rec'd this Writ* 18

*at* o'clock M.

*Sheriff.*

*I hereby certify this to be a true copy of the original subpœna.*

*Sheriff.*

The Barrett Publishing Company, Springfield, Ohio.

## RETURN OF SERVICE.

*I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names:*

| NAMES OF WITNESSES. | | MILES. |
|---|---|---|
| George W Caldwell | P | |
| C K Holverstott | P | 32 |
| John Cunningham | P | 32 |
| William Devere | P | 32 |

Thomas Martin *Sheriff.*

SHERIFF'S FEES.

| | | |
|---|---|---|
| *Service and Return* | | |
| *Mileage* | | |
| *Copies* | | |
| *Total* | | |

Clk. 313. 4-7-5-4. The Barrett Publishing Company, Springfield, Ohio

# SUBPŒNA IN CRIMINAL CASE.

(Section 7287.)

THE STATE OF OHIO, } To the Sheriff of said County:
Union County.

You are hereby commanded to subpœna George W. Caldwell
C. Fr. Holverstott
John Cunningham
and William Deere

to be and appear before the Court of Common Pleas, at the Court House in said County, on the 25th day of February, A. D. 1891, at 9 o'clock A. M., then and there to give testimony and the truth to say in a certain case pending in said Court, wherein the State of Ohio prosecutes Otho Jones on behalf of the State; and thereof to fail not, under the penalty of the law. And have you then and there this writ.

Witness my hand and the seal of said Court, this 19th day of Feby A. D. 1891

R. McCray
Clerk of Court of Common Pleas.

W