

John A. A. King
transmitting Sem-
tures of Court to Gen.
Quincy.

of
Filed July 9, 1841
J. L.



The Secretary of State
Washington City
New York

254

94b
Richmond

4 July 1841.

Dear Sir.

Enclosed I send you the
conclusion and judgment of
the court on the prisoner's case.

I think it very impor-
tant that it should accompany
any the evidence, I will be
glad also that the note appen-
ded to it should be published.

If it is convenient
please send me a copy
when published.

Respectfully

Wm. H. Hall

At this point the testimony on both sides closed.

* And the Court being satisfied that there is no probable cause for charging a person of said prisoners with the offences alleged against them to wit ~~Henry Hotal, Henry Hotal, George H. Hotal, Elijah Newman, Moses Clawson & David Shearer~~ they are accordingly discharged.

On Motion of the Circuit Attorney and it appearing to the Satisfaction of the Court that the offences herein before named, have been committed and that there is probable cause to believe that said prisoners are guilty thereof.

That is to say there is probable cause to believe that Joseph Smith, Jr. Hyrum Wright, Abram Smith, Alexander McKay & Caleb Baldwin are guilty of Over-acts of Treason in Daviess County (as a for want of a jail in Daviess County) said prisoners are committed to the jail in Clay to answer the charges referred to in the County of Daviess - on the first Thursday in March next.

It further appearing that overt acts of Treason have been committed in Caldwell County and there being probable cause to believe Sidney Rigdon guilty thereof, The said Sidney Rigdon (for want of a sufficient Jail in said well County) is committed to the Jail in Clay County to answer said charge.

in said county on the first Monday
after the fourth Monday in March next
It further appearing that the mur-
-der of Moses Rowland has been per-
petrated in the County of Ray, and that
there is probable cause to believe that
Charles D. Pratt, Samuel Adams, James
Chase, Samuel Gibbs and Maurice Phelps
are guilty thereof. They are therefore
committed to the Ray County Jail
to answer said charge on the second
Monday in March next.

It further appearing that the offen-
ces of Arson, Burglary, Robbery, and
Larceny have been committed in
Davies County, and there being probable
cause to believe George W. Roberts, or
~~Alvan~~ ^{Stanley} Ripley, Washington Worries
Edney Turner, Jacob Galy, Joseph
Hunter, George Grant, Thomas Rich,
John S. Hegby, Ebenezer Page, Ebenezer
Roberts, James M. Henderson, David
Petty Gray, Edward Partridge, Fran-
cis Hegby, George Kemble, Joseph W.
Younger, Richard Carr, James A.
Rowland, Samuel R. Smith, Jonathan Van
Shaw, Joel S. Miles and Clark Hallitt
are guilty thereof and the last mentioned
offenses being bailable it is ordered
that said defendants severally enter
into a recognizance for their appear-
ance, on the first day of the next
Term, of the Davies Circuit Court
to be holden on the first Thursday

after the fourth Monday in March next
each in the sum of \$500 with security
for the like amount except George
W. Robertson and Edward Partridge
who are required to give bail in the
sum of \$1000 each with good security
for the like amount, and also Daniel
Carr who is required to give bail
in the sum of \$750 with good security
for the like amount. Whereupon
Edward Partridge, George W. Robertson
Jacob Galt, Sidney Tanner, Wash-
ington Worley, James H. Rawlins,
William Whitman and Joseph M.
Younger, severally entered ^{into} recogni-
tance as required. The other defend-
ers, being unable to give sufficient
bail are committed to the Jail in
Ray County, there being no sufficient
bail in Davis County.

Austen A. King
Judge 5th Judicial Circuit

As Judge of the fifth Judicial Circuit
in the State of Missouri, and sitting
as a Court of Enquiry against the above
named defendants for the several
offences of Treason against the State,
Murder, Burglary, Arson, Robbery
and Carjacking. I certify that the
several Writings herein before ex-
amined were severally sworn by me
according to law and their examina-
tion taken by me in the presence
of the prisoners and reduced to writing

under my direction, and signed by
said Wetmore, respectively after the
same was read over to them, and
that said examination was com-
menced by me on the 12th day of
November A.D. 1838. and ended, and
the prisoners disposed of by me
as herein before stated on the 29th
of the same month.

Asst. J. King
Judge of C.

* By the statute of Missouri, if the
examining court should be of opinion
from the evidence that an offence, as
charged had been committed, and
that there was probable ground to
charge the prisoner there with, it
is the duty of the court to commit or
bind the prisoner over to the next
court, at which time the charges
is to be more investigated by a grand
jury, The above prisoners were subseque-
ntly indicted as charged above.