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Kansas Territory versus Holmes for attack on Martin White's home

Grand Jury testimony. Funds for digitization provided by Mr. Steve Peckel in memory of William Chalfant.

Date: date October 24, 1856

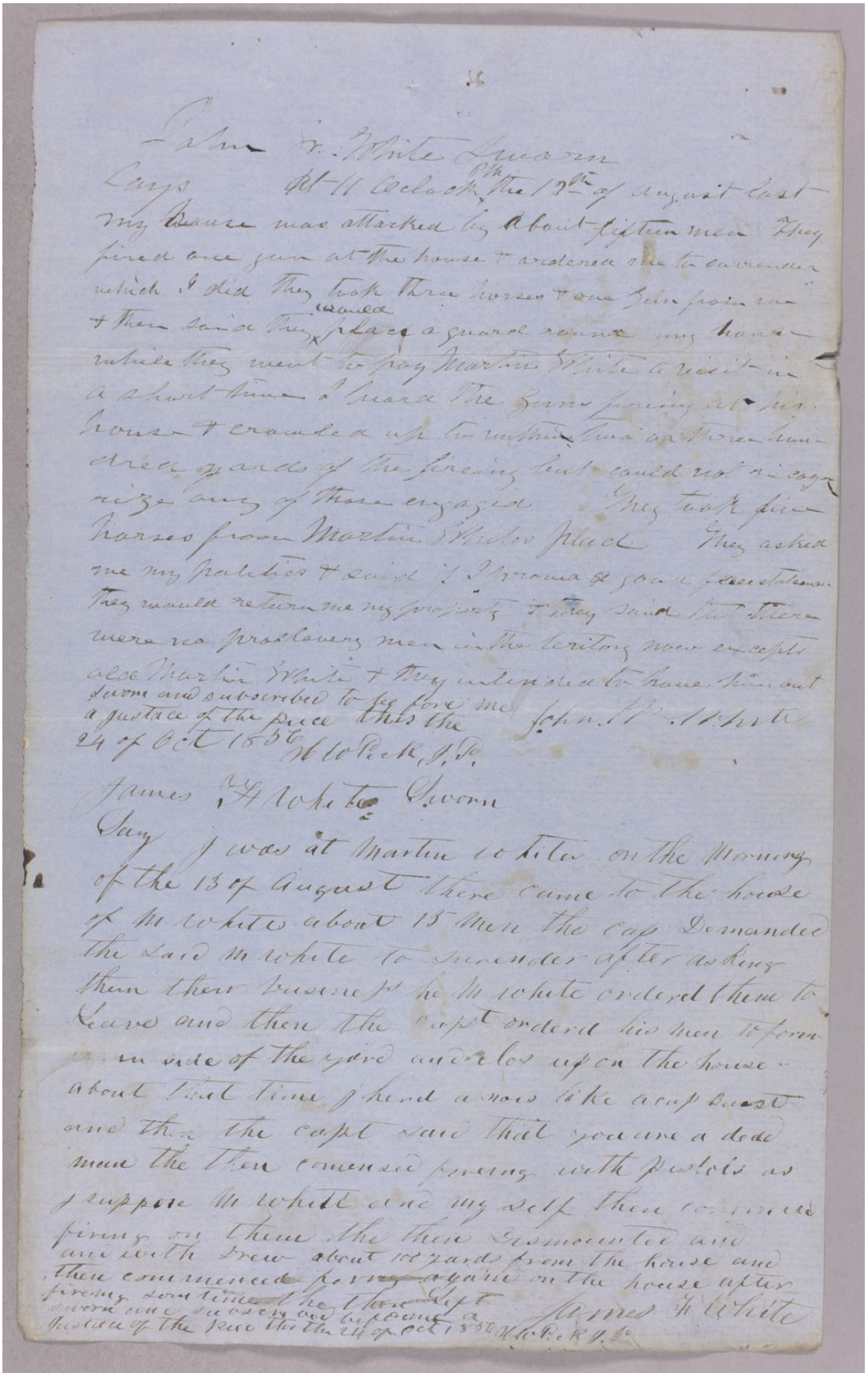
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Kansas Territory versus Holmes for attack on Martin White's home



John F. White Sworn
Says At 11 Oclock on the 13th of august last
my house was attacked by about fifteen men They
fired one gun at the house & ordered me to surrender
which I did They took three horses & one gun from me
& then said they would place a guard round my house
while they went to pay Martin White a visit in
a short time I heard the guns firing at his
house & crawled up to within two or three hun-
dred yards of the firing but could not recog-
nize any of those engaged They took five
horses from Martin White's place They asked
me my politics & said if I was a pro slavery gentleman
they would return me my property & they said that there
were no pro slavery men in the territory now except
also Martin White & they intended to have him out
Sworn and subscribed to before me John F. White
a justice of the peace this the
24 of Oct 1856 W. W. Peck J.P.

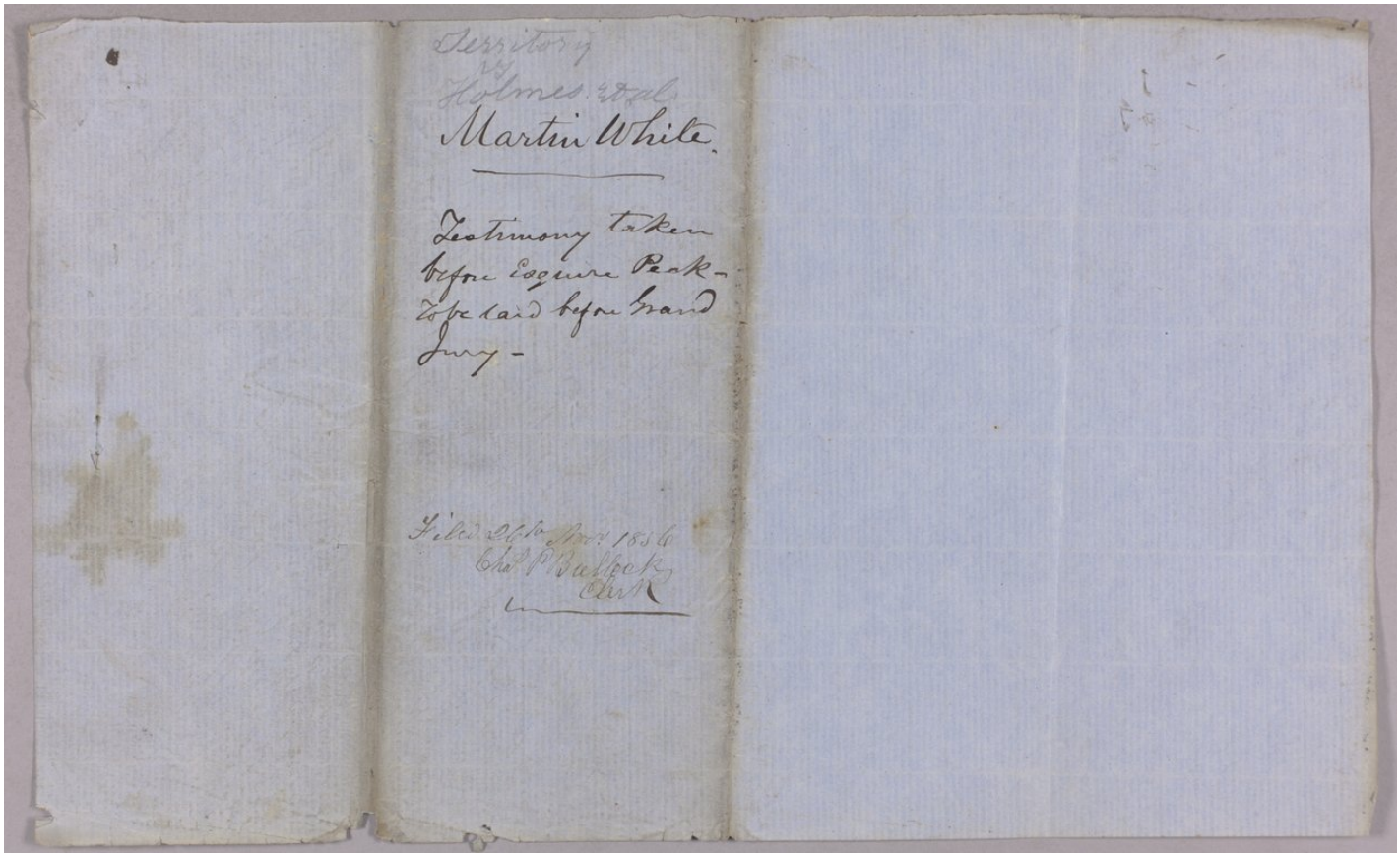
James H White Sworn
Says I was at Martin White's on the Morning
of the 13 of August there came to the house
of M White about 15 men the Capt demanded
the said M White to surrender after asking
them their business he M White ordered them to
leave and then the Capt ordered his men to form
on side of the yard and fire upon the house
about that time I heard a noise like a cap busted
and then the capt said that you are a dead
man then commenced firing with pistols as
I suppose M White and my self then commenced
firing on them the then dismounted and
and with drew about 80 yards from the house and
then commenced firing again on the house after
firing some time the then left
Sworn and subscribed before me this 24 of Oct 1856 James H White
a justice of the peace W. W. Peck J.P.

Kansas Territory versus Holmes for attack on Martin White's home

David H. Bundy Swarn
says That I saw Mr ~~Hall~~ Cornelius Woolard
a prisoner in the hands of Mr Holmes &
two other men they said they had taken
him prisoner because he did not answer
them satisfactorily in regard to his pol
itics They said from the way he answered
they thought he was some of Mr Whites
men They brought him to the house of
my fathers to ascertain whether he was a
free state man or not This took place
~~last~~ last Thursday two weeks ago I am
a free state man David H Bundy
Sworn and subscribed
before me a justice of the peace
this the 24 of Oct 1856
Wm Rick J P

Mrs Eda Tolby Sworn
says That she was at Mr John H Whites
on the night an attack was made on his house
I thought from the voice that one of the men who
made the attack was Nelson King There was one
gun or pistol fired at the door of the house & they
demanded of Mr White to surrender which he did
They (the men attacking) took of three horses a
double barrel shotgun and enquired for bridles &
saddles & small arms The same men said
they were coming to Martin Whites on that
night I heard the guns firing at Mr Martin
Whites soon afterwards They asked Mr White
his politics & he told them he was a free state
man when they replyed that they reckoned there
were no pro slavery men in the territory except Mar-
tin White he being the only one left
Sworn and subscribed before me Eda Tolby.
a justice of the peace this the
24 of Oct 1856
Wm Rick J P

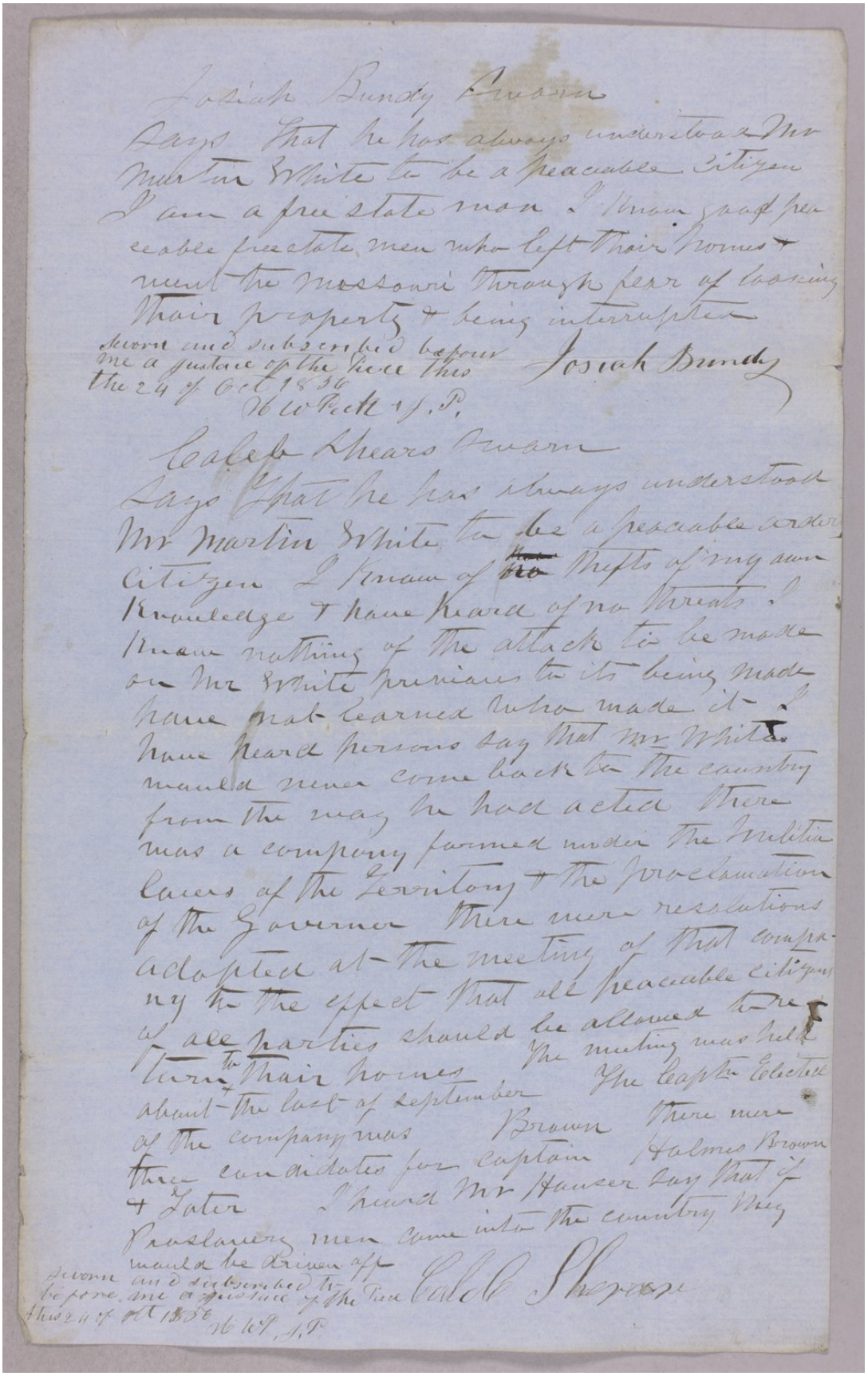
Kansas Territory versus Holmes for attack on Martin White's home


Territory
Holmes et al
Martin White.

Testimony taken
before Esquire Peak-
Sofe said before Grand
Jury -

Filed 26th Nov 1856
Chas P Babcock
Clerk

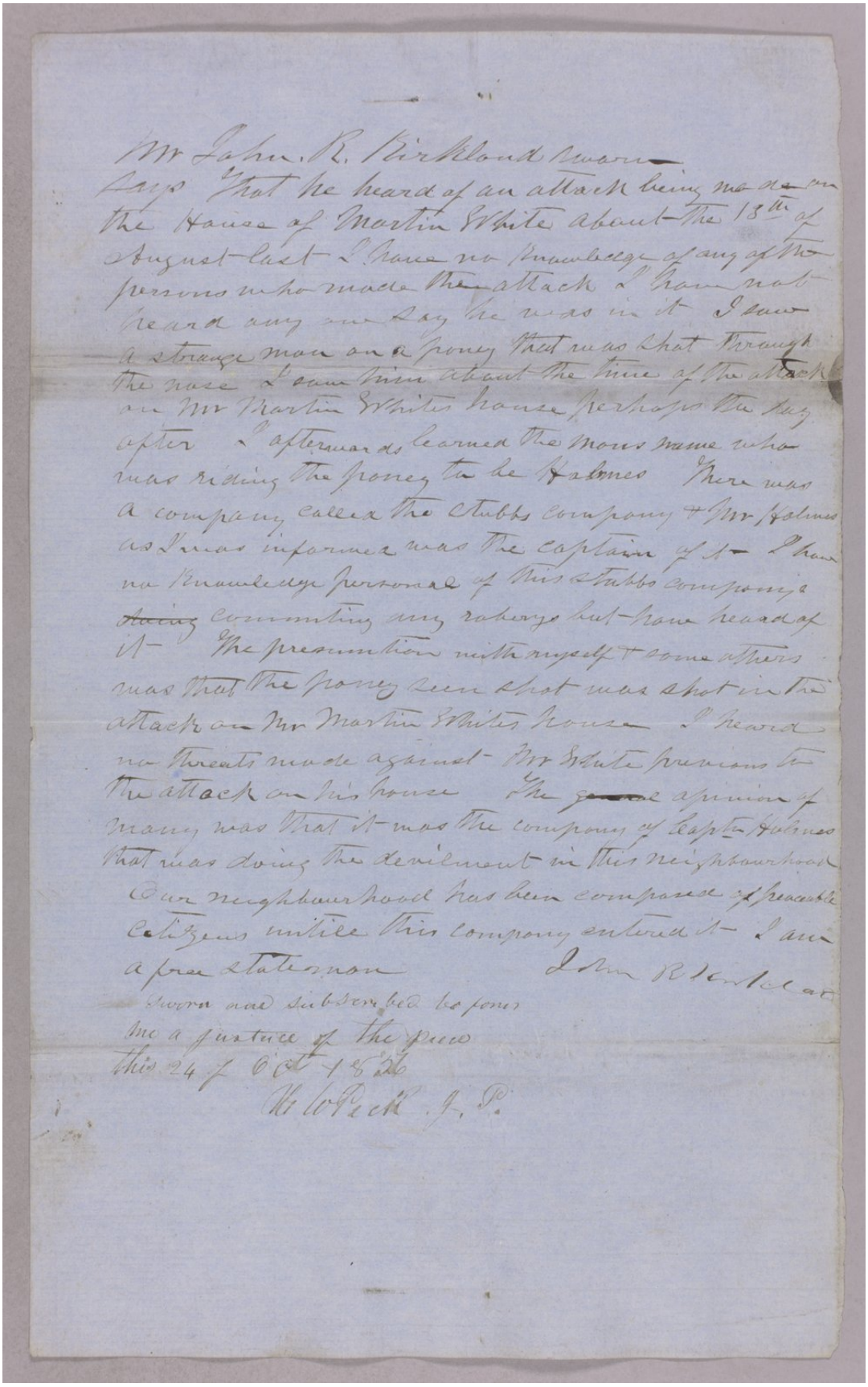
Kansas Territory versus Holmes for attack on Martin White's home



Josiah Bundy Sworn
Says That he has always understood Mr Martin White to be a peaceable citizen I am a free state man I know a great peaceable free state men who left their homes & went the Missouri through fear of loosing their property & being interrupted
Sworn and subscribed before me a justice of the Peace this the 24 of Oct 1856 H W Beck J.P.
Josiah Bundy

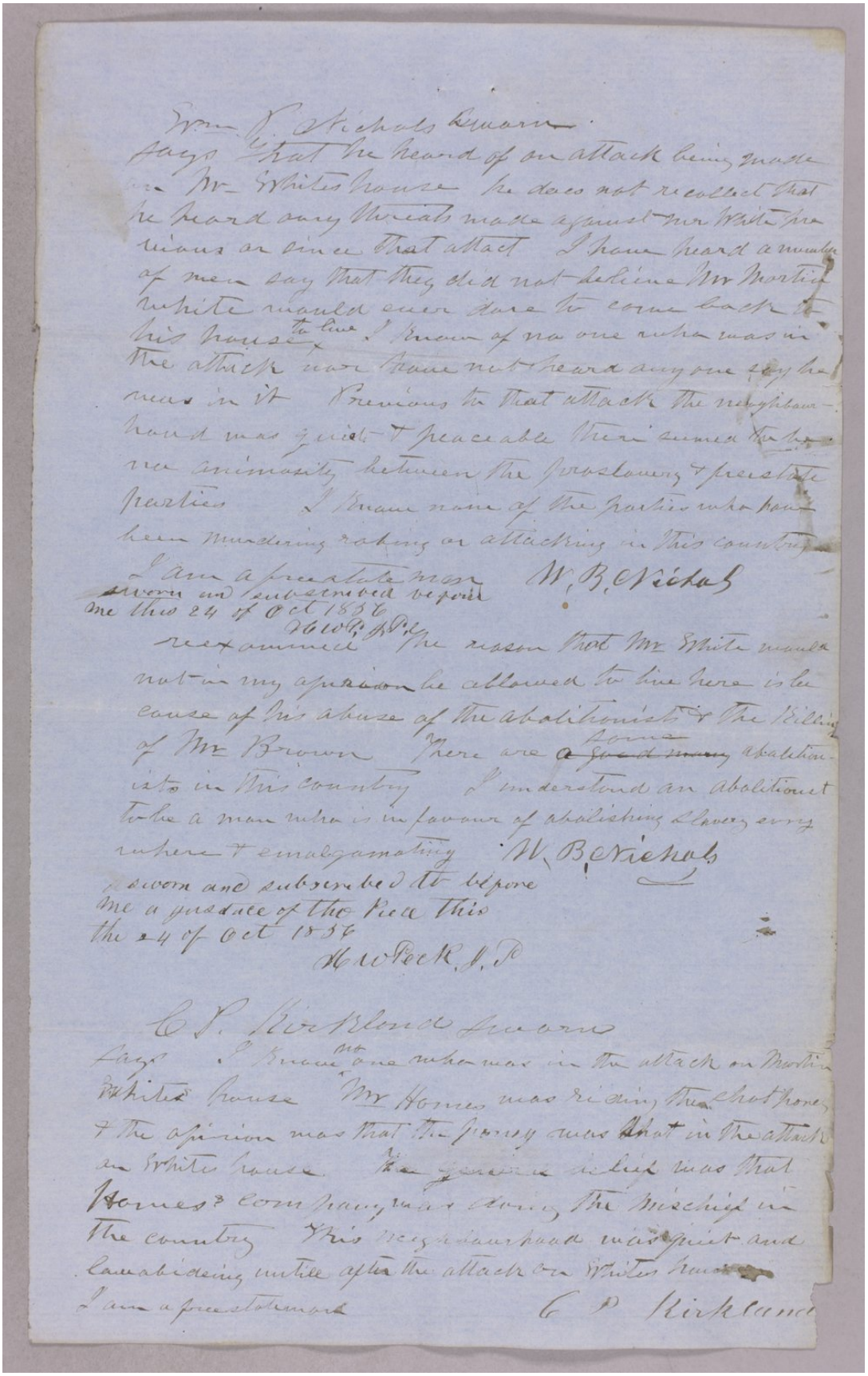
Caleb Shears Sworn
Says That he has always understood Mr Martin White to be a peaceable orderly citizen I know of no ~~no~~ Plots of my own Knowledge & have heard of no threats I know nothing of the attack to be made on Mr White previous to its being made I have not learned who made it I have heard persons say that Mr White would never come back to the country from the way he had acted There was a company formed under the Territorial Laws of the Territory & the Proclamation of the Governor There were resolutions adopted at the meeting of that company to the effect that all peaceable citizens of all parties should be allowed to return to their homes The meeting was held about the last of September The Capt Elected of the company was Brown There were three candidates for captain Holmes Brown & Later I heard Mr Hauser say that if Yankees men came into the country they would be driven off
Sworn and subscribed to before me a justice of the Peace this 24 of Oct 1856 H W Beck J.P.
Caleb Shears

Kansas Territory versus Holmes for attack on Martin White's home



Mr John R. Kirkland sworn
says That he heard of an attack being made on
the House of Martin White about the 18th of
August last I have no knowledge of any of the
persons who made the attack I have not
heard any one say he was in it I saw
a strange man on a pony that was that through
the rose I saw him about the time of the attack
on Mr Martin Whites house perhaps the day
after I afterwards learned the mans name who
was riding the pony to be Holmes There was
a company called the Stubbs company & Mr Holmes
as I was informed was the Captain of it I have
no knowledge personal of this Stubbs company
~~doing~~ committing any robbery but have heard of
it The presumption with myself & some others
was that the pony seen that was shot in the
attack on Mr Martin Whites house I heard
no threats made against Mr White previous to
the attack on his house The general opinion of
many was that it was the company of Capt Holmes
that was doing the devilment in this neighbourhood
Our neighbourhood has been composed of peaceable
citizens untill this company entered it I am
a free State man
John R Kirkland
Sworn and subscribed before
me a justice of the peace
this 24 of Oct 1856
W. W. Peck J. P.

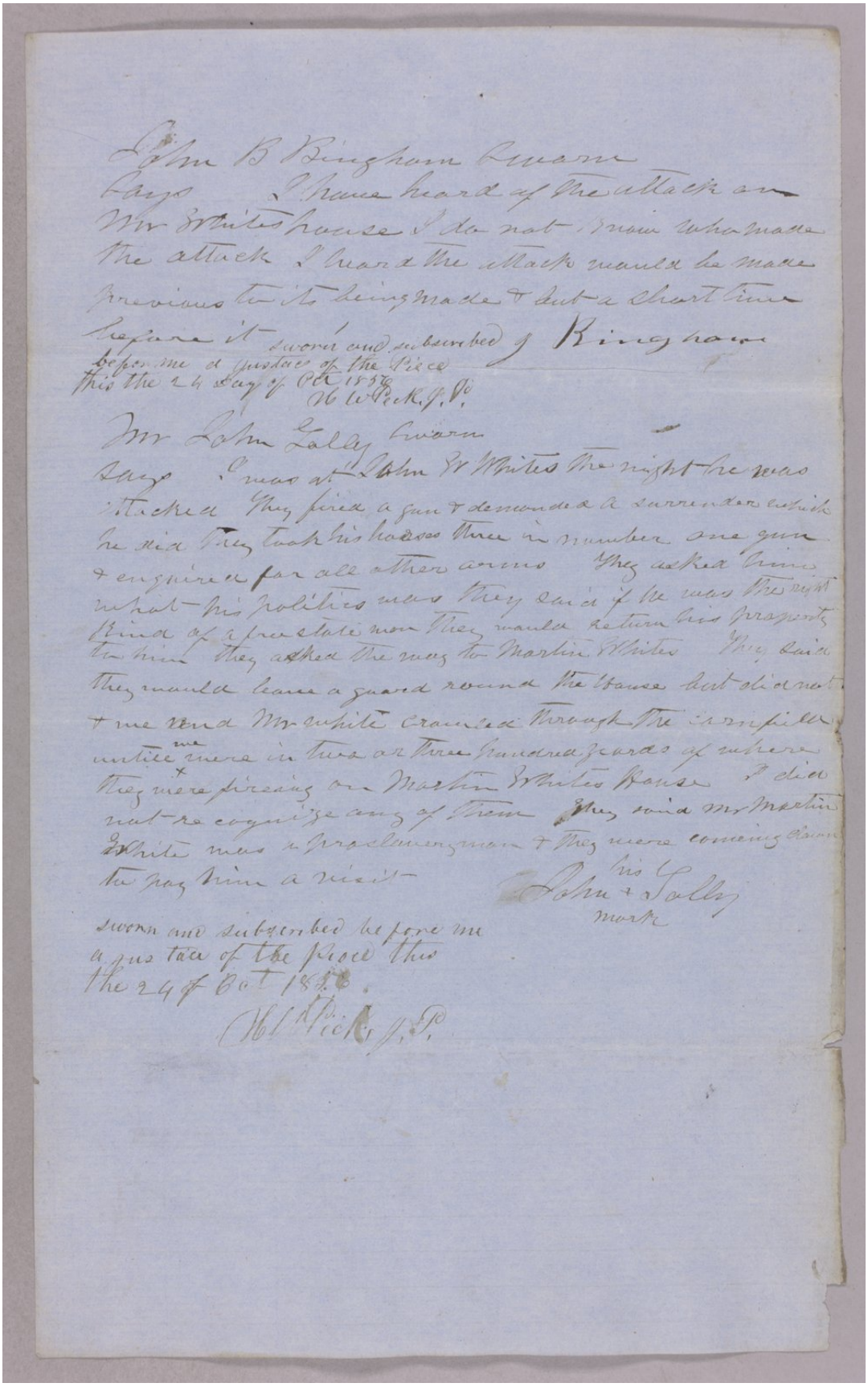
Kansas Territory versus Holmes for attack on Martin White's home



Wm. F. Nichols Sworn
says That he heard of an attack being made on Mr White's house he does not recollect that he heard any threats made against Mr White previous or since that attack I have heard a number of men say that they did not believe Mr Martin White would ever dare to come back to his house to live I know of no one who was in the attack nor have not heard any one say he was in it Previous to that attack the neighborhood was quiet & peaceable there seemed to be no animosity between the proslavery & freestate parties I know none of the parties who have been murdering raking or attacking in this country
I am a freestate man W. B. Nichols
sworn and subscribed before
me this 24 of Oct 1856
A. W. Rock J. P.
recommenced The reason that Mr White would not in my opinion be allowed to live here is because of his abuse of the abolitionists & the killing of Mr Brown There are ~~a good many~~ some abolitionists in this country I understand an abolitionist to be a man who is in favour of abolishing slavery everywhere & amalgamating W. B. Nichols
sworn and subscribed to before
me a justice of the Peace this
the 24 of Oct 1856
A. W. Rock J. P.

C. P. Kirkland Sworn
says I know no one who was in the attack on Martin White's house Mr Homes was riding the Shot pony & the opinion was that the party were shot in the attack on White's house The general belief was that Homes & company were doing the mischief in the country This neighbourhood was quiet and law abiding until after the attack on White's house
I am a freestate man C. P. Kirkland

Kansas Territory versus Holmes for attack on Martin White's home



John B Bingham Sworn
Says I have heard of the attack on Mr Whites house I do not know who made the attack I hear the attack would be made previous to its being made & but a short time before it sworn and subscribed J Bingham
before me a Justice of the Peace
this the 24 day of Oct 1856
H L Vick J. P.

Mr John Lally Sworn
Says I was at John Mr Whites the night he was attacked They fired a gun & demanded a surrender which he did They took his horses three in number one gun & enquired for all others arms They asked him what his politics were They said if he was the right kind of a free state man They would return his property to him They asked the way to Martin Whites They said they would leave a guard round the house but did not & me and Mr white crawled through the cornfield until we were in two or three hundred yards of where they were firing on Martin Whites House I did not recognize any of them They said Mr Martin White was a proslavery man & they were coming down to pay him a visit

his
John + Lally
mark

sworn and subscribed before me
a Justice of the Peace this
the 24 of Oct 1856.
H L Vick J. P.