Kansas Territory versus Amon Knighton for murder

Section 2, Pages 31 - 39

1st District. Funds for digitization provided by Mr. Steve Peckel in memory of William Chalfant.

Date: date of crime July 31, 1857; indictment September 1857

Callnumber: Kansas Territory Criminal Case Files, Box 9, Folder 59

KSHS Identifier: DaRT ID: 445273

Item Identifier: 445273

www.kansasmemory.org/item/445273

crime, for which your petitioner is Indicted, that threats of Violence have been frequently made to your petitioner, not by a Solitary individual but by large assemblages of persons, that he has had to be removed Stealthily from this City to the County jail at Delaware, and further that previous to his Said Removal that an Infuriated body of men partially hung your petitioner, further that the Newspapers having circulation in this District have heralded the name of your petitioner as one of the Murderers of James Stevens, and have through their Columns apparently endorsed the action of the Mob in this City who lately hung the two men previously alluded to and thus by Inference would imply that regret should be felt by the Community that your petitioner was not also at that time hung, further that your petitioner avers that a Confession of your petitioner has been widely circulated and consequently much read by the Inhabitants of this District, that Such Confession, or purported Confession must and will have an immense feeling upon the minds of the people of this District, that the feeling of intense antipathy and desire for the Execution of your petitioner exists at this present moment in this District, that from all parts of this District persons have expressed an opinion that your petitioner Should be Executed, Wherefore your petitioner avers that the inhabitants of this entire district are so prejudiced against him your petitioner that he cannot have a fair trial therein and prays that said cause may be removed to the 2nd Judicial District of this Territory where your petitioner believes that a fair trial may be had.

Amon Knighton

Amon Knighton having been duly Sworn on his Oath States that the facts Set forth in the foregoing petition are true to the best of his Knowledge &belief this 15th day of October 1857.

Jas. R. Whitehead Clerk
By W. L. Kuykendall D. C.

And afterwards towit on the 16th day of October 1857. the following Record appears towit.

Record.

Territory of Kansas
Vs Murder.
Amon Knighton. On motion of the U. S. attorney for the Territory, It is Ordered that attachments issue for A. B. Miller, Joseph Cowell, John Moore & J. M. Hogan. for non attendance as witnesses on the part of the Territory in this cause, Which was accordingly done.

And afterwards on the Said 16th day of October 1857 the following Record appears towit.

Record.

Territory of Kansas
Vs Murder.
Amon Knighton. Now comes Wm Ashton, Deputy Marshal for Elias S. Dennis, United States Marshal for Said Territory and Returns the attachments against A. B. Miller, & Joseph Cowell. Served by bringing Said parties into Court. Thereupon It is Ordered that Said attachments be discharged and that the Costs of the Same be taxed in this cause.

And again on the 16th of October the following Order was made by the Court towit

Record

Territory of Kansas Vs Amon Knighton. Murder
application for change of venue granted

It is therefore Ordered by the Court that a change of venue be Awarded to the Third District Court Sitting at Fort Scott within and for the Third Judicial District of Said Territory and It is further Ordered that the Clerk of this Court Make out Certify and transmit to the Clerk of the Third District Court in & for the Third Judicial District of Said Territory a full true and Complete Transcript of the Records and proceedings in this cause together with all the origonal papers not forming a part of the Record,

And also on the Same day appears the following Record towit

Territory of Kansas
Record vs Murder,
Amon Knighton, And now here it is Ordered by the Court that the Said Defendant Amon Knighton, be and he is hereby committed to the custody of the Sheriff of Leavenworth County & the Said Sheriff is hereby commanded to remove the body of the Said Defendant to the Jail of Bourbon County at Fort Scott the County Seat of Said County Where Said Third District Court Shall Sit & there deliver him to the Keeper of Said Jail or to the Sheriff of Said County together with the Warrant of process by Which he is held in Custody,

And also on the Same day appears the following Record towit,

Territory of Kansas.
Record, vs Murder,
Amon Knighton now at this day comes Reece, Paynter. C. B. Holman, James Murphy, Jerry

11

Murphy. A. B. Miller. Joseph. Cowell. Wm. W. Gallagher Jr D. W. Gallagher. and acknowledge themselves to owe and be Indebted to the Territory of Kansas Each in the Sum of three hundred Dollars to be levied of their respective goods and Chattels lands and tenements, To be void upon this condition that if each of the above named persons Shall make their personal appearance in the Third District Court of the ~~Territory~~ United States in & for the Third Judicial District of Said Territory in the Town of Fort Scott, in Said District & Territory, aforesaid on the First Monday in November next then and there to answer as Witnesses in the case of the Territory of Kansas vs Amon Knighton, and not to depart that Court until duly discharged Else to remain in full force and Effect.

United States of America
Territory of Kansas } Sct
First Judicial District } I James R. Whitehead Clerk of the 1st District Court of the United States for the District & Territory aforesaid Do hereby Certify that the above and foregoing Eleven pages contain a full true and complete Transcript of all the Records and proceedings had in the case of the Territory of Kansas against Amon Knighton, as the same now remains in My office. In testimony whereof I have hereunto set my hand & the seal of said Court at office in Leavenworth City this 19th day of October A. D. 1857.

Jas R. Whitehead Clerk
By W. L. Kuykendall D. C.

Cost Bill.

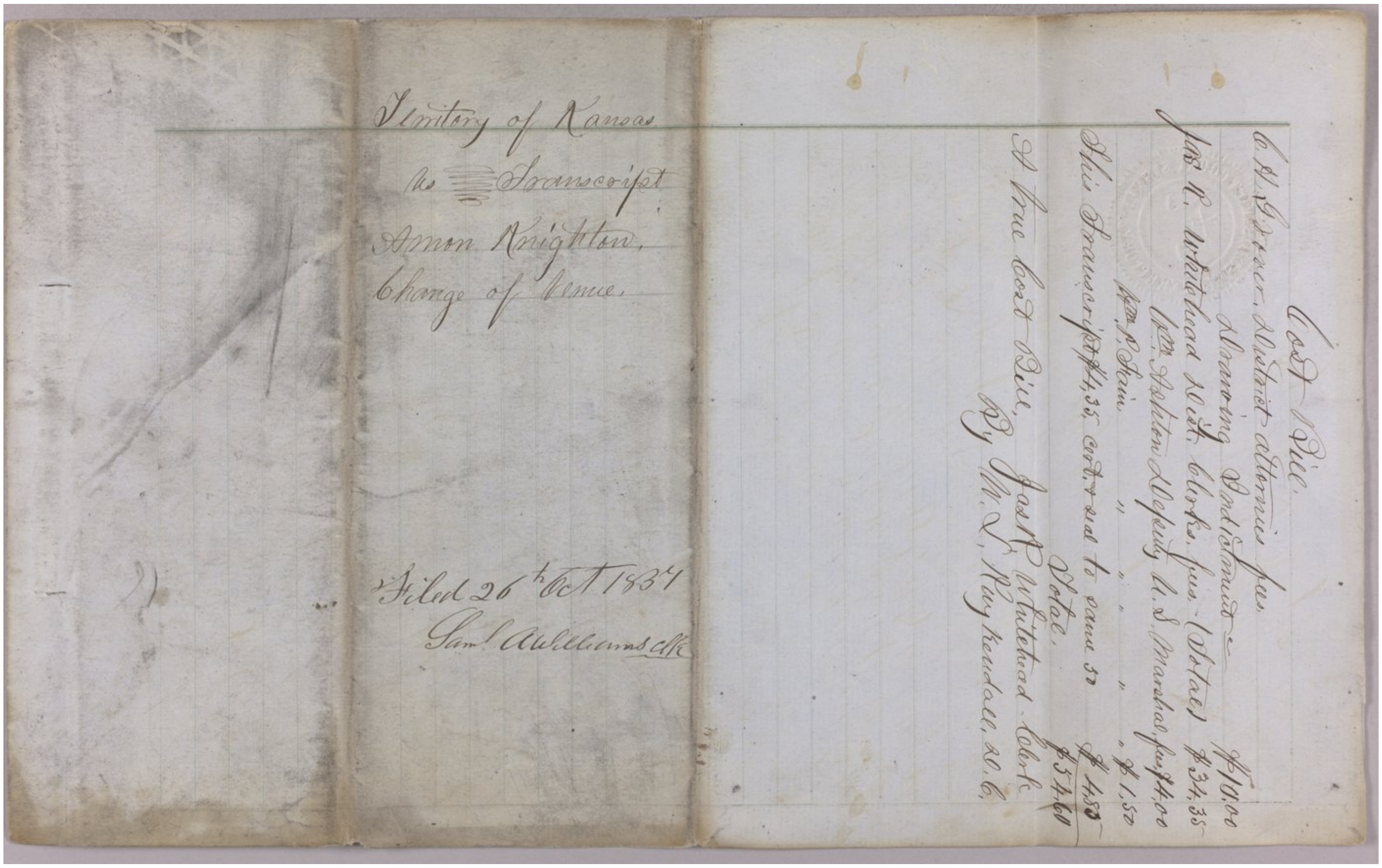
C. H. Grover. District attornies fees. Drawing Indictment	$10.00
Jas R. Whitehead Dist. Clerks. fees. (Total)	$34.35
Wm. Ashton Deputy U. S. Marshal, fees	$4.00
Wm. P. Fain " " " "	$1.50
This Transcript $4.35. cert. & seal to same 50	$4.85
Total.	$54.60

A true Cost Bill, Jas R. Whitehead Clerk
By W. L. Kuykendall, D. C.

Territory of Kansas
vs Transcript
Amon Knighton,
Change of Venue.

Filed 26th Oct 1857
Saml A Williams Clk

Kansas Territory versus Amon Knighton for murder



Territory of Kansas
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A true Cost Bill, Jas R. Whitehead Clerk
By W. L. Kuykendall, D. C.

United States of America } Sct
Territory of Kansas
First Judicial District } To any Judge Justice of the Peace or other Officer authorized to take depositions in the State of Indiana; Greeting:

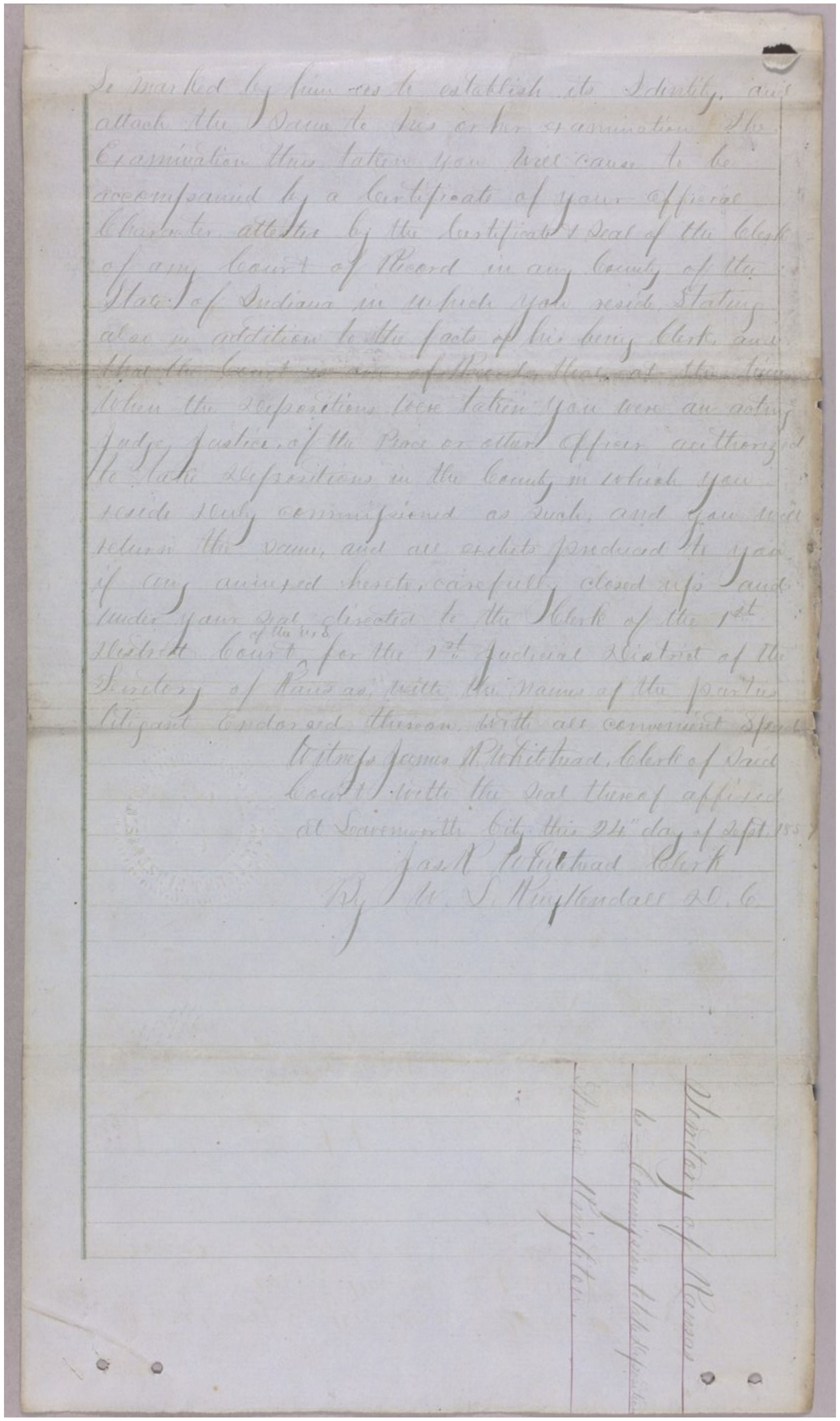
Know ye that we reposing confidence of your prudence & fidelity Have by these presents authorized you to cause to come before you to be examined as witnesses in a cause now depending in our First District Court of the United States for the First Judicial District of the Territory of Kansas wherein the Territory of Kansas is Plaintiff and Amon Knighton, is Defendant all such persons as shall be named to you for that purpose by the Said Amon Knighton, his attorneys or agent, and we command you to examine every such person upon his or her Oath or Solemn affirmation first made or taken before you, to testify the whole truth touching his or her knowledge of anything relating to the Said Matter of Controversy between the Said parties and that you do take such his or her examination and reduce the same to writing, when you shall have taken his or her examination you are to cause the witness to sign the same; and to that and each examination at the foot thereof, you are to append your Certificate setting forth the facts that the examination was subscribed and sworn to or affirmed by the witness and the day as well as between what hours of the day on which it was done, and also the place of Residence of the witness if known to you, Should any paper or Exhibit be produced or Shown, or be refered to by the witness, you are to describe the same in his or her examination or cause it to be be marked by him so as to establish its Identity, and attach the same to his or her examination. The Examination thus taken you will cause to be accompanied by a Certificate of your Official Character attested by the Certificate & Seal of the Clerk of any Court of Record in any County of the State of Indiana in which you reside, Stating also in addition to the facts of his being Clerk and that the Court is one of Record, that at the time when the Depositions were taken you were an acting Judge, Justice, of the Peace or other Officer authorized to take Depositions in the County in which you reside duly commissioned as such; and you will return the same, and all exhibits produced to you if any annexed hereto, carefully closed up and under your seal directed to the Clerk of the 1st District Court of the U.S. for the 1st Judicial District of the Territory of Kansas, with the Names of the parties litigant Endorsed thereon with all convenient speed.

Witness James R. Whitehead, Clerk of said Court with the seal thereof affixed at Leavenworth City this 24th day of Sept. 1857

Jas R Whitehead Clerk
By W. S. Kuykendall D. C.

Territory of Kansas
vs — Commission to take Deposition
Amon Knighton.

Kansas Territory versus Amon Knighton for murder



be marked by him as to establish its Identity, and attach the same to his or her examination. The Examination thus taken you will cause to be accompanied by a Certificate of your official Character, attested by the Certificate & Seal of the Clerk of any Court of Record in any County of the State of Indiana in which you reside Stating also in addition to the facts of his being Clerk, and that the Court is a Court of Record, that at the time when the depositions were taken you were an acting Judge, Justice, of the Peace or other Officer authorized to take depositions in the County in which you reside duly commissioned as such, and you will return the same, and all exhibits produced to you if any annexed hereto, carefully closed up and under your seal directed to the Clerk of the 1st District Court of the U.S. for the 1st Judicial District of the Territory of Kansas, with the Names of the parties litigant Endorsed thereon, with all convenient Speed

Witness James R. Whitehead, Clerk of said
Court with the seal thereof affixed
at Leavenworth City this 24" day of Sept. 185
Jas R. Whitehead Clerk
By W. S. Kuykendall D. C.

Territory of Kansas
vs Commission to take depositions
Amon Knighton.