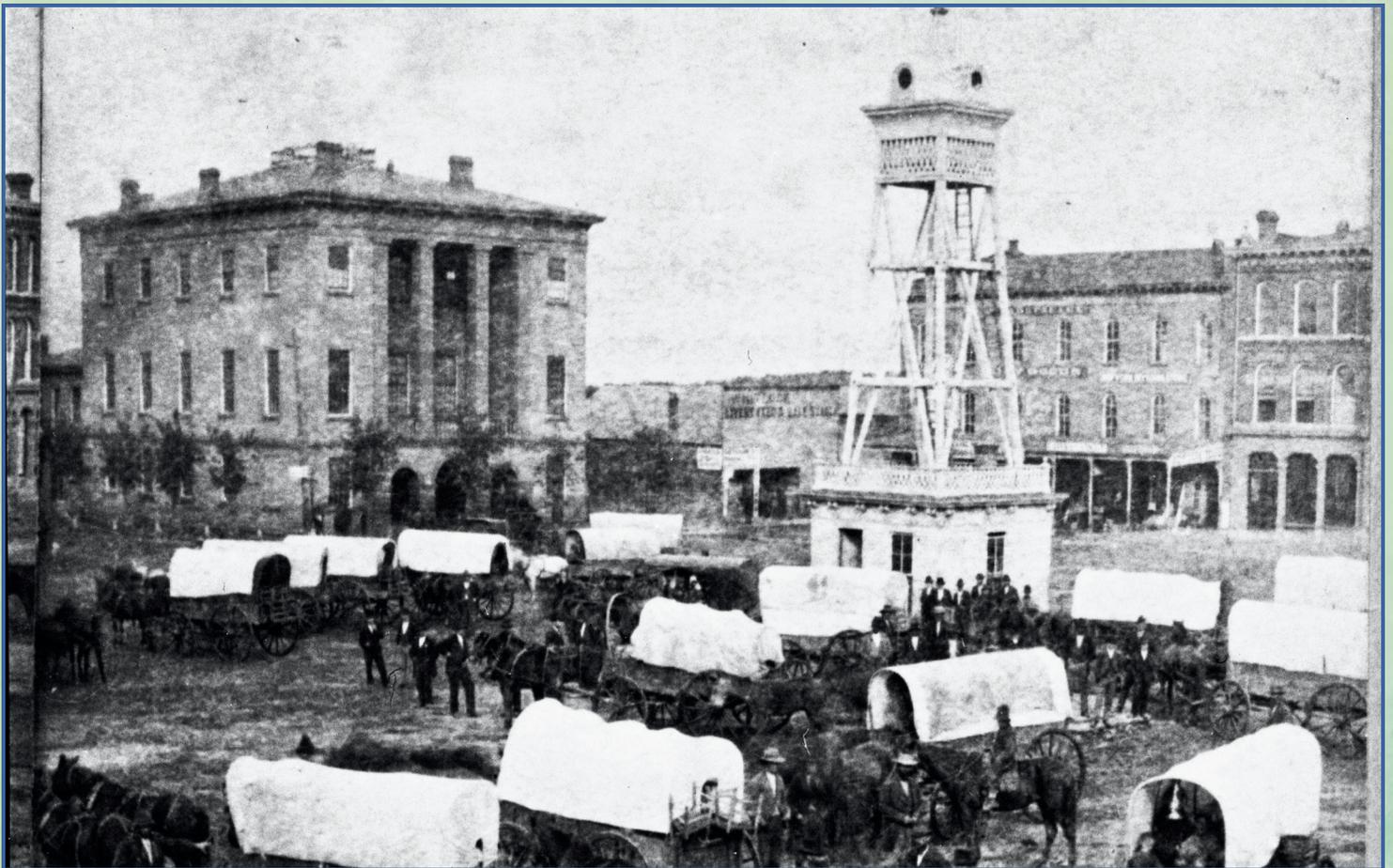


CHRONICLES OF THE COUNTY

**Featured:
Judge Lindenbower
Shot & Killed**

**Lives & Legacies:
James C. Leslie**

**Affairs of Honor:
Dueling in Early
Greene County**



ISSUE NO.03
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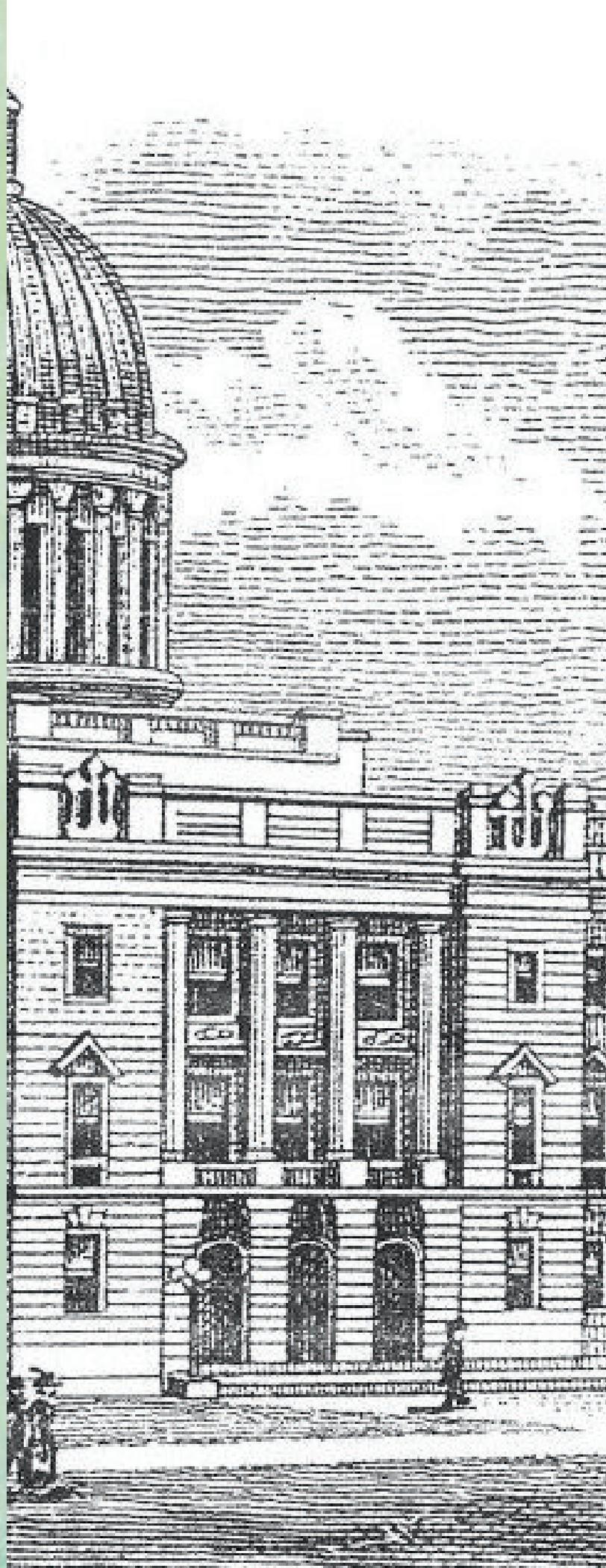
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KYLEE MAY

Our Vision

To be a leading archival repository and research center in Missouri for county and regional history.

Our Mission

- To collect, organize, and maintain official and historical county records.
- To maintain suitable facilities for the retention and preservation of county records.
- To provide statutorily retained records as requested to county offices and the general public.
- To provide professional and knowledgeable records management services.
- To facilitate programs, resources, and outreach activities to increase public awareness about the value of the public records we preserve.



A CLOSER LOOK

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THE AMERICAN REVOLUTION
EXPERIENCE & RESOURCES

ON THE COVER: This 1880 view of Springfield’s Public Square shows a livery stable just two doors left of the courthouse. Court documents suggest William J. Cannefax may have fled here after the infamous Humboldt Saloon shooting of Judge Harrison J. Lindenbower. Photo Courtesy of the Springfield-Greene County Library



From the Desk of the

Recorder of Deeds



I have had the privilege of serving Greene County as Recorder since 2011, after working in the Recorder's Office for eighteen years under two previous Recorders. My career began by chance while attending college when a classmate, who worked for then-Recorder Russell Keller, asked if I was looking for a job. What began as a part-time, temporary data-entry position became a full-time permanent role within the first week — and the rest, as they say, is history.

Over the course of my career, I have witnessed the evolution of recordkeeping from hand stamps, handwritten entries in bound volumes, and manual microfilming to computer indexing, digital scanning, historic record digitization, and eRecording. This transformation has strengthened both public access and long-term preservation.

During my tenure as Recorder, our office has remained committed to safeguarding Greene County's records. We continue to microfilm documents for long-term storage and work closely with the archives to ensure permanent county records are preserved according to established standards. Through statutory recording fees, the Recorder's Office also collects funds for the Missouri Land Survey Fund and the Secretary of State, supporting preservation efforts across the state.

The importance of proper preservation becomes especially clear during times of crisis. In 2017, following a devastating flood in Carter County, I joined fellow recorders from across Missouri to assist in the recovery of vital records. The Recorders Association of Missouri was later honored with the Jonas Viles Award for Record Preservation from the Friends of the Missouri State Archives for those efforts.

As Recorder of Deeds, I am reminded daily that our work is both practical and profoundly historical. Each document recorded — deeds, military discharges, marriage licenses, and other instruments — ensures the orderly transfer of property and the protection of individual rights. Reliable recordkeeping is essential; history

reminds us that even figures such as Abraham Lincoln and Daniel Boone lost property in Kentucky due to inadequate land records.

Beyond their legal function, these records form the foundation of our county's history. Within our office reside the earliest land transactions of Greene County, bearing the signatures of the men and women who shaped this community from its establishment in 1833. While many of their names are no longer widely recognized, their stories remain preserved in these pages.

Every document tells part of Greene County's story — the expansion of farms and neighborhoods, the formation of businesses, the establishment of churches, and the joining of families in marriage. These are not merely legal filings; they are the written record of a growing community.

What begins as a contemporary filing becomes, over time, a primary source for genealogists, historians, and citizens who value local history. The documents recorded today will one day be studied just as we now consult records created at the county's founding. Each day, we are recording the present while preserving the past for future generations.

Cheryl Dawson Spaulding

“A Horrible Tragedy: Judge Lindenbower Shot and Instantly Killed!”

ON JANUARY 24, 1871, THE HUMBOLDT SALOON WAS THE SCENE OF THE MURDER OF JUDGE HARRISON J. LINDENBOWER BY WILLIAM J. CANNEFAX.

MAYOR'S WARRANT.

THE STATE OF MISSOURI TO THE MARSHAL OF THE CITY OF SPRINGFIELD, MO., GREETING.

Whereas, Complaint has been made to me, Wm. E. Gilmore, Mayor of the City of Springfield, in the County of Greene, State of Missouri, upon the oath of A. C. Avery that on or about the 24th day of January, 1871, at said County of Greene, in the State of Missouri one William J. Cannefax did unlawfully and feloniously, with deliberate and premeditated malice in and upon the body of Harrison J. Lindenbower make an assault with a loaded pistol, with intent then and there to kill and murder him, said Harrison J. Lindenbower; and did feloniously, of purpose and with deliberate and premeditated malice, kill and murder him, said Harrison J. Lindenbower contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State.

These are, therefore, to command you forthwith to arrest the said William J. Cannefax and bring him before me, to answer the premises, and further to be dealt with according to law.

GIVEN under my hand and the seal of the City of Springfield, this

24th day of January
1871 Wm. E. Gilmore

MAYOR.

The Humboldt, located on the square just north of the courthouse, had been in business since at least 1868. At the time of the murder, Henderson Jones owned the saloon, having bought it from James Kirby the previous fall.

County Coroner Peter Burns ordered that a jury be summoned immediately for an inquest. Drs. George M. Cox, Jonathan E. Tefft, and Christopher Columbus Clements examined the body at 5 p.m. on January 24; they "found three pistol shot wounds. The first shot entered the sternum...the second shot entered...two inches to the left of the spine...and came out 3 inches to the right and above the navel. The third entered

the right side of the body between the ribs. This ball did not come out. Either of the two first mentioned wounds were necessarily mortals and the third one probably so."

Witness testimony began the next day, beginning with William H. Henslee. Henslee said he was standing in the saloon with Lindenbower when Cannefax walked in. Cannefax made a comment to Lindenbower about "that land." Lindenbower replied, "You had your attorney there." Cannefax said, "Don't let me interrupt you," and walked away. He returned within a few minutes with his pistol out and shot Lindenbower in the chest.

Drs. Cox, Tefft & Clements made the foll.

The undersigned examined the body of H. J. Lindenbower lying dead on the 24th of Jan^y 1871 at 5 o'clock P.M.

Found three Pistol shot wounds -

The first shot entered the Sternum opposite the 4th Costal Cartilage and ~~came out~~ ranging nearly directly backwards - came out of the back

The second entered two inches to left of the spine, 2 inches below the origin of the ~~artery~~ came out 3 inches to above the navel.

The third entered the of the body between 8th ribs, this ball come out.

HUMBOLDT
Wholesale
LIQUOR STORE,
HENDERSON JONES,
Proprietor,
West Side Public Square, Next
Door to the Court House,
SPRINGFIELD, MO.

HARRISON J LINDENBOWER,
Attorney and Counsellor at Law,
SPRINGFIELD, MISSOURI.

WILL practice in all of the courts in South West Missouri—will give prompt and careful attention to collecting debts, Conveyancing, investigating real estate claims and titles, making abstracts of titles, paying taxes, buying and selling land, &c.
Business from abroad will receive prompt and careful attention.

...
Lindenbower “clapped both his hands” on the wound, staggered a few steps, then Cannefax shot him again.

Henslee said he walked out of the saloon and heard another shot fired. He then saw Cannefax walk out of the saloon and into the livery stable next door. Henslee walked back into the saloon and saw Lindenbower on the floor. He raised him up and “saw that he was about dead and laid him” back down.

Next up was Robert B. Marmion, who testified that he saw Lindenbower talking to a man in the saloon, who he later saw shoot the judge. Lindenbower fell to the floor, and the man shot him twice more. He thought he heard Lindenbower say, “I am killed dead.” He died seconds later. Witness Theodore McAdams was in the saloon and saw Cannefax shoot the judge three times, then leave the building.

William B. Haynes said he walked into the saloon and saw Cannefax standing by the stove. He also noticed the pistol on his left

side. Haynes decided to leave; Cannefax started to follow him, then turned around and cocked his pistol, pointed it at Lindenbower and shot him. He shot him twice more before leaving and going into the livery stable office next door. Circuit Attorney James Patterson and Deputy Sheriff A. T. Budlong, possibly alerted by the gun shots, walked by, and Haynes told them what happened. Patterson went into the saloon, while Budlong and policeman Henry Franz entered the livery stable and arrested Cannefax. Haynes returned to the saloon and “found Lindenbower had just breathed his last breath and was stretched out on the floor.”

Weston Hodges testified that he was in the back room of the saloon when he heard the first shot. He went toward the front of the saloon and saw Lindenbower “leaning back in a stooping position” and heard him say, “You have killed me.” That is when he noticed Cannefax with his pistol pointed at Lindenbower, which he then fired two more times. Henry Linsey also testified that he saw Cannefax point his pistol at Lindenbower and shoot.

With the testimony complete, the inquest jury’s verdict found that the “violence causing said death was committed by a certain William J. Cannefax.”

“Now at this day, it appearing, to the Court that the death of the Defendants, having been suggested, by the Plaintiff for a period more than three terms, of this Court, and it further appearing, that the heirs and representatives of said Defendant have not been made parties Defendants hereunto. It is therefore considered by the Court that this Suit abate and be dismissed at the cost of the Plaintiff, which is accordingly done and it is further ordered that an Execution issue for said costs.”

Lindenbower was born in Ohio in 1836 and arrived in Springfield in 1858. He was in business as an attorney by 1859. He was involved in local politics after the war as a Radical Republican and was probate judge from 1862-1863.

Lindenbower's funeral was held on Friday, January 27, at his home on E. Walnut Street and was heavily attended. The crowd was so large that many were unable to get inside the house. A service at the Episcopal Church was held following that gathering. At this service, "friends and neighbors were permitted one last glance...[his]face was calm, serene—at peace." A large procession took Lindenbower to Hazelwood Cemetery. Future governor John S. Phelps was one of the pallbearers.

On February 11, Cannefax appeared in court. He was described as a "tall, middle-aged man" with medium-length auburn hair. His whiskers were gray and swept "around the lower part of his face and curl[ed] up at the ends like a ruffle." He wore a "soldier's blue overcoat and grey pants" to court. Patterson read the indictment, murder in the first degree, in court. Cannefax refused to enter a plea, so the judge ordered the clerk to enter a plea of "not guilty" for him.

His attorneys, Price, Crawford, and Cravens,

requested that his indictment be quashed and asked for a continuance, stating that he could not "safely go to trial at the present term for the want of the testimony of a material witness." The motion to quash was overruled; the request for a continuance was granted. The following May, his attorneys requested a change of venue "on the grounds that the inhabitants of said county of Greene are so prejudiced against him...that he cannot have a fair trial." The court agreed and transferred his case to Taney County.

•••

In June, Cannefax, along with three others, escaped from the Greene County Jail by digging a hole *through a wall.*

The sheriff offered a \$300 reward for the capture of Cannefax. Governor B. Gratz Brown offered an additional \$300 reward, as did Lindenbower's widow, Louvinia.[1]

Nothing more was heard of Cannefax until 1874, when rumors placed him in Texas. Efforts to locate him there had failed. However, by mid-July of that year, Sheriff Andrew Jackson Potter had "obtained sufficient evidence to convince him that Cannefax had returned" to the Springfield area and was hiding out "either at the house of Bob Cannefax, or within the vicinity." [2]

At about 4 p.m. on the afternoon of July 15, Potter, deputy Joseph Dodson, and a detective named Jones rode "slowly and leisurely" out of town, all three riding in

W. J. Cannefax, the murderer of Judge Lindenbower, in company with three other prisoners escaped from the jail at Springfield, by digging a hole through the wall into a hall that was closed up, and it is supposed they were gone some time before their escape was discovered. A number of men are in pursuit and there are strong hopes they will be captured. The sheriff offers \$300 reward for Cannefax.

different directions. They all met at a specified location, then rode together towards the home of Robert Cannefax, located about four miles southwest of Springfield. When they got within about a half a mile of the house, they tied their horses, then “waded [through] the brush to within a hundred yards of the house,” where they stopped. They laid down in a fence corner to watch the house, staying in place into the night.

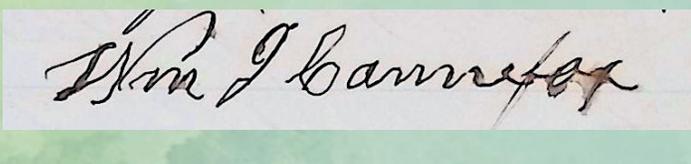
Eventually, they saw someone walk toward the house on a road that would take him “directly past them.” Realizing it was their fugitive, they readied their pistols expecting a fight. Cannefax approached the house cautiously, looking around, and carrying a revolver in his right hand. He was within just a few feet of the sheriff and deputies when they told him to surrender. Cannefax responded by shooting at them. Potter and the deputies fired back; Potter himself fired three times before the cap stuck on his pistol. He then rushed at Cannefax and hit him on the head with his gun, while Cannefax was still shooting at them, or at least, in their direction. After Potter hit him, the two deputies rushed forward; Cannefax continued to put up a fight and “hit Dodson on the head before going down.” They tackled him to the ground and took his gun, then carried him into the house to tend to his wounds. One shot had grazed his scalp, one passed through his thigh, and another hit his left arm, shattering the bone.” Since the “rain was pouring down in torrents,” at the time, it was several hours later before he was back in the Greene County Jail. By the following day, news of his capture “spread like wildfire.”

William J. Cannefax, who shot Major Lindenbower, four years ago, and who was only recently arrested, had his trial this week in Taney county. He confessed—pleaded guilty of murder in the second degree. The Judge gave him a free ticket to the penitentiary for life time.

Cannefax finally went to trial in Forsyth, Taney County, in October. He confessed and pleaded guilty to second degree murder. He was sentenced to life in prison. He was pardoned by Governor Thomas Crittenden in June 1883.

What motivated Cannefax to murder Lindenbower? It was an almost 10-year-long grudge about land that was confiscated during the Civil War. William’s uncle, Benjamin R. Cannefax, “went south and abandoned his home” during the war. While he was gone, local creditors sued him and won by default. His land was subsequently sold to Lindenbower. By 1867, Benjamin Cannefax had returned to Greene County and sued Lindenbower for the return of his land, which he claimed Lindenbower had “unlawfully” taken possession of. Lindenbower emphatically denied illegally having possession of his land. Benjamin’s nephew, William, felt entitled to a portion of the land and was a plaintiff in the case.

The lawsuit did not end with Lindenbower’s death; it continued against Lindenbower’s three minor children, William H., Mary B., and Frederick D., as well as his widow, Louvinia. The case finally concluded in 1874, with a loss for the Cannefax family. William J. Cannefax died on June 16, 1885, at his home a few miles southwest of Springfield.



[1] Louvinia went by “Vina” or “Vinia.”

[2] Robert Cannefax was William’s brother.

Lives & Legacies

Setting the Books Straight: Greene County's First Auditor

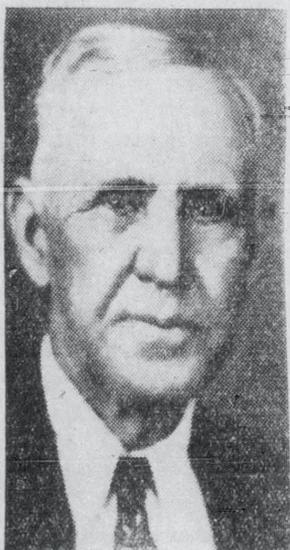
IT IS HARD TO BELIEVE THAT GREENE COUNTY WENT ALMOST 100 YEARS WITHOUT THE SERVICES OF A COUNTY AUDITOR...

The county had regular audits, but they were done by local accounting firms hired for that purpose. It was not until 1919 that a new state statute created the office of the county auditor in counties where there was a city with a population of at least 50,000. At that time, Greene County did not qualify.

In 1928, Governor Samuel A. Baker decided to appoint an auditor for Greene County. His choice was Ben Horine, a Springfield accountant. Governor Baker contended that Springfield met the requirement; however, the county court pointed out that the only "authoritative" population data was the 1920 census, which had Springfield at under 40,000 inhabitants. Therefore, the county court refused to "issue Horine a commission or accept his bond." Horine sued, taking the case to the Missouri Supreme Court in the hopes the county would be forced to "recognize his appointment." It didn't work;



Auditor Leslie, Judge Tangle In New Fight



R. A. Young



J. C. Leslie

County Auditor J. C. Leslie and Presiding Judge R. A. Young of the county court are still at loggerheads about the proper method of certifying purchases.

Mr. Leslie warns that salesmen wanting pay for supplies they sell the county should be sure a requisition bearing his signature has been prepared in advance.

Judge Young holds this is not required by law. "He's not purchasing agent," declared the judge, referring to Mr. Leslie. Requisition blanks Mr. Leslie had printed recently bear the words, "purchasing agent," near the space left for the auditor's signature.

"I know I'm not purchasing agent," countered Mr. Leslie. "But I am authorized to see that purchases are made properly and that the orders for purchases don't exceed the revenue. If that had been done, there wouldn't have been all that money spent for disinfectant, oil and grease."

the Missouri Supreme Court ruled against him in February 1929, and the county had to wait a few more years to have an auditor.

Just two years later, the 1930 census showed that Springfield had a population of approximately 57,000 citizens. A county auditor could now be chosen at a general election. Once elected, "all financial matters of the county offices would be under the supervision of the auditor."

In June, Horine and James C. Leslie, a long-time accountant for railroad companies, filed as candidates for county auditor for the upcoming primary, as did J. H. Langston. The position paid \$2,400 annually, with the deputy receiving \$1,800. The job primarily included countersigning all "licenses and warrants issued by the county collector." [1]

The primary was held that August. Horine

still did not get to be auditor; J. H. Langston edged him out in the primary. In November, it would be Leslie against Langston, Democrat and Republican nominees, respectively. On November 4, 1930, Leslie became the first Greene County auditor, beating Langston by 464 votes. He appointed Tom Emerson, previously employed in the county back tax office, as his deputy. [2] Leslie planned to audit each county office and issue monthly reports regarding the work done in each office.

Halfway into Leslie's first year, a scandal arose regarding disinfectant, *of all things.*

The county owed over \$5,000 for disinfectant alone, purchased for the jail, county farm, and courthouse in 1931. Leslie discovered that there were no requisitions for the disinfectant and not all of the invoices could be located, and his displeasure was public knowledge. Presiding Judge Roten A. Young, himself recently elected, said that there was "no system of requisitions and the county court has no control over purchases made by county officers." Young said the court had "insisted" the county offices consult with them before making purchases, but not all offices complied with the request.

Young was "considerable irritated" by the auditor's criticism regarding the county's purchasing process and immediately confronted him. He first accused Leslie of

wanting to be purchasing agent as well as auditor, an accusation Leslie denied. Young then suggested that Leslie look at his own spending before “making statements about other people,” referring to funds Leslie spent preparing his office without obtaining bids.

Apparently stung by Young’s accusation of the money spent on his office, Leslie invited the public “to inspect his office furniture.” He said he had no time to obtain bids because his position was a new one, and he had little time to prepare his office. Leslie’s office had the bare minimum—a desk and chair for himself and his deputy, as well as a counter and file cabinets.

REQUISITION
THIS IS NOT A PURCHASE ORDER

Dec 31 1934

TO THE COUNTY COURT
Gentlemen:

I require for use in my office or department the following merchandise;

Salary Supt	W. M. McDonald	100.00
" Matron	Mrs. W. M. McDonald	55.00
" Asst Matron	Mary Barnes	85.00
" Cook	Fred Smith	31.00
Cash to Inmates		26.00

The County Court has ascertained from bids that the requirements itemized above may be purchased from:

Greene Co Farm
at a price of \$ 247.00
the same being the low bid.

W. M. McDonald
HEAD OF DEPARTMENT
The undersigned, County Auditor of Greene County Missouri hereby certifies that there is \$ 747.00 unencumbered anticipated Revenue in the appropriation of the;

Alma House
to pay for the aforementioned purchase.

R. P. Young
PRESIDING JUDGE
ASSOCIATE JUDGE

J. Leslie
AUDITOR.
G.
DEPUTY AUDITOR

the county to give the auditor’s responsibilities to the county treasurer.

Armstrong’s plan didn’t work; in fact, by summer 1932, the Missouri legislature gave more power to county auditors. Previously, the only definitive authority the auditor held was countersigning tax receipts. Although Leslie regularly audited county offices, until now, state statute did not require him to do so. He would also be required to set up a county accounting system, maintain an inventory of county property, and keep track of all “appropriations and expenditures of the county court.” No payment could be made without his verification that there was sufficient anticipated revenue to cover the expenditure.

With Leslie’s duties officially established, there was time for him and Young to get into yet another disagreement over requisitions, this time over the type of form used and when. Young submitted a form to be printed, but Leslie made a change to the form. Therefore, Young refused to allow the

●●●

After that confrontation, the disinfectant scandal finally ended, but there was more to come...

Leslie had only been in office for one year when Orland K. Armstrong, a state representative from Springfield, introduced bills to reduce salaries, as well as eliminate the auditor’s position. Armstrong stated that the auditor was a “useless and powerless official,” and it would be cost effective for

county to pay for the forms or use them, saying that Leslie would have to pay for them himself.

Leslie announced "in a formal letter" to the county court that he would refuse to sign any warrant unless his form was used. "Young, with whom Mr. Leslie has had many tilts over the method of keeping records, said that [Leslie's] new system would be started January 1." Leslie, however, wanted to begin the process immediately. His warning to the court "came as the climax to a long-time feud between the auditor and the court over the proper procedure in handling requisitions for purchases."

This latest feud was finally settled by the end of December. Young accepted that all purchases had to be made by requisition and agreed to use Leslie's purchase order system. Leslie conceded that he did not need to sign requisitions until after the bid process was completed. Prosecuting Attorney Nathaniel Wise Benton "acted as peace maker" in the dispute, overseeing a meeting with the two men, as well as County Clerk Carl R. Johnson and County Treasurer Sarah Gibson, who were there to clarify the new state law. The *Springfield Daily News* reported that the meeting was very "peaceful, in contrast to recent bitter clashes between Young and Leslie." [3]

Leslie ran for reelection in 1934, but lost to Harvey H. Webb in November by 555 votes. Leslie's occasional

nemesis, Judge Young, retired after one term as presiding judge. In April 1936, Leslie ran for county assessor and won. He ran for reelection in 1940 but was narrowly defeated by J. Oliver Gideon. In December 1943, Leslie died at the age of 74 after suffering from pneumonia. He had apparently been in poor health for the last three years.

[1] Horine worked for the Southwest Audit and System Company, the company hired to audit the county. Leslie was an experienced accountant and auditor.

[2] Emerson was the son of former county clerk, W. P. Emerson.

[3] Benton was the brother of muralist Thomas Hart Benton.

D.K. 2043

Certified Copy of Order to Purchase
(Rev. Stat. Mo. 1929, Sec. 1700)

STATE OF MISSOURI, } ss. *Oct 31* Term, 19 *34*
County of Greene

In the County Court of said County, on the *31st* day of *Dec* 19 *34*
the following among other proceedings, were had, viz:

The County Auditor having certified that there is sufficient unencumbered anticipated Revenue appropriated for the payment of same it is ordered by the Court to purchase from _____
J. C. Leslie the following supplies for the _____
County Auditor

Cash adv to Herbert Gibson
for services as Deputy
County Auditor \$70.00

STATE OF MISSOURI, } ss. I, *Carl R Johnson* Clerk
County of Greene

of the County Court, in and for said County hereby certify the above and foregoing to be a true copy of the proceedings of our said County Court, on the day and year above written as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at office, in Springfield, this the *31* day of *Dec* 19 *34*
Carl R Johnson Clerk County Court
W. M. Emerson D. C.

Pages from the Past

The Work of Local Records Field Archivist Leslie James



**BY LESLIE JAMES, LOCAL RECORDS
FIELD ARCHIVIST, MLIS, CA**

Leslie James is a Local Records Field Archivist with the Missouri Secretary of State's Office. For the past 12 years, she has been processing 19th-century circuit court case files for the Greene County Archives as part of a collaborative project with the Local Records Preservation Program (LR) under the Missouri Secretary of State's office.

For over 35 years, LR has provided educational and financial resources to Missouri municipalities and counties to assist them in their custodial duties for maintaining permanent records. I am what we call a field archivist. I am currently one of six field archivists dispersed throughout the state. I am based in southern Missouri and assist 24 counties and the municipalities within those counties with records management and preservation.

One particular part of our outreach is working on large, long-term preservation projects of 19th-century documents. These projects can include circuit court cases and probate estate files.

Prior to 2013, volunteers flattened and foldered the case files and completed some basic folder labeling allowing for a finding aid to be produced for those cases. The goal of this project is to process circuit court case files dating from 1833 through 1899 and prepare them for preservation

imaging by L.R. Processing case files includes remedial conservation work such as removing fasteners (metal, thread, rubber, etc.), mending, ungluing, and cleaning each file. The documents within the case files are then put in chronological order and read for pertinent information, noting the who/what/when/where of the case. That information is used to label acid-free folders and that information then goes into a new finding aid for researchers to use. The finding aid is shared with the Greene County Archives and is also available through the Judicial Records Database on the Missouri Secretary of State's website.

One particular issue we deal with when working with 19th-century records is that they have been handled by various clerks, researchers, and the like over the years, and it is not uncommon for cases to get intermixed or individual documents to get separated from their original case. While processing these files, every attempt is

Leslie James is using a microspatula to remove the remains of an old rubber band in the photo below. In the photo on the previous page, she is using a rubber-sponge eraser to remove debris.



But I remembered that on the
23rd day of September A.D. 1874. The
following Petition was filed in the
Office of the Clerk of the Circuit Court
of Greene County Mo. which said
Petition is in words & figures as
follows to wit:

In the Circuit Court
of Greene County Mo.
November Term, 1874.

James Evans Pff
vs
The Odd Fellows Building
Association of Springfield Mo. Defs.

Plaintiff States that the
defendant is a corporation duly
Incorporated under the Law of the State
of Missouri. that on the first day of
June A.D. 1874. he was the Owner and
as such entitled to the immediate
possession of the following described
real Estate Situate in the City of Spring-
field Greene County Missouri. that
is. all that part of Lot No. 45 in
Block Thirteen in the City of
Springfield. Commencing at a
point on the West side of South
Street. Seventy two feet north of the

being made to have as complete a case file as possible before the documents go for preservation imaging.

Some portions of these records have been the victims of water and mold damage over the years due to roof leaks from years past. I am able to clean the dormant mold from the paper by using rubber-sponge erasers and a HEPA vacuum. These files have also

been stored tri-folded for decades, and many of the larger cases require the use of humidification to help them to relax and lay flat. LR has provided a large humidification set-up using a baker's rack, allowing for humidification of several files at once.

Preservation imaging includes creating a digital copy of each page of each case. Those digital images are copied to microfilm to produce a long-term back-up of the case files. The digital copies and the finding aid produced are uploaded to the Judicial Records Database where they can be accessed by the public. The original documents are returned to the Greene County Archives.

...

**To date, 5,573 civil
and criminal case files
have been processed.**

There are several well-known cases from Greene County, including Wild Bill Hickock's famous shootout on the square in 1865. More recently, the story of Milly Sawyers was brought to light through circuit court records and a dramatic interpretation of her story performed by Willard High School. There are many stories told through these court case files including family stories, business successes and failures, and everyday issues that are dealt with even today.

Following are a few cases showing the variety of information found within these early files.

James Evans v Odd Fellows Building Association of Springfield

Ejectment and damages for \$1,500

In September 1874, Dr. James Evans filed a claim against the Independent Order of Odd Fellows Building Association of Springfield seeking \$1,500 damages and the association's ejectment from his real property. According to Evans, the Independent Order of Odd Fellows (IOOF) had built a stone foundation and upon that a brick wall three stories high to the south of

their new building on South Avenue. He also claims that it was built upon 18.5 inches of Evans' own property. He wanted that strip back! Not only did he want the land back, he also wanted \$1,500 damages for the lost use of the land AND \$25 per month in lost rent. The case file does not give us the resolution to the situation, but looking at other sources, we find that on November 9, 1875, both parties were able to come to an agreement whereby "for the purpose of settling pending litigation and to fix the boundary line between them." For the sum of \$300, the building association would permit Evans to attach his new building to the brick wall of the Odd Fellows Hall and the deed records for both properties would show that 18.5 inches being allocated to the Odd Fellows lot.

By March of 1877, the IOOF building (also known as the Opera House) was auctioned off on the courthouse steps to pay debts owed by the association.

Caroline Gorsuch Plff

vs

John Small John McElhannon
 A. McElhannon, J. McElhannon
 A. C. Hoar William McElhannon
 James McElhannon, John C. Camst
 John Evans Samuel S. Appleby
 Hartwell Gray Barret L. Emmons
 Stephen A. Edmonson Franklin
 Gay J. Davenport, Levi
 Denny, Henry Gray
 William Cook Jr. John
 Denny A. P. Taylor &
 George Sloan Defts

Civil Action
 In Graine Co
 Circuit Court
 January Term
 1867

The Plaintiff states that
 summons to the 26th day of May A.D. 1866
 she was legally married to Charles A
 Gorsuch now deceased and her and
 the said Charles A Gorsuch was on
 the said 26th day of May A.D. 1866 living
 together as husband and wife in
 the County of Graine aforesaid in the
 State of Missouri, that on that day the
 said Defts together with other evil
 disposed persons with force and
 violence unlawfully and maliciously did
 kill and murder the said Charles
 A Gorsuch without any provocation

Caroline Gorsuch v John Small, et al

Damages for \$5,000 for the murder of
 Charles A. Gorsuch

Caroline Gorsuch filed a damages case against vigilantes believed to be members of the Regulators (also known as the Honest Man's League) that lynched and killed Charles A. Gorsuch in May 1866. Caroline's father, John Rush, was also lynched along with her husband that day. Caroline sought \$5,000 in damages for the unlawful, vigilante killing of her husband. She named John Small and 21 other defendants as being responsible for her husband's death. Caroline did not live to see a judgment for her damages case as she died in 1869, shortly after requesting a change of venue for the case. No one was ever charged with the deaths of Charles Gorsuch or John Rush.

Elizabeth Rice v John McElhannon and Barrett Lemmon

January 1865, Action on note

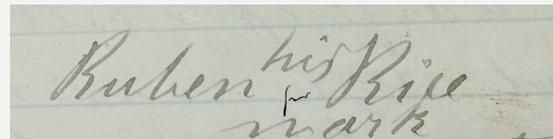
According to a promissory note dated October 4, 1860, John McElhannon, G. B. McElhannon, and Barrett Lemmon promised to pay \$1,000 to William H. Newland, administrator of the estate of Jonathan Rice.

The note was for the sale of Reuben, a slave, who was part of Rice's estate in Polk County. The defendants contended the sale was null and void because Newland, as administrator, did not have court approval to sell Reuben.

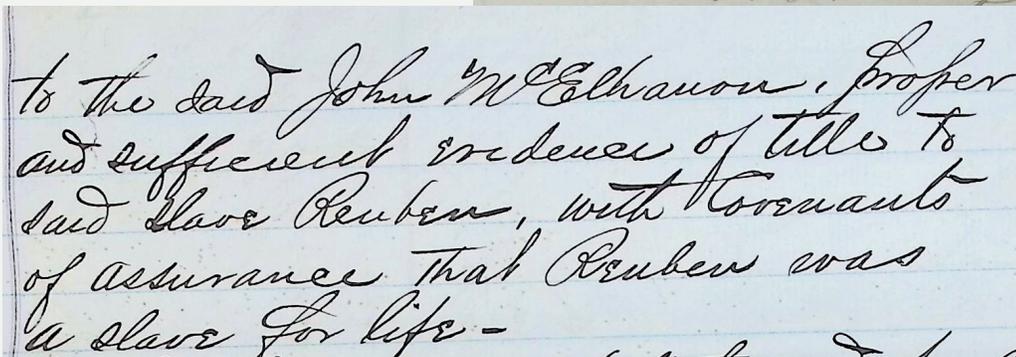
Included in the case file are depositions of various witnesses. In one deposition, it states that in the fall of 1860 Reuben was taken to Sarcoxeey [sic] to see his wife, Caroline. While there, James Rains offered John McElhannon \$1,200 for Reuben, but he did not have a clear bill of sale from the Rice estate to sell him. James McElhannon also offered him \$1,200 for Reuben, but again, he did not have a clear title for Reuben to sell him.

After emancipation, Reuben would take the last name of Rice. He can be found in the

1870 and 1880 US Census' living in Polk County with his wife, Caroline, and their three daughters. The file also includes testimony of Rice in reference to his being sold to John McElhannon. He was deposed in 1867 and testified that he was present when Rains offered to purchase him from John McElhannon with there being no clear bill of sale.

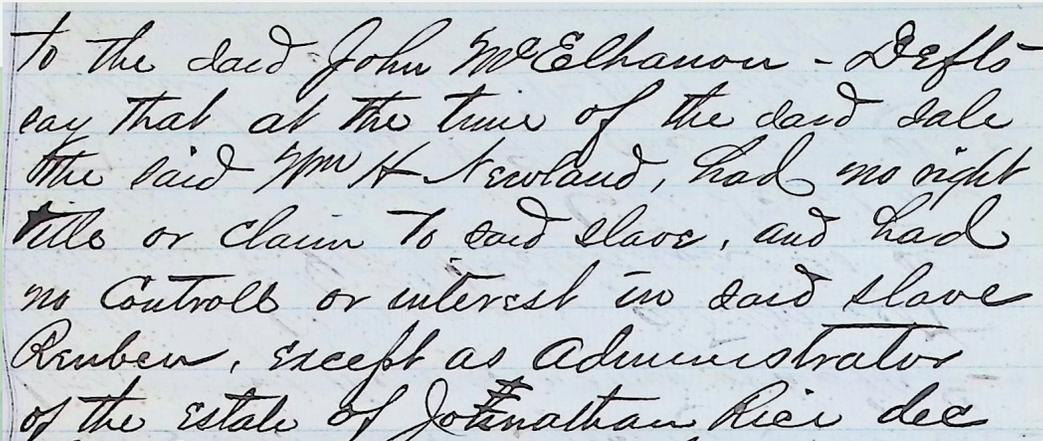


Reuben his Rice
mark



to the said John McElhannon, proper and sufficient evidence of title to said slave Reuben, with covenants of assurance that Reuben was a slave for life -

These circuit court records help to tell the ever-changing story of the county and provide insight into the everyday goings-on of the residents. Some cases are intriguing (and sometimes scandalous!), and others seem a bit mundane with little information or details given. But, by combining the information from the case file along with information from various other records held at the Greene County Archives, the Greene County Courthouse, and even the Missouri Secretary of State's website, amazing stories begin to unfold.



to the said John McElhannon - Defto say that at the time of the said sale the said Wm H Newland, had no right title or claim to said slave, and had no controll or interest in said slave Reuben, except as Administrator of the estate of Jonathan Rice dec

News From the County Record

In the Winter Issue,

we discussed the origins of Greene County and how county government was established throughout 1833. This will be a continuing series, looking at the evolution of the county each month through the county records books. In this issue, we will begin with the first county court term of 1834.

County court convened a new session on March 10, 1834. There were no new townships established during this term; the session consisted primarily in settling estates, establishing roads, and appointing road overseers.

James Dollison was still the presiding county court judge, along with Samuel Martin and Jeremiah N. Sloan. John D. Shannon continued as sheriff (and collector) and John Polk Campbell as clerk.

Nathaniel Newsom petitioned to operate a ferry on the Osage River five miles below Bledsoe's Ferry. Abraham Bledsoe continued to operate his ferry on the Osage, located "four miles below the mouth of the Pomdeterre (sic)."

Greene County citizens petitioned the court for a road leading from Newsom's Ferry to 20-Mile Prairie, "to intersect the road leading from Bledsoe's Ferry to Springfield at said ferry."

Another grocer opened for business; Jeremiah D. Yancy paid the \$5 state tax for a grocer license.

The Jackson Township line was extended, now beginning at Dunkin's Point to the Stephen James home on the Pomedeterry (sic) River in Mooney Township (now in Polk County), "then running so as to include all the settlements on the waters of the Pumdeterry (sic) to the mouth of the dry fork of Pumdeterry," and from there to the original line.

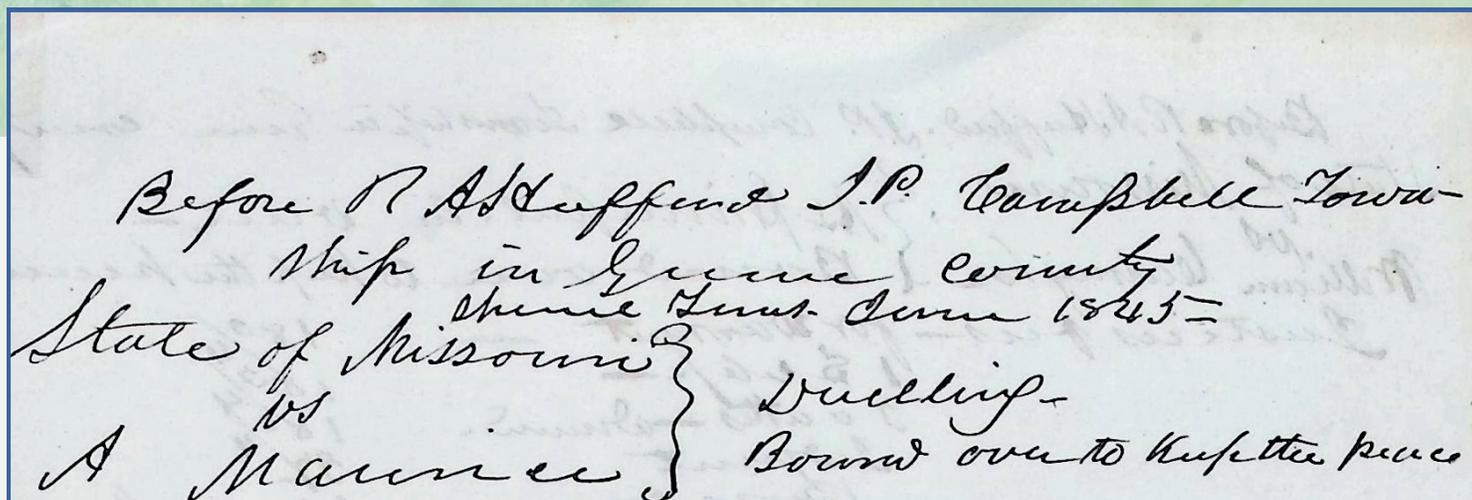
The county court ordered a "circular seal of brass, with the initial of Greene County, State of Missouri thereon inscribed, with the effigy of an Elk."

Court only lasted for three days, closing the term on March 12, 1834.

Ordered by the Court here, that John P Lock be ^{and} is hereby appointed overseer of road district No 3, of the road leading from Springfield to the Arkansas line in the direction of Fayetteville, which district leads from James Newsoms, on Crain Park, to the 4th crossing of Flat Creek.

Ordered by the court here that Luddeth Meeks be ^{and} is hereby appointed overseer of road district No 4 on the road leading from Springfield to the Ark' line in the direction of Fayetteville, which district extends from the fourth crossing of Flat creek, above John Locks, to sugar creek at the state line.

Affairs of Honor: Dueling in Early Greene County



Before R. A. Huffard J.P. Campbell Town-
ship in Greene County
State of Missouri } Duelling
vs } Bound over to keep the peace
A Maurice }

Did you know there was dueling in the Ozarks, including Greene County, in the 1840s? Well, sort of. The duels never actually happened, but there were several challenges to duel.

Joseph L. Young challenged Robert F. Rogers to a duel in Polk County in 1840. The duel never took place, but Young was convicted for issuing the challenge.

Then, in Barry County in 1841, Barney Brixey was indicted for challenging Thomas Carroll to a duel, and John Cornelison was indicted for aiding in the challenge. According to court records, Brixey and Cornelison “accosted” Carroll and issued a verbal challenge to fight a duel. Carroll reported the incident to the justice of the peace. Brixey apparently left the county and never went to trial.

In Greene County, the first dueling case was in April 1845, when Springfield attorney Amasa Maurice Jr. challenged William Cunningham to a duel. During the court

term in May, the grand jury indicted both men for agreeing to the duel. Maurice had issued the challenge; Cunningham accepted “a written message purporting to be [a] challenge from A. Maurice Jr. to fight a duel.” Their weapon of choice was a pistol.

Both were found guilty; Maurice was fined \$75 and Cunningham \$25. They had to post bond to “keep the peace” and not engage or attempt to engage in any duels for a period of six months. In particular, they were to stay away from each other. James H. McBride and James Kellogg were charged with assisting as seconds and were required to post bond to keep the peace, as well. However, it is unclear who was acting as seconds for whom. The cause of their dispute has been lost to history.

The last challenge to duel in Greene County, surprisingly, occurred after the Civil War and was between Axley Mitchell and Thomas Tiller in 1871. In May of that year, Mitchell issued a challenge to Tiller to fight a duel

with pistols. It was October before Sheriff Charles Baker Owen was able to locate Mitchell in the county. He was found guilty and fined \$25.[1]

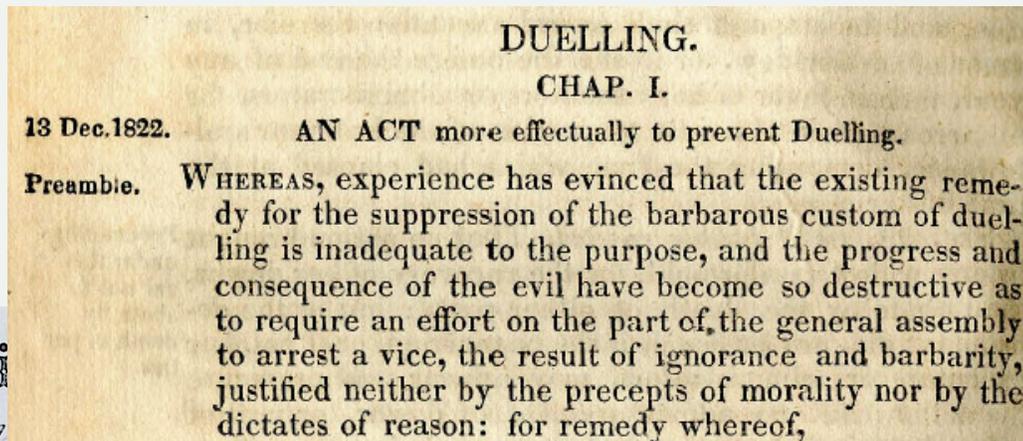
Dueling was not unheard of in early America, and frontier Missouri was no exception. Some are well-known, such as the Thomas Hart Benton – Charles Lucas duel in 1817 near St. Louis, which ended in the death of Lucas. As we have learned, the Ozarks was not exempt from such violence, but duels were rare, with only two known cases in Greene County.

Dueling was frequently politically based and always about honor and respectability. There is no record of what motivated Maurice to challenge Cunningham, but whatever it was, someone's honor had been threatened in some way; the response was to challenge the person who had disrespected them to a duel.

The Code of Honor regarding duels, known in the United States as the Wilson Code, required the acceptance of a challenge to duel. By the time Tiller was challenged, the period of dueling for honor had passed, and he was having none of it. Reporting the challenge to authorities was something that was unheard of in the 1840s.

Missouri had laws against dueling as early as 1822. In December of that year, the Missouri Senate passed a bill hoping to prevent “the barbarous custom of dueling.” These laws did little to prevent duels, but by the 1850s, the practice had almost ceased.

[1] The Hickok - Tutt case is not included because it was a shootout, not a formal duel.



The State of Missouri
County of Greene

May Term, A. D. 187/.

The Grand Jurors of the State of Missouri, EMPANNELED, SWORN, and CHARGED to enquire within and for the body of Greene County, upon their oath present, That

A. Mitchell

late of the County and State aforesaid, on or about the 10th day of January A. D., 187/, at the County of Greene and State of Missouri, did then and there unlawfully and willfully verbally challenge Thomas Tiller to fight a duel with him, with pistols loaded with gunpowder and balls



The National Society Daughters of the American Revolution; the American Battlefield Trust; the Rachel Donelson Chapter, NSDAR; the Greene County Missouri Commissioners; and the Greene County Courthouse have partnered to bring a free, nationwide traveling exhibition:

The American Revolution Experience **to Springfield, MO ~ March 9-17, 2026**

Greene County Courthouse Rotunda
940 N. Boonville, Springfield, MO
Hours: 8:00 a.m. - 5:00 p.m., Monday through Friday

OPENING CEREMONY MARCH 8, 2:00-4:00 p.m., COURTHOUSE ROTUNDA

- *Speaker: Renee Pace, Chair of America 250 MO Commission and Curator General, NSDAR
- *Payton Rice, from the Quapaw Nation and member of the Ponca, Sac, and Fox tribes, will perform the Grass Dance in full regalia
 - *Live Band Music 2-2:30
 - *Refreshments following the program

This innovative pop-up exhibition includes display panels and interactive digital kiosks that use storytelling, illustration, technology, unique artifacts, and primary accounts to connect modern audiences with the people and places that shaped the birth of our nation.

For Revolutionary War lesson plans, etc., visit:
<https://www.battlefields.org/curriculum-lesson-plans>

To schedule a school, scout, or other group of 10 or more people,
email: plhaas1@att.net or call 417-766-5257

RECORDS

available

- Assessor's House & Business Photographs
- Collector's Tax Books – Personal Property
- Collector's Tax Books – Real Estate
- Coroner's/Medical Examiner's Records
- Recorder's Deed Indexes
- Springfield Council Proceedings, Ordinances, and Resolutions
- County Poor Farm Records
- Alms House Records
- Probate Records and Wills
- Sanborn Maps
- Circuit Court Records – Civil and Criminal
- Justice of the Peace Books
- Dram Shop and Pool Licenses





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Please contact us for full citations to our articles.