

1. Cover

Appearances to Nov Session 1863

18.

State)

vs.)

Resp. Marshall)

Indicted for murder a true Bill filed Nov 27th 1863. 496 Cont. to 3rd Monday July 497. Wit Recog 498, Jury sworn 540 May 28th 1864, Verdict murder in the 1st degree 541. Mo Ju. New trial & overruled; sentence of death passed to be hung July 9th 1864 M. S 4.

[There is text between “passed to” and “be hung” that looks like “Could 28” or Cont’d 28”]

2. Petition for Pardon Cover

Petition for Pardon of

Richard Marshal

Sentenced May Term 1864

Washington Co Cir Court

Life ~~years~~ ~~months~~

For the crime of Murder

[round seal]

[the below in handwriting]

Issue Pardon

Revocable to pleasure of Governor at any time before 1st January 1869.

Thomas E. Fletcher

Filed and pardon issued July 20th 1867

Francis Rodney

3. Cover letter from Francis Rodney to Voullaire & Jordan

[Official Letterhead for State of Missouri, Office of Secretary of State]

State of Missouri

Office of Secretary of State

City of Jefferson July 26th, 1866

Mssrs. **Voullaire & Jordan**

St. Louis, MO

Gents:

The following is a list of the papers on file in this office relating to the case of Richard Marshall, to wit:

Missouri Archives - Pardon File of Richard Marshall

Transcribed by

Cheryl Rutledge-Brennecke (descendant of Richard Marshall and Mary Eleonore Boyer)

and Liz Hiller Schulte (descendant of Richard Marshall and Elizabeth Garrett)

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A copy of the indictment, examination, and verdict; copy of judgment of the Supreme Court; a letter **from prisoner to Capt. Ehlert**; a letter from **M. Conger**, attorney at law, letters from **Messrs Primm, Voullaire and McNeil**; a letter signed by **several ladies** and a statement of **John J. Witham**, counselor for the defendant.

Very respectfully,
Francis Rodney

4. Handwritten folder cover

Richard Marshall
Application for Pardon

5. Letter from Philip H. Bishop

State of Missouri, County of Missouri SS—

Philip H. Bishop, being duly sworn on his oath says as follows:

I was jailor when Richard Marshall was put in the St. Louis Jail under my care. He rendered myself and the County a great deal of service by being Hall Tender which is an important office in Jail said. At a certain time the date was unknown to me, whilst I was Jailor, said Marshall being Hall Tender, an outbreak amongst the prisoners took place and through the vigilance and actions of said Marshall, the life of my deputy **Peter Stretch** was saved and this prisoner apprehended from escape. On many occasions he gave me valuable information of the plots of the prisoners to escape. Marshall himself could have escaped several times if he desired, but he never hoped to do so & myself & deputies always placed the most illicit confidence in him.

6. Letter from Philip H. Bishop Continued

We earnestly request the Governor of Missouri to grant him a full pardon.

Sworn and subscribed before me this 2d day of August 1866.

O Syman, Notary Public

Philip H. Bishop

7. Letter from Judge Wilson Primm to Voullair

Carondelet August 23, 1866

Seymour Voullair Esq.

Dear gm:

I have just received a note from Richard Marshall now in the St. Louis jail under sentence for murder. He informs me that you have interested yourself in his behalf, and seem to think that a few words from me might aid you somewhat, in any step which you would deem proper towards obtaining executive clemency.

Missouri Archives - Pardon File of Richard Marshall

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The name of this unfortunate man is not Marshall; it is Marechal. He is the illegitimate son of **Benoist Marechal**, my near neighbor, by a **woman named Mayotte**, a half breed Indian, who first lived in Kohokia, and afterwards in this place. From his childhood up, he was known by the soubriquet (means nickname) of Zico Marechal and lived here until his marriage with Mrs. Ignace Tessier, a daughter of the old Lemai who used to keep Lemay's Ferry on the Maramec. This must have been some twenty years ago or perhaps more. He then moved away to one of the Counties below, and I entirely lost sight of him, until

8. Letter from Judge Wilson Primm to Voullair - Continued

about two years ago, he was brought into court and examined as a witness in behalf of a fellow prisoner. On that occasion he gave his name as Marshall. Struck by his accent and features, I asked him if he was not a Creole of Carondelet, and he told me that he was, stating at the same time that he knew me well, and asking if I did not remember Zico? My recollection of him was at once refreshed, and I remembered him very distinctly. On that occasion he related the circumstances attending his accusation, trial, and condemnation, in a manner from which as I learn, he had never, under any circumstances, varied in the least, and which left upon my mind, a strong impression of his innocence of the crime laid to his charge. From that day to this, that impression has been strengthened. You know that in a small town as Carondelet some twenty or thirty years ago, every man and woman has a distinctive character and reputation, for it is the business of every one to study the character and disposition, and to know the business and pursuits of his neighbor. So it was with Zico. Losing his mother at an early age, unrecognized and unaided by his father who having contracted a legitimate alliance and having legitimate children, would not recognize such a waif as he was. Zico was raised from hand to mouth, as it

9. Letter from Judge Wilson Primm to Voullair - Continued

were, in the village, doing little chores here and there for a mere pittance sometimes, but generally for no pittance at all, and growing up to manhood without education, but with a willingness to work and with a kindness of disposition which made him even ever ready to give a helping hand to those in need. Strong and able bodied, he was gentle as a child, and would invariably avoid collision or dispute with any one, however physically inferior to himself. He, and one Savigne Desnoyers now dead were respectively styled "La bête du Bon Dieu" [God beast = a ladybug, it is a French idiom] and they used to say that "Les poux qui les mordraient, seraient damnés." [The lice which would bite them, would be damned.]

This innocent and unoffending character is that now universally given to Zico, by all the old inhabitants of this place who knew him, and there is not one of them who is willing to believe, however much soever circumstances may be against him, that he is guilty of the murder for which he is now sentenced.

His friends who would be willing to aid primarily in forwarding application for his

pardon, are too far to do so; and his flesh and blood relatives, from false pride, are unwilling to do so; they seem unwilling to acknowledge “qu'un de la famille a été pendu” [that one of the family was hanged] as has been in jeopardy of that punishment.

10. Letter from Judge Wilson Primm to Voullair - Continued

Poor Zico seems to look to you, as the only refuge and help in this his hour of adversity; and I earnestly trust that his hope may not prove unfounded. My intimate acquaintance with you assures that you have a true appreciation of the duties which pertain to the noble profession to which we belong. That in its pursuit, there often more heartfelt and enduring satisfaction in the consciousness that without the slightest expectation of earthly promise a reward we have been instrumental in raising the humble from the dust, in binding of the wound, of the broken heart, in protecting the weak against the strong, and in saving from infamy the innocent condemned.

God grant that you may be successful in moving the Governor's heart to grant the full pardon of Richard Marshall.

Yours truly
Wilson Primm

11. Letter from George Reynolds

(Punctuation added and some spelling corrected for readability; George did not spell well.)

Rock Spring PO Washington Co, State of MO March 14th 1867

No 1

Mr. Marcheal before respects Due respects

I endeavor to drop you a few lines. I am not well, broke like in the back, and hope you are in better health. I have received 2 letters from you, one of date January 24 and one of March 3rd. I went down to your mother-in law's on Sunday to hear what news for your benefit I could and found **Richard Jackson** was there. He said had been over to **Lees** and while there **Blanton** came in and said to your wife he has had 2 letters for her, and came to fetch for them, found he had left them at home and started back for them, but Richard says he left before Blanton returned and did not know who they were from or what might be in them. Old man Jackson died the 26th day of January. I find you want me to state what you was in regard to the rebellion. I would say from you, action, noting, and talking that you was a Union man, and would take a long letter to give all my reasonings for knowing it. Old Man Baker the dead man that you accused his son of killing and his son accused you and I don't believe anyone of you done it. He _____ (over [text faded on the page])

12. Letter from George Reynolds - Continued

Missouri Archives - Pardon File of Richard Marshall

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Cheryl Rutledge-Brennecke (descendant of Richard Marshall and Mary Eleonore Boyer)

and Liz Hiller Schulte (descendant of Richard Marshall and Elizabeth Garrett)

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The same David that swore out the warrant against you was in these days like a copperhead. The prisoner, his name I have forgot, I think he said he belongs to the Rebel 9th Texas Cavalry, he said he had made his escape while being taken from Mr. Dowel Collage to Indianapolis and, by jumping from the cars the depo over the river from St. Louis. You want me to do something in the way of a Petition for your liberty that you may enjoy the sight and fruits of good old flag. I don't blame you. Now Marcheal I could talk about that as much would fill a dozen sheets of paper and have not one hole sheet and a poor hand to apply to paper. You or some attorney send down here a Petition once and when it was presented to me no one had signed it, nor did I sign it either, because it would have done more harm than good. A few days before the Petition was known of, the news started freely all over the county that you have fully confessed to the killing of Baker. I have never heard a contradicted story, don't believe it because I don't think you killed old man Baker. This was my reason for not signing it and being unproper or imprudent under the circumstances. People's minds must have time to reflect and persons time to soothe how there a Petition may be signed.

[Note: The 9th Texas Cavalry Regiment was a unit of mounted volunteers that fought in the Confederate States Army during the American Civil War. The regiment fought at Round Mountain and Bird Creek (Chusto-Talasah) in 1861, Pea Ridge, Siege of Corinth, Second Corinth, Hatchie's Bridge and the Holly Springs Raid in 1862, and in the Atlanta campaign, Franklin, and Murfreesboro in 1864. The regiment surrendered to Federal forces on 4 May 1865 and its remaining personnel were paroled. The regiment first saw action in Indian Territory at the Battle of Round Mountain on 19 November 1861 and at the Battle of Chusto-Talasah on 9 December. Most of the tribes in Indian Territory supported the Confederacy, but several thousand Native Americans remained loyal to the Union. Via Wikipedia]

[Note: There is also a 9th Cavalry Regiment that was post-civil war authorized on 28 July 1866. The regiment provided escort for the early western European settlers and claimed the American borders from Native American peoples, etc. Via Wikipedia]

13. Letter from George Reynolds - Continued

No. 3

As you want me to give names I have had to hunt this piece of paper and rule it. Rich and me inquired a little tho startled the news of your confession, your mother-in-law says it was Smith Jackson and David Baker brought the news from town. David the one who swore out the warrant against you. In looking over only first of writing, I see a question you would ask or want me to explain in another letter which I may as well do now the reason why I think you mistaken in accusing young Dave of killing his father. Now Marchael your mind should be prepared for reason as sure as other lawyers and doctors. Now let's look at the case you three all traveling along together drunk. You ask young Dave for his knife to cut your tobacco. He hands it to you. You cut your tobacco and you say hand him back his knife. Young Dave says you did not. Now Marcheal might you have not put the knife in some other hand in the dark for I think I had occasion to bring water in wash'n and laying out the Dutchman and it was so dark that I walked right into the branch. Again I do believe it is not in you to stand and see one man murder another

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without rendering some assistance. I think you would have marked or hurt Dave or got hurt yourself. So you was not there on ahead. You can only suppose David killed his father as you thought you had handed him back his knife. Now let's reason your accuser young Dave's case, a strong hardy young man proclaims himself to (over)

[Note regarding "laying out the Dutchman," a plow: Moline Plow Company traces its roots to the 1850s, when Henry W. Candee, Robert K. Swan and several others formed a partnership, Candee, Swan & Co., in Moline, Illinois, to build and sell fanning mills and hay racks. Soon after, Andrew Friburg, formerly a shop foreman at John Deere, joined the partnership and the fledgling company began to manufacture plows. Via farmcollector.com]

14. Letter from George Reynolds - Continued

No. 4

to fear no man will shed his coat at the drop of a hat as the saying is, and has continued to ever since your trouble, could he stand by and see you murder his father in a brutal manner. No, he would have pelted you with rocks, he would have marked you and perhaps you him. I think the reason he did not was because he was not there. On ahead of the scene as you were. How could either of you see the scene on ahead in the dark well you missed **uncle Dave** as we most all called him, and looking back and seen him in supposes him to be in the sulks as was common for him to stumble over and sometimes lay a long time in the cold. You go to him and try to rouse him up and so find his situation, gets blood on your sleeves, one of the tall tales in the people's minds. It is a lonesome place to stay by a dead man in such a place as your situation was and trying to get away. Both of you supposing the other to have the knife. It's said Dave thought you after him. He must have been wrong for if you could pass and beat him to the house so you could have caught him. I think you better dam your best to get out of the woods as there was a dead man in there and it considerable dark. Here it is again you talk that Dave has killed his father. You are absent. Dave comes in and tells that you have killed his father. One wrote against the other as in the knife there. I think you both sworn through.

15. Letter from George Reynolds - Continued

No. 5

I think when you have read the 2 ½ sheets I have written you still want more. So I will write some on this. Well the case you tell your wife you will go to squire often and goes up and find him not at home. Unlucky for you Dave is more lucky. He goes to some other magistrate and he swears and gets a warrant. On that warrant they knew right where to go to catch you for you had told where you was going. It is generally the case that when people commit murder, they hide a little, but I think you nor Dave had any time to hide for as consequence may one of you hid, well, your trial before a magistrate tells nothing more blood on the _____ knife, ____ returned on the one ____ and verbal ____ stare

[the end of the page is faded text.]

16. Letter from George Reynolds - Continued

No. 6

Now you employ **lawyer Conger**. Dave and his friends \$100 to **Perryman** I am told to convict a terrible weight to come against a man in your situation. Suppose you had of got the warrant and have relatives and such and the 100.00 to throw (through) on the balance with the states attorney, would he Dave be just where you are and have been. You think perhaps that would have been right. Well I don't know more than I think your situation write. You have had a bad chances. You I supposed have never got to serve since imprisonment. But David has been more lucky than you. I may as well write it for if I don't you will be wanting me to hereafter. Old Price made a raid through this part of the country. David was afraid like myself and many others being nigh sighted was not fit for service of the union army. Missouri voters feel he thought of

17. Letter from George Reynolds - Continued

No 7

them two (too).

[Note: Major-General Sterling Price (September 14, 1809 – September 29, 1867) was a senior officer of the Confederate States Army who fought in both the Western and Trans-Mississippi theaters of the American Civil War. He rose to prominence during the Mexican American War and served as governor of Missouri from 1853 to 1857. Via Wikipedia]

Infernal rebels came along one said he was a recruiting officer in men, horses, blankets, medicines, in fact anything they could get their hands on of any value. Well in some way they soon found quite a company of fellows that thought themselves not fit to serve in the union ranks. Dave with the balance, nigh sighted as he was, then they did not night (or slight) my house. Dave went on with them till he got tired or seen dead men enough, quit them and come home. I seen him not long after where he presented me with a blanket, said he seen in come out of my house. I told him I did not know whether it would be right for me to receive it. Just then as I was ordered to report to Potosi, I would find out, and did find out, that it was right to take the blanket. I told I would.

[Note: It would seem the "infernal rebels" were also those known as bushwhackers in Washington County, Missouri.]

18. Letter from George Reynolds - Continued

No. 8

Except of the blanket then he said he did not know that he had a right to give me the blanket, and would not, nor did not. How much more he made with the rebels I don't know. Well it came that last fall we were to have an election. All persons so many days before the election had to register to become a voter legal on that day. This is all perhaps new to you and perhaps the oath is too. I will give you a little of it. 1st - has never been in armed hostility to the United States on

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the lawful authority thereof or to the government of the state. 2 - has ever given aid or comfort countenance or support to persons engaged any such hostility or get the articles and read them or have them read to you. Well David took the oath swallowed it with as clear a conscious as ever a copperhead swallowed a frog. See if it corresponds with the swearing against you.

19. Letter from George Reynolds - Continued

No. 9

David since he swore against you has joined a church, asks blessings, gets drunk in Potosi, restless, stops to fight many things. I might write them. Ask wherein is stability or consistency. Now Marchael I have not seen you but once since you came to my assistance and that was as you were mounting the horse to go to gaol (jail). Your countenance did not look to me like a murder, though you looked to me like a Frenchman in one bad fix. It would not have been good for me then to have said poor Marcheal, as you said in your letter. Them was stormy times for both of us, Marchael. It is said that a drowning man will catch at straws. I am inclined to think you have caught at many of them. I don't blame you. I would do the same in your situation and terrible weight thereon me as on you. But keep of good cheer old friend. I will throw you a chunk

20. Letter from George Reynolds - Continued

No. 10

and you now take hold of it and never let you. You may call the chunk, cork, or mouth/growth(?). It will hold your head above water. The gates of hell cannot prevail against it. Let alone the gates of the penitentiary. See your attorney. Tell him that old man Baker the dead man was subject to spells of desperate drunkenness days, weeks, and sometimes months. Ask him to pick a few learned men, not lawyers, but doctors, philosophers, he might have a psychologist to examine facts that they can decide that the old man Baker was subject to spells of suicidal in the absence of a dictionary will illustrate the word. Suppose a man to get in to a flat boat to take a ride over the falls of Niagra we term it suicidal. Having got them to state a few facts and mind hold on your chunk. Tell them the case at **Nickles** you must have known it for fear you don't, I will. Baker called at the house of **Mr. Nickles** to stay all night.

21. Letter from George Reynolds - Continued

No. 11

They were willing of course, a neighbor only about 3 miles apart. It came bed time uncle Dave was shown where to sleep from some cause he did not choose to go just then. Now mind Nickles was one of our own good men, a very stout man, and a peaceable man (though now dead), his wife a pretty woman raising a nice family of children and a character beyond reproach, they went to bed and left Baker sitting by the fire though not long after he raises up and draws out his butcher knife and lays it on a quilt in the frame for the purpose of begin quilting, saying at the same time, lay there I will have use for you after a while. Presently walks to the bed that Nickles and wife was laying in and gets in with them. Nickles of course could not stand that and the consequence was a fight in which Baker had to be hauled home. Now I hold this to be a case of

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suicidal. Tell them what you know of such cases, for instance trying to wrench the pistol out of my hands aiming to shoot his sons and killing the old zero. Several more things that I can't quite call to memory are all suicidal, which I think these learned men would be bound to decide ways. Now you have got sail to your thirst, for give a lawyer the strength in a case and he is a powerful man, we will let him alone. For curiosity's sake we might think a little of what he might do. I think he might write down to **lawyer Conger** your old attorney, the states attorney, and **Perryman** the 100.00 dollar man that it had been decided by a counsel of learned men that old man Baker was subject in his legal fees (over)

22. Letter from George Reynolds - Continued

No. 12

for them to set a day and examine the evidence and if it was not possible that old man Baker had commit suicide. Now when they go to commit suicide as generally a little sly about it and the plainest way about it. To me is you handed the knife into the old man's hands and I think when far enough behind with that terrible staring and grit of his teeth that was so common with him and the knife in that powerful arm he could inflict the wound in less time than we could tell it. Think I have written enough to you. If you hold on to the chunk, the lawyer, your sail, and the worthy Governor, you [have a] "wharf to land on." Richard Jackson wants you to write him a letter. I have not seen your wife since the burial of the old man Jackson which was the 28th of January 1867.

Wishing you a clear sail and safe landing I remain yours

George Reynolds

[Note: "wharf" is another sailing reference meaning "dock."]

23. Handwritten cover page

Judge **Wilson Primm**

Captain Bishop, Jailor

Louis Musick dep jailor

Lawyer **Claiborne**

Seymour **Voullaire**

Petition from the **Union Tract Society**

Testimony of **Capt Ehlert**

24. Envelope Cover

[On official branded envelope of Office of Penitentiary, State of Missouri]

Office of Penitentiary, State of Missouri

Jefferson City, -----1867

[Postmarked July 1, 1867]

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Richard Marshall
Murder
Washington County death
commuted to imprisonment for life
Convicted & sentence at May 7 /64

25. Letter from J.L. Musick

State of Missouri, County of St. Louis

J. L. Musick being duly sworn on his oath depose and says as follows: I was deputy jailer of the St. Louis County Jail for the period of about ten years under Castallo, Phelps, Grogan, Rodman, Bishop, and Ehlert. All of them jailers of the said jail. On the fourth day of November 1865 when I was still Deputy Jailer (having resigned on or about the 15th of November 1865). Some of the prisoners, about sixteen in number, made an attempt to escape and three of them succeeded in their attempt and got out. At this time Richard Marshall was confined as a prisoner in the jail, having been convicted of murder in the first degree in

and sent to the St. Louis County Jail for safe keeping. He was acting as hall tender when on the said 4th day of November 1865, the attempts was made on the part of the prisoners to escape. The prisoners had been taken out of their cells which were being white-washed and were in the main hall of the jail. As I opened the hall door for the purpose of letting out the cook, I was struck by one of the prisoners on the forehead with a bottle and completely stunned by the blow, which sent me reeling down the steps for the distance of about ten feet. Marshall who was in the hall of the old jail, hearing the disturbance, immediately ran to my assistance and prevented the prisoners from rushing onto me; and as I was getting up, he cried to me to shoot the thieves. All this time he was preventing the prisoners from rushing through the doorway and assisting me in driving them back by knocking several

26. Letter from J.L. Musick - Continued

of them down. During the confusion the three mentioned made good their escape. After the prisoners had been forced back into the jail, I told Marshall to lock the door, which he did, bringing the key to me. Had Marshall not come to any aid most of the sixteen prisoners would have successful in making this escape, but by his help all but three were driven back, and myself was saved from further serious injury. Marshall at this time could have escaped if so desired. All the time that I had Marshall as hall tender, he rendered me and the other officers about the jail great service, by giving us information of anything wrong among the prisoners and always telling us when there was any seeming attempts on their part to break jail.

For these great services which Marshall has rendered to the State and out of personal gratitude to him for his good services to me, I think Marshall is entitled to pardon and do most respectfully solicit for him and recommend him to executive clemency.

J.L. Musick

Missouri Archives - Pardon File of Richard Marshall

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Cheryl Rutledge-Brennecke (descendant of Richard Marshall and Mary Eleonore Boyer)

and Liz Hiller Schulte (descendant of Richard Marshall and Elizabeth Garrett)

Sworn to and subscribed before me this 3d day of July, 1866.
O Symour, Not. Pub.

27. Certification

Missouri State Archives

_____ 1717(?)

~~County~~

Record Office of the Secretary of State

~~Vol~~ Commissions

Page Pardons, 1836-2018

~~Reel~~ Richard Marshall 20 July 1867

#32

PETITION FOR PARDON OF

Richards, Marshall

Sentenced *May* Term 186 *4*

Washington to his Court

Life Years Months

For the crime of *Murder*

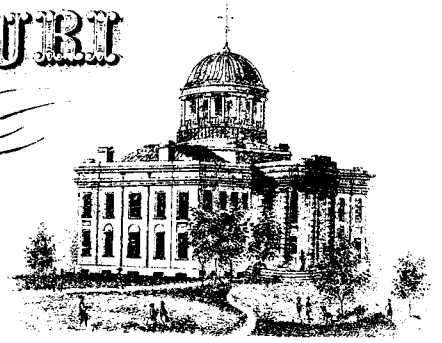
✓
Issue Pardon
revocable at pleasure
of Gov at any time
before 1st Jan'y 1869.
Jho & Fletcher

Filed and pardon issued
July 20th 1869

Francis Rodman
Lyb



STATE OF MISSOURI
Office of
Secretary of State.



City of Jefferson July 26th 1866
Messrs. Youllaire & Jordan
St. Louis, Mo.
Gents:

The following is a list of the papers on file in this office relating to the case of Richard Marshall, to wit:

A copy of the indictment, examination and verdict; copy of judgment of the Supreme Court; a letter from prisoner to Capt. Ehler; a letter from Mr. Conger, attorney at law; letters from Messrs. Primm, Youllaire and McNeil; a letter signed by several ladies and a statement of John S. Witham, counsel for the defendant.

Very respectfully,

Marcus Robinson

Richard Meinel
Appl für Parolen

T

1

State of Missouri - County of St. Louis - SS -
Philip H. Bishop - being duly
sworn on his oath says as follows.
I was Jailor when Richard Morris
- who was put in the St. Louis
Jail under my care. He rendered
myself & the County a great deal
of service by being Hall Tender
which is an important Office
in said Jail. At a certain time
the date now unknown to me whilst
I was Jailor, said Marshal
being Hall Tender, an outbreak
amongst the prisoners took place
& through the vigilance & exertions
of said Marshal, the life of my
deputy Peter Stretch was saved
and the prisoners prevented from
escape. On many occasions he
gave me valuable information
of the plots of the prisoners to
escape. Marshal himself could
have escaped several ^{times} if he
desired but he never ~~chose~~
to do so. & myself & deputies
always placed the most impli-
-cit confidence in him.

He earnestly request the Govern-
ment of Wisconsin to grant him
a free pardon.

Done by & subscribed
before me this 2d day of
August 1855.

Odysseus
Not. Pub

Philip A. Phillips

Carondelet August 23 1846.
Seymour Voullain Esq.

Dear Sir:

I have just received a note from Richard Marshall now in the St Louis jail under sentence for Murder. He informs me that you have interested yourself in his behalf, and seems to think, that a few words from me, might aid you somewhat, in any step which you would deem proper towards obtaining executive clemency.

The name of this unfortunate man is not Marshall; it is Maréchal: he is the illegitimate son of Benoit Maréchal, my near neighbor, by a woman named Mayotte a half breed indian, ~~woman~~ who first lived in Kahokia, and afterwards in this place. From his childhood up, he was known by the soubriquet of Jico Maréchal and lived here until his marriage with Mrs Ignace Terrien, a daughter of old Lemai who used to keep Lemay's Ferry on the Maramée. This must have been some twenty years ago or perhaps more. He then moved away to one of the Counties below, and I entirely lost sight of him, until

about two years ago, he was brought into Court and examined as a witness in behalf of a fellow prisoner. On that occasion he gave his name as Marshall. Struck by his accent and features, I asked him if he was not a Creole of Carondelet, and he told me that he was, stating at the same time that he knew me well, and asking if I did not remember Zico? My recollection of him was at once refreshed, and I remembered him very distinctly. On that occasion, he related the circumstances attending his accusation, trial and condemnation, in a manner from which as I learn, he has never, under any circumstances, varied in the least, and which left upon my mind, a strong impression of his innocence of the crime laid to his charge. From that day to this, that impression has been strengthened. You know that, in a small town as Carondelet was twenty or thirty years ago, every man and woman has a distinctive character and reputation, for it is the business of every one to study the character and disposition, and to know the business and pursuits of his neighbor. So it was with Zico. Losing his mother at an early age, unrecognized and unaided by his father who having contracted a legitimate alliance and having legitimate children, would not recognize such a waif as he was, Zico was raised from hand to mouth, as it

were, in the village, doing little chores here and there for a mere pittance sometimes, but generally for no pittance at all, and growing up to manhood without education, but with a willingness to work and with a kindness of disposition which made him ever ready to give a helping hand to those in need. Strong and able-bodied, he was gentle as a child, and would invariably avoid collision or dispute with any one, however physically inferior to himself. He, and one Savigne Desmayers now dead were respectively styled "La bête du bon Dieu" and they used to say, that "les prout qui les mordroient, seroient damnés."

This innocent and unoffending character, is that now universally given to Jiv, by all the old inhabitants of this place who knew him; and there is not one of them who is willing to believe, however severe circumstances may be against him, that he is guilty of the murder for which he is now sentenced.

His friends who would be willing to aid pecuniarily in ~~advancing~~ forwarding applications for his pardon, are too poor to do so; and his flesh and blood relatives, from false pride, are unwilling to do so; they seem unwilling to acknowledge "qu'un de la famille a été pendu" or has been in jeopardy of that punishment.

Poor Zio seems to look to you, as the only refuge and help in this his hour of adversity; and I earnestly trust that his hope may not prove unfounded.

My intimate acquaintance with you assures me, that you have a true appreciation of the duties which pertain to the noble profession to which we belong, that in its pursuit, there is often more heartfelt and endearing satisfaction in the consciousness, that without the slightest expectation of earthly promise or reward, we have been instrumental in raising the humble from the dust, in binding up the wounds of the broken heart, in protecting the weak against the strong, and in saving from infamy the innocent condemned.

God grant that you may be successful in moving the Governor's heart to grant the full pardon of Richard Marshall.

Yours truly
Wilson Primm

No 1

Rock Spring 10

Mr Marchal of Washington Co

Respects Due Despatch State of Mo Mr 14th 1867

I endeavor to drop you

a few lines, I am not well Broke like in the Back and hope you are in better health. I have received 2 Letters from you one of Date Jan 24th and one of March 3rd I went down to your ~~mother~~ ^{father} says on Sunday to here what news for your benefit i could find found Richard Jackson was there he said had been over to Lees and while there Blanton came in and ~~said~~ ^{said} to you & Wife he had 2 Letters for him and came to feel for them found he had left them at home and started back for them but Richard says he left before Blanton returned and did not know who they were from or what might be in them, Old Man ^{Jackson} died the 26th day of January, I find you want me to state that you was in regard to the rebellion, I would say from your Action, voting and talking that you was a Union Man. It would take a long letter to give all my Regrets for knowing it, Old Man Baker the Dead Man that you accused his Son of killing and his Son accused you and I don't blame any one of you none of the tell a ~~little~~ ^{little} (over)

The Son David that sworn out the warrant
against you we in these days call a Copier
head, The Prisoner his name I have forgot I think
he said he belonged to the Rebel 9th Texas
Cavalry he said he had made his Escape While
being taken from Mc Donnell College to Indianapolis
-Ind- by jumping from the cars the dip over the
river from St Louis, You want me to do some
-thing in the way of a Petition for your liberty
that you may enjoy the sight and fruits of
the Good old flag I don't blame you, Now
Marchant I could talk about that as much
as would fill a Dozen Sheets of paper and have
not one hole sheet and a poor hand to apply
to Paper, You or some Attorney sent down
here a Petition once and when it was presented
to me no one had signed it nor did I sign
it either because it would have done more
harm than good, A few days before the Peti-
-tion was known of the News started freely all
over the country that you had fully confessed
to the killing of Baker I have never heard a Contr-
-dicted thing, don't Believe it because I don't
think you killed old man Baker this was
my Reason for not signing it and being an honest
or Impudent Murder the Circumstances Peoples
Minds must have time to reflect and Persons
time to soothe down then a Petition may be signed

p. 3

As you want Me to give Names i have had
to hunt this Piece of Paper and rule it Right
and Me Enquire a little What Starches the news
of your Confession, your Mother saw says it
was Smith Jackson and David Baker Brought the
news from Town, David the one he swore out
~~the warrant against you~~ In looking over
first of writings i see a question you want
ask or want Me to Explain in an other Letter
Which i may as well do now the reason why
I think you Mistaken in Accusing young Dave
of killing his Father, Now Marched your
Mind Should be Prepared for Reason as well
as others Lawyers and Doctors, Now Lets look
at the Case you three all traveling along together
Drunk you ask young Dave for his knife to
cut your tobacco he hands it to you you cut
your tobacco and you say hand him back his
knife young Dave says you did not, Now
Marched might you have not Put the knife
in some other hand in the Dark for i think
i had occasion to bring water in washing &
saying out the Dutchman and it was so
that i walked right into the Branch, Again
I do believe it is ^{not} in you to stand and see
a man Murder an other with out rendering
some assistance I think you would have man-
ked or hurt Dave or got hurt your self. No.
you was not there on a head you cant and
~~I suppose David killed his father as you thought~~
you had handed him back his knife now
lets reason your Accuser young Dave Case a strong
hearted young Man Proclaims him self to (Cry)

No 4
To Fear No Man Will Shed his Coat at
the Drop of a hat as the saying is and has contin-
ued so ever since your trouble could be stem-
by and see you murder his father in a Brutal
manner, so he would have pelted you with
rocks, he would have marked you and Perjured
you him I think the reason he did not was
because he was not there, on a head of the
Sean as you were how could either of you
see the Sean on a head in the dark

Well you might think Dave as we met at
Collection, on looking back and see him on
n suppose him to be in the sulks as was com-
-mon for him to tumble over and some times
lay a long time in the cold you go to him
and try to rouse him up and so finds his
situation gets blood on your steers one
of the tall tales in the Peoples minds, it is
a lonely place to stay by a dead man in such
a place as your situation was and by
to get away both of you supposing the other
to have the knife its said Dave thought you
after him he must have been wrong for if
you could Pap and Beat him to the house so
far you could have caught him, I think
you both saw your best to get out of
the woods as there was a dead man in there
and it considerable dark, here it is again you
tell that Dave has killed his father you are
absent Dave comes in and tells that you has
killed his Father one note against the ^{other} as in
the knife there i think you both, wrong through

I think when you ^{no 5} have read the 2nd
Sheet i have written you still want
more so i will write some on this
Tell the Case you tell your wife
you will go to Squire ofen - and
do go and find him Not at home you
- lucky for you Dave is more lucky

He goes to some other Magistrate and
he swears and gets a warrant on that
warrant they know Wright where to go
to Catch you for you had told where
you was going It is Generaly the Case
that when People Commit Murder they
hide a little but i think you nor
Dave had any thing to hide for a
Consequence may one of you die
Tell your trial before a Magistrate tells
nothing more blood on the floor & life
returned on the one side and Verble
Statement on the other side with the result
of the case as I see it you
are both in a bad way By your

No 6

Now you Employ Sayer Conger Dave and
his Friends to Payman I am told to come
a terrible weight to come against a man
in your Situation. Suppose you had of
got the warrant and have relatives and friends
and the 100.00 ~~the~~ to through on the
Balance with the States Attorney would he
Dave be just ^{where} you are and have been. You
think perhaps that would have been alright
well I dont no more than I think your
Situation write. You have had a bad
Chance you I suppose have never got to
Swan since Imprisoned, but David has been
More lucky than you. I may as well
write it for If I dont you will be wanti
ng me to her after. Old Price made a
raid through this part of the Country David
was afraid like my self and many others
were. His Sighted was not fit for
serv of the Union many men or women
see he thought it was

Roll two No 7

Infernal Rebels Come along
one said he was a Recruiting Officer in
Men hozes Blankets Medecins in fact
any thing they could get their hands on
of any value. Well in some way they
soon found quite a Company of
fellows that thought them selves not fit
to serve in the union ranks I ave with
the Balance Neph sighted as he was
told they did not sight my house I ave
went on with them till he got tired
or seen dead men enough quit them
and come home I seen him Not long
after when he presented me with
a Blanket said he seen it come out
of my house I told him i did not know
whether it would be right for me
to receive it just then as i was ordered
to report to Potosia i would find out
and did find out that it was write
to take the Blanket i took it would.

Except of the Blanket then he said he did not know that he had a right to give me the Blanket and would not nor did not know much more he made with the Pebles I dont know. Tell it came that last fall we were to have an Election all Persons so many Days before the Election had to register to become a voter legal on that Day. This is all perhaps new to you and perhaps the oath is two I will give you a letter of it. 1st has never been in armed hostility to the United States or the lawful authorities thereof or to the Government of this State 2^d Has ever given Aid or Comfort Countenance or Support to Persons engaged in any such Hostility or get the articles and read them or have them read to. Tell David took the oath I mailed it with as clear a conscience as ever a Copperhead swallowed a Frog and if it corresponds with the swearing against you

No 9

David Since he swore against you has joined
a Church asks blessings Gets drunk in Potosia
Restes Strips to fight many things ~~it~~ might
wright then Ask There is stability or
consistency, Now Marchal I have Not ~~seen~~
seen you but once since you came to my
assistance and that was as you were
mounting the George to go to Jacob your
cousin. I did not look to me like
a Murderer though you looked to me
like a Frenchman in one bad fix It would
^{not} have been good for me then to have said Poor
Marchal as you said in your letter
There was stormy times for both of us
Marchal ^{it} is said that a Drowning man
will catch at straws I am inclined to
think you have caught at many of them
I don't blame you I would do the same
in your situation and terrible weight thrown
on me as on you. But keep of Good
Cheer old friend I will through you a chunk

No 10

And you now take hold of it and never
let go you may call the Church Church
Cork or # Growth It will hold your head
above water The Gates of Hell Can not
prevail against it. Let alone the gates
of the Penitentiary see your attorney.

Tell him that old Man Baker the Dead Man
was subject to fits of Depressive Drunkenness Days
Weeks and some time Months ask him to Pick a
few learned Men not Lawyers but Doctors Philosophers
he might have a Perenologist to Examine Facts
that they can decide that the old Man Baker
was subject to fits of Drunkenness in the absence
of a Dictionary we will Illustrate the word

Suppose a Man to get in to a flat boat to
take a ride ~~at~~ over the falls of Niagara we
term it suicidal, haven't got them State a
few facts and mind hold on to your Church
Tell them the Case at Nickles you must have
known it for fear you don't i will Baker
called at the house of Mr Nickles to stay all
Night

They were willing of course a Neighbor only
 about 3 miles apart It came bed time and
 Uncle Dave was shown where to sleep from
 some Cause he did not Choose to go just then
 Now mind Nickles was one of our good men
 a very stout man and a Peaceable Man
 (though now dead) his wife a pretty woman
 raising a nice family of children and a
 character beyond reproach They went to
 Bed and left Baker sitting by the fire though
 - ^{not} long after he rases up and draws out
 his Butcher knife and lays it on a quilt
 in the frame for the Purpos of begin quilting
 saying at the same time say there i will
 have use for you after while Presenter
 walks to the Bed that Nickles and wife was
 layin in and gets in with them Nickles of
 course could not stand that and the consequ-
 ence was a fight in which Baker had
 to be hauled home, now i hold this
 to be a Case of Suicidal Tell them what
 you know of such Cases for Instance trying
 to punch the Pistol out of my hands aiming
 to shoot his son and killing the old yew
 several more things ~~that~~ that i cant
 call to Memory are all Suicidal. Which
 i think these Larned men would be bound
 to decide was, Now you have got a
 bail to your Churst for give a Lawer the
 though in a Case and he is a Powerful
 Man we will let him alone for Curiosity
 sake we might think a little of what he
 might do, I think he might wright down
 to Lower Conger your old Attorney the State
 attorney and Peryman the 10000 Dollar Man
 that it had been Decided by a Council of
 Larned Men that old Man Baker was su-
 -jected in his life Over

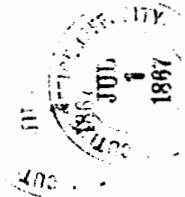
for them to set a day and Examine the Evidence and If it was Not Possible That old Man Baker Had Committed Suicide. Men when they go to Commit Suicide are generally a little Sly about it and the Plainest way about it to me is you handed the knife into the old Mans hands and i think when far enough behind with that terrible Searing and Grit of his teeth that was so Common with him and the knife in that Powerful arm he could inflict the wound in less time than we could tell it.

I think i have written Enough to you. If you hold on to the Clerk the Lawyer your Sail and the worthy Governor you may find to land on. Richard Jackson wants you to write him a Letter I have not seen your Wife since the Burial of old Man Jackson which was the 28th of January 1867. Wishing you a Clear

Safe and Safe Landing. I remain
Yours George Reynolds

Judge Wilson Pinn
Captain Bishop Sailer
Louis Meisick Dep. State
Lawyer Claiborne
Seymour Doulaine
Petition from the
Union Tract Society
Testimony of Capt Elliott

St.



Richard Marshall
Murder.

Washington Co' Death
committed to Imp for life.
Convicted & sentenced at May 5 /64

State of Missouri }
County of Saint Louis } ss J. S. Musick being duly sworn
on his oath deposes ^{as} page as follows: I was deputy
Jailer of the St Louis County Jail for the period of about
ten years under Castello, Phelps, Logan, Rodaman,
Bishop & Ehlerst all of them Jailers of the said Jail. On
the fourth day of November 1865 when I was still
Deputy Jailer (having resigned on or about the 13th of November
1865) Some of the prisoners, about sixteen in number made
an attempt to escape ^{and} three of them succeeded in ~~their~~
their attempt ^{and} got out. At this ^{time} Richard Marshall was
confined as a prisoner in the jail, having been convicted
of Murder in the first degree in

and sent to the St Louis County
Jail for safe keeping. He was acting as Boat Tender
when on the said 4th day of November 1865, the attempt was
made on the part of the prisoners to escape. The prisoners
had been taken out of their cells which were being white-
washed and were in the main hall of the jail: as I
opened the ~~door~~ hall door for the purpose of letting ^{out} the
cook I was struck by one of the prisoners on the
forehead with a bottle ^{and} completely stunned by the
blow, which sent me reeling down the steps for the
distance of about ten feet. Marshall who was in the
hall of the old jail hearing the disturbance immediately
ran to my assistance ^{and} prevented the prisoners from
rushing onto me; and as I was getting ^{up} he cried to
me to shoot the thieves. All this time he was prevent-
ing the prisoners from rushing through the doorway and
assisting me in driving them back, by knocking several

of them down - During the confusion the three mentioned made good their escape - After the prisoners had been forced back into the jail I told Marshall to lock the door, which he did, bringing the key to me. Had Marshall not come to my aid most of the sixteen prisoners would have been successful in making their escape, but by his help all but three were driven back, and myself ~~was~~ saved from further serious injury. Marshall at this time could have escaped if so disposed. All the time that I had Marshall as hall tender, he rendered me & the other officers about the jail great service, by giving no information of anything wrong among the prisoners, & always telling us when there was any seeming attempt on their part to break jail.

For these great services which Marshall has rendered to the State & out of personal gratitude to him for his good services to me, I think Marshall is entitled to pardon & do most respectfully solicit for him & recommend him to the Executive Clemency.

Sworn to & subscribed
before me this 30 day
of July 1866

Rayman
Not. Pub

J. L. Mueich

MISSOURI STATE ARCHIVES
JEFFERSON CITY, MISSOURI 65102

~~COUNTY~~

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