

In the Circuit Court

3^d Judicial Circuit. November term 1836.

St. Louis, to wit. Edward Gantt complains of Thomas Baldwin of a plea of trespass on the case. For that where-
as the said Edward Gantt heretofore, to wit, on the first
day of January in the year one thousand eight hundred
& thirty six - at the county of St. Louis was lawfully pos-
sessed as of his own property of a certain mulatto wo-
man named Fanny of great value, to wit, of the value
of one thousand dollars. And being so possessed thereof
he the said Edward Gantt afterwards, to wit, on the day &
year aforesaid at the county aforesaid, casually took
the said mulatto woman slave named Fanny out
of his possession & the same afternoon, to wit, on the day
& year last aforesaid at the county aforesaid came to
the possession of the said Thomas Baldwin by find-
ing. Yet the said Thomas Baldwin well knowing
the said mulatto woman slave named Fanny to
be the property of the said Edward Gantt & of right to
belong & appertain to him, hath not as yet deliver-
ed the said mulatto woman ^{slave} named Fanny to the
said Edward Gantt although often requested so to do, &
hath hitherto wholly refused so to do, & afterwards, to
wit, on the day & year last aforesaid at the county
aforesaid converted & did hold of the said mulatto
woman slave named Fanny to his own use. To
the damage of the said Edward Gantt of fifteen
hundred dollars & therefore he prays &c.

Gamble & Allen.

I acknowledge myself indebted to the defendant in five-
 pound declaration in the sum of fifty dollars. The condition
 of this ^{plaintiff's} ~~condition~~ is such that whereas Edward Gant is
 about to institute suit against Thomas Baldern the
 defendant herein, in the Circuit Court of Miami County,
 now if the said Edward Gant shall pay all costs which
 may be awarded against him in said action then the said
 bond the said shall be full force, without my hand &
 seal this 28. Nov. 1886. Christopher Rhoder ^{Laal}

Edward Gant

Thomas Baldern

This is a notice of two
 for a mulatto woman
 slave. Don eye of the
 hundred dollar, the clerk
 will issue a summons.

James Hall

P. J.

St. Louis Circuit Court

Edward Gantt

or.
Thomas Baldwin

November Term 1876

And the said defendant by J. Spalding his attorney comes & defends the wrong & injury &c. & says that he is not guilty of the said grievances above in said declaration laid to his charge & of this he puts himself upon the country &c.

J. Spalding
att'y for deft

No 95

Nov. Term 1836

St. Louis Circuit Court

Eduard Gasett

vs. 3
Thomas Baldwin

Plur.

not guilty

J. Spalding
atly

Filed 22 Nov. 1836

John Rutland Clerk

J

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State of Missouri }
County Saint Louis } Deposition of a witness pro=
duced sworn and examined the twenty fourth day
of November eighteen hundred and thirty six, be=
tween the hours of eight in the forenoon and five
in the afternoon of said day, in pursuance of the
notice hereto annexed, before me O. Hough a
justice of the peace within and for the County afore=
said, at my office in the City of Saint Louis,
in a certain case now pending in the Circuit
Court of Saint Louis County between Edward
Gantt Plaintiff and Thomas Baldwin De=
fendant on behalf of the Defendant.

John Burt being produced sworn and
examined deposes and saith that he went
on board the Steam Boat Tempest at
eleven in September 1835 and remained
on board of her as clerk till the ev=
ening of April, and then as Captain
till August 1836 - the said Boat
was at St. Louis on the 24th November
1835 - an attempt was made to go
up to Quincy, but ran up 3 or 4 miles
above Alton and was prevented at=
tending higher on account of ice

and then returned to St Louis - and again attempted to go up, and succeeded in going a little higher than the first time, but found the river frozen over and finally returned again to St Louis - and then the said Boat started for Louisville somewhere towards the 10th Dec^r 1835 the exact day not recollected - The Lady Jackson Steam Boat started from St Louis ~~down the river~~ ~~down the river~~ the day before the Tempest did, and on the voyage the Tempest overtook her around about 100 miles below St Louis, and took her passengers who were bound for Louisville - The Steam Boat Indian left St Louis for Louisville on the same day the Tempest did perhaps about 4 or 5 hours before the Tempest left, and about 9 O'clock in the morning - the Tempest left about 12 or 1 - The Tempest overtook the Indian also and took her passengers - it was a very icy time - The trip above mentioned was the last trip the Tempest made

from St Louis in 1835 - There was
a deck passenger came on board
at St Louis with three negroes, two
of them females and one boy - they
were all black, should think the
eldest female to be about 18 years
old - the said passenger claimed
them as his negroes, paid their passage
to the mouth of the Ohio, at which
place he took them off - There were
no other negroes on board excepting
the Chamber maid and old ^{mulatto} ~~negro~~
woman who shipped from Pittsburgh
and is now with this deponent on
the J. D. Farwellion - there was also
a negro fireman - two cooks, free
men, a steward, free man, one cabin
boy slave belonging to Baldwin - the
above mentioned negroes all came
to St Louis on the Boat - soon after
perhaps the next ^{or sometime during the next day} mooring ~~off~~ the Boat
arrived at Louisville, heard that the
Tempest was changed ^{with} taking a
mulatto woman from St Louis

heard it
from Capt Reed of the Steam Boat Gov-
Clark which Boat the Tempest
met on that trip about twenty
miles below St Louis - the report
led to conversation among the
hands & crew of the Boat, and
enquiry on the part of the Officer -
Depovent is confident that no
negro or Mulatto woman except
what properly belonged to the Boat
was on said Boat during her
last trip to Courville, & this de-
povent made search on this trip
as well as all others to see that
no person was on board who did
not belong on the Boat, always made
search immediately on leaving port
being so instructed by the Capt and
having frequently heard of difficul-
ties arising from taking away
Slaves - Depovent ^{on that trip} went into all
parts of the Boat except the hold -
visiting the hold was the duty of the
Mate - The cargo consisted entirely
of Lead about 20 Tons - It was very

cold freezing weather during all
said trip - No Boat overtook the
Tempest on the trip -

Cook examined

The other girl spoken of above above
was small, not more than 14 years old -
Knows of no other Boat leaving St Louis
the same day the Tempest did except
the Indian - The "Aid" was advertised
to leave the same day but does not
know whether she did - It was the
only Boat lying in port bound for
Louisville - does not know when
the Aid arrived in Louisville, does
not know whether she or the Gov Clark
arrived first - The Indian arrived at
Louisville after the Tempest, but does
not recollect how long after, or whether
she or the Gov Clark arrived first -
Lady Jackson did not arrive at all
while the Tempest lay at Louisville,
which was 5 or 6 days - The Tempest
arrived at Louisville in the evening I witnessed
Saw Capt Reed of the Gov Clark the next

morning as he thinks - thinks the Gov
Clark arrived within 24 hours after
the Tempest - no person by the name of
Jm Mapie was on board that trip &
witness knows no man by that name.
Knows a man by the name of Mapie now
Capt of Robert Morris, dont know his
Christian name - no assistant
clerk that trip, there was one the
trip before, but he remained at Lou-
isville sick - witness does not re-
collect the number of firemen on board
that trip, does not recollect whether
any firemen were engaged at St Louis,
but thinks there were none nor on
the trip - The S. B. Robert Morris ar-
rived at Louisville from St Louis while
the Tempest lay at Louisville before
she went to St Orleans, and arrived
there after the Gov Clark

sworn to and subscribed
before me this 24th No-
vember A.D. 1836 -

John Rust
Daniel Hough

State of Missouri
County Saint Louis
I Daniel Hough
a justice of the peace within and for the

County aforesaid do certify that
John Bust the foregoing witness was
by me sworn to testify the whole truth
touching the matter in controversy aforesaid,
said, that he was examined, and
his examination read and to wit:
sworn & subscribed to by said witness,
all in my presence, on the day between
the hours and at the place in that
behalf first aforesaid

Justice fee \$2⁵⁰ ~~~
paid by H. R. Davis ~~~
for defendant ~~~

Attest 

State of Missouri }
County of Saint Louis } Deposition of a witness pro=
duced sworn and examined on this eighteenth
day of November eighteen hundred and thirty six.
between the hours of eight in the forenoon and
five in the afternoon of that day before me
Although a justice of the peace within and for
the County aforesaid, at my office in the City
of Saint Louis, in a certain cause now pending
in the Honor's Circuit Court between Edward
Gantt Plaintiff and Thomas Baldwin
Defendant, on behalf of the Defendant

James Gilmore being produced sworn and
examined deposes and saith that he knows
the defendant Thomas Baldwin that he was
master of the Steam Boat Tempest last fall
the said Boat then running from Pitts=
burgh to Louisville and sometimes to St. Louis.
the said Boat was in St. Louis two or three
times last fall - the said Boat left St. Louis
on or about the 19th December 1835 for Louis=
ville, being the last trip she made that
season - Pitmp was mate on said Boat
from the 8th Sept 1835 to the 13th July 1836 and
was on her during every trip, and was
on board of her during all the time and
every time she was at St. Louis -
Pitmp knows of no black or mulatto wo=

men taken from St Louis at any time on
said ^{Boat} except on the last trip two Slaves
claimed by a person on board who paid
their passage to the Mouth of the Ohio, when
they left the Boat with him at Birds Land-
ing - one a mulatto the other black -
Bitney does not recollect the name of the
man who had the above women in charge,
he was a white man - and witness had
no reason to believe but the said Slaves
belonged to the man who paid their pas-
sage, as they were brought on board
by him at St Louis - or at least they
all ~~they~~ ^{all} came on the Boat about
the same ^{time}, and were at that time claimed
by him - they came on board but a short
time previous to the departure of the Boat,
the steam being up - Bitney saw them
taken from the Boat at the Mouth of the
Ohio by the same man who brought
them on board, which was the last
deponent saw of them - and has no
knowledge that he ever saw them before
they were brought on board at St Louis -
No other black or other yellow women were
taken from St Louis on said trip either

as passengers or in any other capacity except the Chamber maid who had been on the Boat for some time having been engaged at Pittsburgh - Witness thinks there could have been no other blacks or mulatto women on board without his knowledge, there being but little freight on board, and witness having charge of the hold was daily in it from one end to the other, and carried the keys of the hatches which were generally locked, and the fore-castle was always locked, and witness was the only one that had keys to the hatches or fore-castle -

Witness says that as Mate of the Boat it was his duty to see to it generally and was daily in all the stow rooms and pantrys to see that every thing went right, and all through the Cabins, and likewise several times in the course of a day was in the deck hand room, fireman room, and steward room and also in the Cook house - that he was sometimes in the Lady's Cabin and frequently walked around it -

Witnup believes that there were some
Lady passengers on the Boat during the
last trip from St Louis, but does not
recollect how many - it was quite
cold, freezing weather at that time -
the river had been closed above St Louis
as the Boat attempted to ascend to
Quincy but could not get up and
had to return, and then left for Louis-
ville and could not ascend the Ohio
any further on account of the ice -
during the last trip from St Louis to Louis-
ville the weather was severely cold
all the time - the weather was so
cold that persons would suffer ex-
tremely without fire - two of the deck
hands left the Boat during that trip
and apined as a reason that it
was too cold to work on the Boat.
The trip above spoken of, that is the
last trip, is the one when it was
alleged the Slave was taken from
St Louis - for soon after the Boat
arrived at Louisville Witnup heard
the charge was made - heard it prob-
ably not more than two days after

he arrived at Louisville - Witness heard that Mr Baird had written from St Louis enquiring if a slave had been taken there on that trip - when the Clerk mentioned to witness that the Boat was charged with taking a slave from St Louis, it lead to some talk among the crew of the Boat, but, ^{witness} is confident there was none on board - when the Boat left port, it was the custom for the Clerk & witness to go through the rooms of the deck passengers to collect the passage money - and the Clerk himself went through the Cabin - witness says the same was done when the Boat left St Louis on her last trip last fall - Witness quit the Boat on the 13th July last - The Defendant Baldwin now resides in Louisville, and witness thinks his family resides there last fall - Baldwin is a slave owner - he had a slave (a man) on board the Boat during the trip above mentioned.

Cross examined

Witness does not recollect the day of the

week the Boat left St. Louis on her last
trip last fall ^{Thomas} Baldwin was cap-
tain of the Boat which was the Seneca
and had been Captain of said Boat for
some time previous to the trip above-
mentioned say for more than two
months, and continued as Captain
~~this~~ ^{until} last Spring probably till May-
Whitney was Mate on said Boat all
the time that Baldwin was Captain
and they were on board together du-
ring that time - John Burt was
Clerk of said Boat during the last
trip above mentioned, and had been
Clerk from the 21st September 1835 and
continued so until May, or thereabout
1836 - The Boat made no trip to
this place from the time of the last
trip above mentioned until Bal-
dwin left her - does not recollect
the names of any gentlemen or Lady
passengers on the trip called the last
trip - it did not belong to Whitney
to find out their names - The last
time Whitney saw Burt the Clerk,
was on the 4th or 5th November instant

at Jeffersonville In? at which time
he was Captain of Steam Boat Pa-
villion - but witness does not
know where he is now - The
last time witness saw Capt Baldwin
was on the Mississippi river below
St Louis sometime this present
month, but does not recollect
the day - does not know where
he is now - Witness says he has
had some but not much conversa-
tion with Capt Baldwin on the sub-
ject matter of this suit. that Bald-
win told him he had been sued.

The above conversation was sometime
this month in Louisville -

Witness came this evening to testify
at the request of W Spalding - thinking
he arrived in this city last Sunday
morning - and sometime after he
arrived made himself known
to W Spalding - During the trip called
the last trip the crew consisted of
James Adams & James Blackhart both
white men and Jeff a slave from
Kentucky as fishermen and being all

the few men at that time, one
having left at St Louis on account
of the Cold — The deck hands were
Burns & Waters, both white men,
does not recollect their christian
names, being the only ~~deck~~^{ones} that went
as far as Louisville, two having pre-
viously ^{to her arrival at St Louis} left on account of the cold.
Witup had known Ips for some time —
Anderson Lewis a yellow man was
first steward on said last trip, and
had one assistant name not re-
collected — there was one Chamber-
maid — does not know where the
assistant steward now is — he was a
white man from Louisville —
There might ^{have} come Boats left on the same
day the Tempest did on her last trip
so called either before or after — ^{next} doesn't
think there were some about that time —
does not recollect the names of any Boats
bound for Louisville lying at St Louis
when the Tempest left, or while she
lay here just before she left — does
not recollect how many days the
Tempest was going to Louisville —
passed the Lady Jackson on the

trip said to be bound to Louisville
from St Louis - saw another Boat
on the trip, but whether she passed the
Tempest, or the Tempest pass he does
not recollect, nor does he recollect
her name, but was said to ^{be} from
St Louis and bound to Louisville -
The Tempest during the last trip so
called had a slow passage on ac-
count of the cold and ice - does
not recollect the day of the month
or week the Boat arrived in Louisville.
Witnup came out to Kaskaskia for the
purpose of entering Land, and came
from Kaskaskia to St Louis in Steam
Boat Ontario - Witnup did not
come to St Louis at the request of Capt
Baldwin, but came to purchase
some land of Dunham Spalding -
There was an assistant Clerk on the
Tempest sometime previous, but
thinks not on the last trip so called -
thinks his name was Wm. Morgan -
does not know a man by the name
of McHaffie, but has heard of his

name —

Re = Examined by Jeff

Anderson Lewis the Stewart came
on board the Tempest at Fettesburgh
came to St Louis. I went to Louisville
and has never been here on the Tem-
pest, so far as witness knows, since
the last trip so called, but has
been twice here on other Boats —
Witness does not recollect the names
of the cooks — thinks the first Cook
was a black man came from Lou-
isville — the second Cook was a yellow
man and also came from Louis-
ville — and those were all the cooks
there were so far as witness re-
collects James Gilmore

Sworn to and subscribed before me
this eighteenth day of November eighteen
hundred and thirty six

Attest J. P.

State of Missouri }
County Saint Louis } I Daniel Hough
a justice of the peace within and for

County aforesaid do certify that
the foregoing deponent James Gilmore
was by me sworn to testify the whole truth
of his knowledge touching the matter in
controversy aforesaid, that he was
examined, and his examination re-
duced to writing, subscribed & sworn
to by said deponent in my presence
on the day, between the hours, and
at the place in that behalf first
aforesaid

Daniel Strong J. P.

Justice fee \$2⁰⁰
paid by H. N. Davis
for defendant —

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