His Excellency

C. A. Wickliff

Frankfort, Ky

per Mr Hurt

Wayne County Ky 24th June 1840

His Excellency
Governor Wickliff

Dear Sir
The bearer Mr
Joseph Hurt goes to you to try to
get a pardon for his sonin law. I have
stated the case as I have been informed
it took place between Capt Sally and
Mr Pemberton in a letter addressed to
Col Davidson which he will shew
you - If you can consistant with
your duty as Governor pardon Pemberton
after examining the case I shall be
very much pleased and a large
number of our citizens also -
with high respect
your obt servt
Martin Beaty

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[JUNE 1840]

To his excellency Charles A. Wickliffe lieutenant and acting Governor of the Commonwealth of Kentucky We the undersigned citizens of the County of Wayne would humbly represent unto your excellency that the grand jury empannelled and sworn in and for the body of Wayne County did at our last term of the Circuit Court find a true bill of manslaughter against William Pemberton for inflicting a blow upon one Moses Sallee which caused with other circumstances his death we would respectfully suggest that Pemberton is a poor man but a very respectable citizen whose course and conduct heretofore has given us ample evidence that if spared to live a long life he will be a sturdy good and respectable citizen both honorable and useful to society understanding that the subject will be submited to your excellency before a final trial will be had for your consideration and interposition we do not from our understanding of the matter hesitate for a moment to join earnestly as petitioners to your excellency that you grant a pardon and release Pemberton from any further trouble difficulty upon the subject, we feel confident and well satisfied that in granting the prayers of your humble petitioners your Excellency will do the will of considerably the largest majority of the good citizens of this County and also the particular and intimate acquaintance of both Pemberton and Sallee annexed to this petition is statement of the case as it stands between the parties and we feel confident that under a fair and

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just Consideration of the whole dificulty
that reason dictates and justice demands
Pomberton's acquittal without any further
prosecution or advance on the part of the
Commonwealth that the case conducted
any further will be attended with great
expense to both the parties and the
commonwealth we do most earnestly request
that your Excellency duly consider the
matter and that your Excellency will
grant our prayer we most confidently
believe and most humbly beg and ever
in duty bound we will ever pray

William Smith 1
Archibald Dishman 2
John upcurch 3
Nicholas Cutram 4
Sefary dishman 5
John S decker 6
Moses dishman 7
Samuel prevet 8
James hair 9
John Hix 10
B Hancock 11
Charles Dabney 12
Edmund A. Butler 13
R Magor Hancock 14
Henry Blevins 15
gabriel Choat 16
Richard Choat 17
Bradcut Goffey 18
James Brummer 19
William Hall 20
Charles Back 21
Giles C Back 22
Jacob Back 23
Jesse Neal 24
Richard Ramsey 25
John Ramsey 26
Jesse Rector 27
Samuel Rector 28
Benj. Wallace 29
Josiah Barns 30
William gilles pie 31

Daniel Shearer 32
Jacob Shearer 33
thomas huffaker 34
Israel Young 35
S Samp Son D. Huffaker 36
Francis D. Spearer 37
Isaac Shelton 38
georg Stinson 39
John Spradling 40
Patrick Coil 41
William Coil 42
John Stinson 43
Sam Coil 44
Larken percel 45
Tessa Canady 46

Alison Rector 47
James Pearc 48
Randle morgan 49
Moses upcurch 50
John Slagle 51
William Doss 52
Luis Do Rum 53
Emsley Butram 54
Presley upcurch 55
georg upcurch 56
Joseph Slagle 57
Reland Williams 58
William Christwell 59
Thomas Dishman 60
Dalton Blevens 61
Elias Johnson 62
James tuggle 63

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Henry tuggle Sune 64
Reuben Burnett 65
Abalom Miller 66
Christian Cotron 67
Elias Cattron 68
Thomas Widley 69
Calvin F Widley 70
William Burnet 71
Reuben Coffey 72
Thomas Markham 73
Georg Millar 74
Washington Young 75

Thomas up Cherch 76
Joseph Dishmon 77
Stephen White 78
Eben Rice 79
Roberte Ginins 80
Joel Keeton 81
John up Cherch 82

This day personally a perde Washington Younge Bee fore me one of the under Seign Justice of the peace four Wayne Countey and made outh the above under Seign names to this ~~partition~~ partition wose Sign by them Selvs ar by ther Consente in the presente of the said Younge Soorren to Bee fore me this 24th of June 1840

Thiram Gregory Jp

1 [JUNE 1840]

A Statement of facts taken before Hiram Gregory a Justice of the peace in & for Wayne County Ky taken at William Hurts Sn. in the neighborhood of Moses Salle relative to the Indictment found by the Grand Jurors at the last April term of the Wayne Circuit Court against William Pemberton for manslaughter, he being now chargeable, according to the above Indictment for killing Moses Salle or causing his death, this the 17th of June 1840 the following person being duly sworn, and ast to state answer the Questions that is hereafter propounded

Statement of

Joseph Hurt I sent for William Pemberton to come to my mill and aid me in dressing my mill stone and he came on the day that Salle was killed he came and we perform the work upon the mill set her to going went and got our diner and returned to the mill when we came into the mill yard I saw Moses Salle tying his beast near by I and Pemberton went into the mill house after a few minutes Salle came some conversation interchange between myself and Salle and I went to a tanbrought some 150 yards from the mill to stir some leather as I started I heard Pemberton as Salle If he had run that other line with the Surveyhor to Salle answered no that the Surveyhor

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would come back again to do. I walked very brisk down to the tan traught & return in a few minutes & when I came near the mill I heard a fuss in the mill house as like the two men were fighting I started briskly to the mill and I saw Remberton muting me and he exclaimed that Salter was in ~~mill pond~~ water or drowning I told him going in & get him out he went & told me to hand him a stick I got him one but before he had got one but broke it I gave him a hoop pole he fasted it in Salters Clothes and raised him to the top of the water and Joseph by this time on the opposite side of the ~~pond~~ kiver and came in & aided in taken Salter out of the water and we took him with the aid of Alvin Adkins who came it was about sixty yards before we got him up the Bank then we carried him 30 yard I think to a log and laid him across the log & endevied to bring to life but we could not we then took him to the Bolting house about one hundred yards and then we took down the door and laid him upon it. Some person mad the enquiry how he came in the water, Remberton remake he nocked him down & he fell into the water come into the mill house & ~~will~~ would tell all about it. Remberton stated that Salter took a stick and was marking off as the line ought to run and that it would not in yard ~~me~~ him & I he

remarked to him that any man that would
run the line that way was a Rascal or
~~[illegible]~~ grand rascal & then Sallee rose with
the stick in both hands and said he had
him (Pemberton) in a fix that had wanted
for some time and he would now use
him up, he Pemberton so no chance of
escape being hemed by some bags & the
mill hoper & the wall and Sallee before
him and he said hold the stick and
jerks from Sallee and struck a kind
of a back handed link ~~which~~ and struck
Sallee which nocked him down and Sallee
in trying get up fell over the floor on
the lower floor which was not fell out & then fell onto the water
Hurt further states that Pemberton used
any exertion to release Sallee from the water
went in the water up to his arm pits
to get him out. Joseph Hurt Sr
taken & certified & sworn as above
Statue before ~~[illegible]~~ me

Hiram Gregory Jr

Washing Young Sr being calle on to
state being present a part of the time
after Sallee was got out of the water
and being at the calle on by Joseph
Hurt Sr to come and help bring Sallee
to life State being first sworn
That he concurs with the statement
of Joseph Hurt Sr relative to the
confession or statement of the manner
in which he Pemberton struck Sallee and the
manner which he came to his death.

Washing Young Sr

Hiram Gregory Jr

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1 [JUNE 1840]

A Statement of facts taken before Hiram Gregory a Justice of the peace in & for Wayne County Ky taken at William Hurts Sn. in the neighborhood of Mosses Salle relative to the Indictment found by the Grand Jurors at the last April term of the Wayne Circuit Court against William Pemberton for manslaughter, he being now chargeable, according to the above Indictment for killing Mosses Salle or causing his death, this the 17th of June 1840 the following person being duly sworn, and ast to state answer the Questions that is hereafter propounded

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