

Nelson County June 22 1866

The charges against Thomas Vickers alias Texas, John Rhodes and John Stewart alias Seward, for outrage committed on persons of color near the Nelson Furnace in this county, cannot be brought before the county judge unless the accused are present and the witnesses are present, and then said judge could not do anything except to commit them in default of bail, to appear and answer a Bill of indictment which the grand jury might find against them. The grand jury for this county will be in session next Monday (26th inst). The grand jury can investigate the charges without the presence of the accused. A Bill of indictment can be laid before them and if they think it their duty to find a true bill on the testimony of colored persons, they will endorse it by their foreman "A true bill". If they should refuse to find a true bill, they will endorse it "Ignored". In either case, their action can be certified to the Head Quarters at Louisville.

The county judge has no power to hold any proceedings except as an "examining court". No indictment can be found in this court because it has no grand jury. Said court has no power to punish them or put them on their final trial for want of jurisdiction. The Circuit Court is the ^{only} court known to the

State Laws of Kentucky that can punish them
and that Court can only take jurisdiction after
an indictment has been returned to the Court by
the grand jury.

The witnesses must be personally present
before the grand jury. The papers before
the Bureau, cannot be used before any of the
State Courts, ^{or before the grand jury} for any purpose - therefore they must
not be left here as they cannot be used as evidence.

Johnson & Hardin attys.