

March 1870, Nos. 3, 17

State

vs.

Priester, C.M., alias
Priester, Baptiste

Attempt to commit arson

Attempted to burn the Rock Creek
Bridge of the St. Louis & Iron
Mountain Railroad; depositions

Affidavit for State Warrant.

State of Minnesota
County of Lefferson

Before H. M. Parker a Justice of the Peace for said County, personally appeared Robert Venn (who is employed by Martin Meyer) and who makes this Affidavit for and at the request of Martin Meyer Rail Road & Lumbering Sept. Co. Inc. who being duly sworn according to Law, deposeth and says, that on the morning of Saturday the fifth day of February A.D. 1870. in Little Rock Township in Lefferson County - Mo. between the hours of ^{eight} ~~nine~~ o'clock ~~in the forenoon~~ of that day - One C. M. Priester commonly called Batise Priester kindled a fire with pine chips or shavings on the ~~train~~ ^{train} and train ^{and} RR Bridge that spans Union Creek at Union Sept. Co. Inc. That said C. M. Priester or Batise Priester commonly called Batise Priester built this fire somewhere near the mill and a little nearer the farther end of said Rail Road Bridge and this deponent says & truly -

believe that are **Orn, Priest**
or **Battist-Priest** - **Census** of either
Battist **Priest** is willing the
best charges. **Wagon** **Levi**
being very best also as this
officer's **Levi** **Levi** **Levi** **Levi**
the **Levi** of **Levi** **Levi** **Levi**
Levi **Levi**.

Levi **Levi** **Levi** **Levi**
Levi **Levi** **Levi** **Levi**
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Levi **Levi** **Levi** **Levi**
Levi **Levi** **Levi** **Levi**

Affidavit for State
warrant.

State No. 1,
vs

Chas. M. Priester
vs. Buline Priester

Filed Feb 5. 1878

He. M. D. Miller
J. D.

Sul. Shering & Co. vs. Mr.

J. D. Fees writing & calling
affidavit - \$1. -

Filed July 1878

E. J. H. H. H. H.

State Warrant.

State of Missouri
County of Jefferson } ss

The State of Missouri to the Sheriff or any Constable of said County Greeting.

Whereas, Complaint has been made before me, one of the Justices of the Peace in and for the County of Jefferson, upon the oath of Martin Meyer that Chas. M. Priester (commonly called Batsie Priester) late of the County aforesaid, did on ~~Friday~~ Saturday Morning between the hours of eight and nine o'clock, and on the fifth day of February A.D. 1870 attempt to burn the The St. Louis and Iron Mt. Rail Road Company's Bridge across Rock Creek near Kimmisick in Jefferson County Missouri; by kindling a fire with pine shavings or chips upon said Rail Road Bridge some where about the middle of said Bridge - for the purpose as is alleged to destroy said Bridge by fire. There are therefore to command you to take the said Charles M. Priester (commonly called Batsie -

Priester) if he be found in your County
and take and safely keep the said
Charley M. Priester (Batter & Sister
Priester) so that you have his body
forthwith before me to answer the
said complaint; and he further
dealt with according to Law. -

Given under my hand and seal this
Fifth day of February A.D. 1870.

H. M. Parker
Justice of the Peace

In the absence of the Regular Constable who cannot
 be had in time. I authorize Jacob Haeber
 to execute and return this writ. Sealed
 Spring, Little Rock Tannurbit Leff. Co. Mo.
 Feb. 5th 1870.

H. M. Parker
 Justice of the Peace

State Warrant

State of Missouri

No. 1.

— vs —

Chas. M. Friesler

(commonly called)

Batie Friesler

February 5-1870

all Fees — \$1.35

Const. Fees — \$7.00

3 miles 505 15

1.25

Weld July 15th 1870

Chas. Haeber

State of Missouri }
County of Jefferson }

To Robert N.

Heard & Esq Lewis Scheeder

My Mayor. ~~Stolt~~ ~~Ridgman~~ Wilson Hunt
Capt. John DeBrie

You are hereby commanded that, all
excuses and delays being set aside,
you personally appear before
the undersigned, a Justice of
the Peace within and for the
Township of Little Rock in the
County of Jefferson forthwith
at his office in Sulphur Spring
Jeft. Co. Mo. to testify on the trial
of a case wherein State of Missouri
is Prosecuter vs Chas. M. Priester (called
Butire Priester) on the part of the
State.

Given under my hand this 5th day
of February A. D. 1870.

H. M. Parker
Justice of the Peace,
"

Subpoena

State of Missouri
Chas. M. ^{Marshall} ~~Marshall~~ ^{Marshall}
Justice of the Peace

No. 1,
To R. N. Hunt Esq
Lewis Schaeffer &
Capt. Dedrick
Mayer

Constable ~~Karger Fee \$1.00~~
Fee \$1.40

Filed July - 15/87
Cf Honey Creek

Executed this writ in township of Little Rock in
the County of Jefferson on this 5 day of February A.D.
1870 by reading the same to the within named ~~Chas~~
~~of Dedrick~~ R. N. Hunt Esq, Mayer & Schaeffer
~~and Capt Dedrick~~ ~~Fee \$1.00~~ ~~Constable~~ ~~Karger~~ ~~authorist~~
Constable
(H)

Something about the paper to recorder
this civil - & section the same. Sept. 8.
Nov. Feb. 5-1840

He. Or. Tanager
Q. 1

Wile of Insurance }
Carumfat Jefferson }⁸⁸
To

You are hereby commanded, that, all persons
and delays having advised, you having
be and appeared before the undersigned
Justice on the day of February
A.D., 1870 at his office in and at
Shewing, Sept. Co. Mo, to testify and
the communication between the State
of Missouri is necessary and to have
the Record is before and on behalf
of between

Given under my hand February 11th 1870.

To. Mr. J. J. J.
Justice of the Peace.

Subpoena

State of Missouri
vs No 1

Charles M. Riestler

To

J. J. Fes
and Fes

.35

Filed July 15th 1870
E. J. Honey et al

Waintham's Great House to Cicero's
and return this evening - Sept 2, 1850

W. W. Butler
91

Examination.

State of Missouri
County of Jefferson,

Before H. M. Parker
Justice of the Peace.

On this 7th day of February A.D. 1870. Comes Robert A. Hunt of said County, and being sworn says, That - On Saturday morning February 5th 1870 at the County of Jefferson in the State of Missouri - Charles M. Priest was on the bridge called the Rock Creek Bridge of the St Louis and Iron Mountain Rail Road Company, in said County of Jefferson chopping up kindling - splitting up a walking board on the bridge - he heaved them up and made shavings piling them up - I then went in and told Hunt who was tending the station to stop him he gave me no answer I went then to Martin Dyer's store & told him about it. The Dyer went out & I followed him & saw the pile that he had piled up there was smoking, and Mr. Dyer gathered it up and threwed it into the creek it was a pile of shavings and boards burning - the thing occurred between eight & nine o'clock - Mr. Priest was there I saw him when he went onto the bridge. I had heard him say previous to that that he would burn the Rail Road up or the bridge if he did not get pay for his man

I have heard him say that several times - It was not over a month before the occurrence that I heard him make these threats - He claimed to have had a man injured by the Kent Road - He had an axe chopping up the kindlings -

X X

Cross Examination

Sworn to and subscribed Jan I saw it smoke -
before me February 7. 1870 Robert N Hunt
H. M. Parker J.P.

Martin Myer being called and sworn as a witness testifies as follows I am reside at Minn. with County of Jefferson State of Missouri. On Saturday morning Feb 5th 1870 between eight and nine o'clock Robert N Hunt came over to my store in the village of Minn. in said County he asked me if I was the Agent for the R R Co and I told him I was then he said Batise's house was splitting up the plank on the R R Bridge across Rock Creek and he was afraid he would set fire to it I ran over and when I came to the Bridge he had a whole pile of kindling wood put up and had set fire on it the fire was burning on the kindling wood - and I throwed it over the board in the creek and put the fire out - Batise or Charles M.

Preston was standing at the fire with an ax in his hand. I asked him what he was doing and he said he set the bridge afire. Then I said don't you know you will get a couple of years in the penitentiary for that & he said he did not care - he wants to know if he can't get money for his men this way - afterwards I sent my ^{Robert William} brother down to Sulphur Springs to report it at St Louis, and I ordered him to have him arrested -

Cross & Co - The bridge was not burned any but I throwed the kindling wood off which was afire I think it foolish for a man to undertake to build a fire in the day time - The fire was burning when I went there and put it out -

~~John~~ - The bridge is not damaged I was only twenty five yards from the bridge at the time - There were about twenty men in sight of the bridge -

Sworn to and subscribed before me February 7 1870
16. Notar Public

Martin Meyer

Lewis Schviden being duly sworn & examined says I live in Rumschick Jefferson County Missouri I was at Mr Meyer store on Saturday morning Febry 5th 1870, when Mr Hunt came in. I heard Hunt ask Meyer if he was agent of the Railroad

Cowpsey, he says yes and Hunt
says if you are it is better for you
to go there and attend to the bridge
I saw Mr. Myer destroy the fire alarm
he ran up and threw the fire into the
Creek. I saw Porter there with
an ax and walking off but I
heard no conversation.

Louis Schroeder

Swann to and
subscribe he has

me February 7th 1870

H. M. Parker

Justice of the Peace,

Charles M. Priester says all the
wag I had was crippled then by Kimmusnick
on the Rail Road so she will never be
fit to be used I am not able to buy
another one, so I had the wag ap-
praised and had the vouchers sent
up to the Rail Road Company and
I never could get the money or get
my papers back neither one Her-
iff Luckenberry & I both ^{for about six months} tried well so
I came to the conclusion I would am-
bush to the Rail Road - let on like
I want to burn it. My intention
was not to burn it though because
I knowed I would get to the printer.
Fearing I did burn the bridge so I
found my papers what the men
appraised the ~~bridge~~ ^{wagon} at and I am
very glad of it after all - I got a
pretty good crop of corn by the strength
of the Rail Road Company also about
\$20 or \$25.00 dollars in money be-
sides my time - I consider damaged
me about \$300.00 dollars, I value
the wagon \$500.00 -

Chas M^{his} Priester
^{his mark}

I certify the above to be the statement
made by the said Charles M. Priester in my
Presence on this Seventh day of February
A.D. 1870

H. M. Parker
Justice of the Peace,
11

Examination of
witnesses in

2760
State of Missouri

— vs — No 1.

Charles M. Wheeler
on a charge of Attempted
Murder. Feb. 5-1870

Examination before
H. M. Parker Justice of
the Peace February 1st
1870. Jeth. Co. Mo.

2760

Poulsen Fees & Retaining Evidence
Feb-7-1870 — \$3.50

No 1.

Filed July 13th 1870

C. J. Henry & Co

Recognizance of Witness.

State of Missouri }
County of Jefferson } ss

Be it remembered,
That on the 7th day of February A. D.
1870. Martin Meyer

personally appeared before me, one
of the Justices of the Peace for said
County, and acknowledged himself
to owe the State of Missouri, the
Sum of Fifty Dollars — to be
levied on his goods and chattels,
land and Tenement, to the use
of the State, if default be made
in the condition following: which
condition is, That if he the said
Martin Meyer — shall personally
appear at the next Circuit Court,
to be holden in and for said County,
on the first day of the Term to give
testimony on behalf of the State,
and the truth to say touching —
such matters as may be then and
there, required of him, and not
depart the Court without leave,
then this recognizance shall be void
and of no effect, otherwise to remain
in full force and virtue in Law. —

Martin Meyer see

Given and acknowledged before me, at my

Office in Sulphur Spring, N.H., Co., N.H.,
February 7 - 1870

W. A. Pa. Parker
Printer at the Press

February 7 - 1870

Bond of Witnesses.

State of Missouri

— vs — No. 1.

Charles M. Priester

on a charge of Arson

Bond of

Martin Meyer

to appear before Circuit
Court at Hillsboro Lebb
Co. Mo, March 7. 1870

Justice Parker's Fees

per Bond

35

Filed July 15 1870
E. H. Honeycutt

Recognizance

State of Missouri }
County of Jefferson, } 88

Be it remembered
that on the 7th day of February A. D.
1870. Robert N. Hunt, ~~Martin Meyer~~
Louis Schneider
personally appeared before me, one of the
Justices of the Peace, for said county,
and acknowledged themselves to owe
the State of Missouri, the sum of
one hundred & fifty dollars
to be levied on their goods and chattels,
lands and tenements, to the use of the
State, if default, - he made in the
condition following: which condition
is, that if they the said Robert N. Hunt
~~Martin Meyer~~ & Louis Schneider
shall personally appear at the next term
of the Circuit Court, to be holden
in and for said county on the
first day of the term to give testimo-
ny on behalf of the State, and the
truth to say touching such matters
as may be then and there required of
and not depart the Court, -
without leave, then this recognizance
shall be void and of no effect,
otherwise to remain in full force
and virtue in Law. ~~Robert N. Hunt~~ }
~~Martin Meyer~~ }
Louis Schneider } *Eme*

Taken and acknowledged before me, at

My office in Athens being left to you,
February 7-1840

W. M. Parker
Junior of the Peace

Bond of witnesses

State of Missouri

- vs - No. 1

Charles M. Priester

Bond of

R. M. Hunt - &

Lewis Shaeffer

to appear at Sept. Term
Circuit Court, March
7-1870

Justices Paulkes & Fess

Bond

79

Filed July 15th 1870

E. H. Honeycutt

Recognizance of Prisoner.

State of Missouri } Jefferson Co Mo,
County of Jefferson } February 7th 1870

Before the undersigned Justice of the Peace of said County - Came Charles M. Priester as Principal and Jacob Priester as security -

and severally acknowledged themselves to owe the State of Missouri the sum of Seven Hundred Dollars to be paid of their goods and chattels, Land & Tenements if default be made in the Conviction following to wit: -

The Conviction of this recognizance is such, that if the above named Charles M. Priester shall personally be and appear before the Circuit Court on the first day of the next term thereof, next to be holden in and for said County (on the seventh day of March 1870) then and there to answer on charge of Prison and abide the Judgment of the Court and not depart without leave, then this Recognizance shall be void, otherwise, it shall be and remain in full force & active in Law. -

Given and acknowledged before me on the day and year first above written.
H. M. Parker J. P. Witness

Charles M. Priester
Jacob X Priester
his

February 7 - 1870

(new)
(red)
(new)
(25)

Witness H. M. Parker
Jacob M. Parker

Recognition
of No. 1.

Prisoner

February 7-1870

Re: Dr. Parker
No. 1.

To appear before Circuit
Court in 1870, Co. No.
in the City of New York
1870.

To Parker Prisoner No. 1.

Weld July 15-1870
C. H. H. H. H.

No. 1.

Transcript

1870.

State of Missouri)
Charles M. Priester) Jacket Entries.

Examination of Charles M. Priester for
attempting to burn Kimswick Rail
Road Bridge in Jeff. Co. Mo. February
5th 1870. before H. M. Parker

Justice of the Peace,

Examination held }

February 7-1870 }

at Dolphin Springs }

Jeff. Co. Mo. }

Applicant filed February
Fifth-1870 by Martin Meyer That Charles
M. Priester had attempted to burn the
St Louis and San M^o Rail Road Bridge
at Kimswick Jeff. Co. Mo on the morning
of February 5th 1870.

Thereupon I issued a State warrant
for said Chas. M. Priester February 5th
1870. returnable forthwith, and delivered
it to Jacob Hager (an authorized Con-
stable) who returned the same Feb. 5-1870
and with the Body of Chas. M. Priester —
before me, — And for the purpose
of notifying the prosecuting Attorney
and procuring witnesses, the examination
was laid over to Monday February 7th —
1870. at 10 o'clock in the forenoon of
said day. —

(over)

And on the 7th day of February A.D., 1870. Constable Hager appeared in Court in Sulphur Springs Jeff. Co. Mo. with the Prisoner Chas. M. Priester, and the Prosecuting Attorney J. E. Leonard Esq on behalf of the State - and J. A. Billings Esq on behalf of Lewis & Jean M^r Rail Road Co. appeared - and the Prisoner neglecting to procure Council - preferring to conduct his own case in person - and all parties being ready - the Justice having reduced all the Evidence to writing, - adjudges that Charles M. Priester (commonly called Batise Priester) be required to give Bail in the sum of Seven Hundred Dollars, for his Appearance at the Circuit Court of Jefferson Co. Mo. on the Seventh day of March A.D., 1870.

Thereupon said Chas. M. Priester gives his Bond with Jacob Priester as Security in said sum to appear & forego to stand his trial on a charge of attempting burning a Bridge. -

Given under my hand at Sulphur Springs Jeff. Co. Mo. February 7th, 1870.

J. C. M. Parker
Justice of the Peace.

Fee Bill.

State of Missouri }
 vs. }
 Charley M. Priester }

Prisoner charged with
 an attempt at Arson -
 Examination held before H. M. Parker
 a Justice of the Peace, February 7 - 1870 at
 Sulphur Spring Jefferson Co. Mo. -

Justice H. M. Parker's Fee	For writing Affidavit	\$ 1.00
"	Issuing State warrant	.35
"	" 4 Subpoenas	1.40
"	Examining case	.10
"	Continuing from Feb. 5 to Feb. 7/70	.35
"	Three oaths	.15
"	Writing Evidence &c	8.50
"	Taking Prisoner & Bond	1.00
"	Three witness Bonds	1.50
"	Manuscript & Certification & Postage	2.50
Total Justice Parker's Fees		\$ 11.85
Fee Bill		.50
Parker's Fees		\$ 12.35

Constable Jacob Hager's Fee	Serving warrant	.75
"	3 miles serving warrant, 5 cts a m.	.15
"	Serving 4 subpoenas &	1.40
"	mileage (5 m.)	.50
Boarding Prisoner Feb. 5-6 & 7 - 1870	3 Days	3.00
at \$1.00 a day -		
Guarding Prisoner 3 Days & 2 nights		5.00
Total Const. Fees		\$ 10.30 - 10.30

State witness Fees R. N. Hunt Res. Jeff. Co. Mo. 1 day		.50
" " " Leary Shreeder " " 1 "		.50
" " " Martin Meyer " " 1 "		.50
Total witness Fees		1.50

Jeff. Co. Mo.	Feb. 7 - 1870	Total Fee Costs before Parker	\$ 23.70
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I certify foregoing to be a correct Fee
 Bill of costs in above suit H. M. Parker J.P.

State of Missouri }
County of Jefferson } 801

I H. M. Parker
do certify the foregoing to be a true
and complete Transcript - from the
entries on my docket, in the case
of the State of Missouri vs. Charles
Mathias Priester on a charge of
Assault and the Examination of
Witnesses, and of the Prisoner, and
all the papers before me are attached
hereto and with hereunto returned.

Given under my hand, this 7th day of
February A.D. 1870.

H. M. Parker,
Justice of the Peace.
H

Transcript.

State of Missouri

vs.

Chas. M. Priestler

on a charge of Attempt
Arson & Murder

Rebue H. M. Parker J.P.

February 7 - 1870

250
Filed July 15 1870

Effrony C.K.

July 15 1870

State of Missouri } 15th Judicial Circuit
County of Jefferson } ss. In Circuit Court, March 1870 Term.

The Grand Jurors of the State of Missouri, duly empanelled, sworn and charged to inquire within and for the body of the County of Jefferson, State of Missouri, upon their oath as present, that Charles M. Priester late of the County of Jefferson & State of Missouri; on or about the fifth day of February, A.D. 1870, at the County & State aforesaid did feloniously, wilfully and maliciously attempt to set fire to and burn a certain bridge upon a certain rail-road, to wit ^a the Rail Road known as the Saint Louis & Iron Mountain Rail Road, which said bridge was and is now particularly known, among other designations, as the Rock Creek Bridge of the Saint Louis and Iron Mountain Rail Road Company, and is the property of the said Saint Louis and Iron Mountain Rail Road Company, then situate, and in such attempt did then and there place a quantity of combustible materials on certain boards in and upon said bridge, and did then & there set fire to said combustible material, with the intent then and there to burn

said bridge; but the said Charles
M. Phillips did then and there point
to the perpetration of said offence, so
as aforesaid although to be people
framed by him! Against the
peace and dignity of the State.

Geo. D. H. ~~Wright~~
Prosecut. returning.

3

State

vs

Charles M. Priestler.

Attempt to commit
Arson.

Witnesses.

Martin Myer
R M Holant

A true bill.

C C Fletcher
Foreman.

Filed March 9th 1870
E. F. Honeycutt

State of Missouri 15th Judicial Circuit
County of Jefferson Jas. Du Circuit Court, March 1870 Term.

The Grand Jurors of the State of Missouri, duly empanelled
sworn and charged to inquire into and for the body of
the County of Jefferson, state aforesaid, upon their oath
do present, that Charles M. Priest, late of the County
of Jefferson, and State of Missouri, on the fifth day of
February A.D. 1870 at the County and State aforesaid, did
feloniously, ^{maliciously} wilfully, on purpose and of his malice afore-
thought attempt to set fire to and burn a certain
bridge upon a certain rail road, to wit, ^{upon} a rail road
known as the Saint Louis and Iron Mountain Rail Road
which said bridge was and is more particularly known
among other designations, as the Rock Creek Bridge of
the Saint Louis and Iron Mountain Rail Road
Company, and is the property of the said Saint Louis
and Iron Mountain Rail Road Company then
situated, and in such attempt did then and there
wilfully maliciously, feloniously, on purpose and of his
malice aforethought place a quantity of combustible
materials on certain boards in, ^{and} upon said bridge,
and did then and there wilfully, maliciously, feloniously,
on purpose and of his malice aforethought then and there
set fire to said combustible material, so placed or
aforesaid, in and upon said boards as aforesaid, and
and upon said bridge as aforesaid, with the intent
thence then and there wilfully, maliciously feloniously

in person and of his nation of New York, to him said
process; but he the said Charles W. Smith said that now
there fail in the perpetration of said felonious
crime so of record, as an offence against the
felonies, with the said person and of his nation
of New York to be perpetrated by him; against
the peace and dignity of the State,

Geo. D. Thompson

Circuit Atty.

No 17

State

vs

Charles M. Prester,

attempt to commit
arson.

Witnesses.

Martin Myer

R. H. Hunt,

Filed March 14 1870

E. F. Hunsack

Attest his,

C. C. Fletcher

Notary.

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We Command you to take, *Charles M Preston*
if he be found in your County, and *him* safely keep, so that you have *his* body before the
Honorable Judge of our Circuit Court *forthwith*

at Hillsboro, within and for the County of Jefferson, then and there to answer unto an Indictment
found against *him* by the Grand Inquest for the body of the County of Jefferson, for

Attempt to Commit Arson

contrary to the form of the Statute in such case made and provided, and against the peace and dignity
of the State.

E. L. Honey
WITNESS, ~~SAMUEL A. REPPY~~, Clerk of our said Circuit Court,

with the Seal thereof hereto affixed, at Office, this

Twelfth day of *March*

A. D. 18*90*

Elias P. Honey

Clerk Circuit Court.

By L. A. Ayers Deputy

State
is
Charles M. Pease
Copia

Served the within Copy is this 11th day of March 1891
by bringing the within record before me and
before our said Circuit Court of Jefferson County
this

Dees ~~the~~

By

Fred Lusk Lemayor Sheriff
Jacob H. Baeger
Jr. Clerk

State of Missouri } In the Circuit
Charles M. ^{vs} } Court of
~~Baker~~ Prester } Jefferson Co.
Mo.

Now at this day comes
Joseph J. Williams and
William H. H. Thomas Attorneys
Appointed by the Court to
defend for the defendant
herein and for plea to said
Indictment say that they
can not deny that ~~at the~~
the charges and allegations in
the indictment as against the
defendant are true but they
say that at the time of the
commission & perpetration
of the acts in said indictment
charged the defendant was
and still now is insane so
as that defendant is not
amenable to the Law of the
Land for the commission of said
act in that he was not at the
time nor is he now of sufficient
understanding as to be able to
know that the commission of
said act was wrongful or

unlawful

Jos. L. Williams &
W. H. A. Thomas
Attorneys for defendant

Alto

to Mr. P
#1. Greater

Idea of moonlight

Dr. J. March 16 1876
Wm. J. Hoare
Ct

Refused
The Court further instructs
the jury that unless the
Defendant attempts to become
the judge in question with
a falsehood intent their
verdict should be for the
Defendant,

in the indictment

The Court instructs the Jury that if they believe from the evidence that at the time Defendant attempted to burn the Bridge mentioned in the indictment he was insane or that his mind was so affected that he did not understand the nature and consequences of his act, their verdict should be for the Defendant,

Refused

The jury are further instructed
that the onus or burden of proof
of defendants' insanity at the
immediate time of the
~~crime~~ attempt to commit the
offense as charged, rests upon
the defendant, and if the
same be not established to the
entire satisfaction of the jury,
then they will find the
defendant guilty.

The Court instructs the Jury that
if they believe from the evidence
that the defendant was at
times insane, ~~or partially so~~ and that said
insanity had such an effect upon
him as to deprive him of his
reason at the time the alleged
criminal act was committed
they will find him not guilty

State of Missourin } In the Jefferson Circuit
 as } Court of Missourin
 Charles M Preister alias } March Term, March 14 1870
 Battise Preister }

Bill of Indictment found
 by Grand Jury on the day aforesaid against
 said Defendant for an attempt to commit
 arson, Defendant tried by Jury
 March 18 1870, convicted and sentenced
 to imprisonment in Penitentiary for two years

Bill of Costs,

E. K. Honey Clerk Cir Ct,

Indt ⁵⁰	Judgt on forfeiture of Recognizance ⁵⁰ 15- ¹⁰⁰ 000 copies	2,15-
Ent Plea ¹⁵ or ¹⁵	Ent Plea of insanity ¹⁵	# 45-
Ent & Ent jury ⁵⁰	Ent vers ²⁵ Judgt ⁵⁰ or ¹⁵	1,240
6 Spas	1,50	~~90~~ 1,50 5,50

F. Luckenmeyer Sheriff,

Serv Capias ¹⁰⁰	Serv 10 Spas ^{5,00}	\$ 6,00
Trials ^{1,00}	Calling 10 miles ⁵⁰	1,50
		7,50

~~W. Meyer 2 days 48 miles 5,84~~

Jacob Hager	2 days	2,00
B. N. Hunk	5- " 48 miles	8,84
W. Meyer	3- —	3,00
L. K. Waters	1 " 80 miles	7,65-
Jacob Preister	3 " 22 1	6,36
J. Volmace	1 —	1,00

\$ 30.85

30,85
 43,85

Broth over

43,55

N M Parker Justice

For writing affidavit &c.	^{1.00}	issuing state warrant	³⁵	1.35
4 Subpoenas	^{1.40}	Docket case	¹⁰	Cont from July 5 th to July 7 th 1870
3 oaths	¹⁵	writing evidence	^{3.50}	Issuing Prisoners bond
3 witness bonds	^{1.50}	Transcript Cert & postage	^{2.50}	Free fee
			⁵⁰	4.50
				12,35

Constable Jacob Kager

Serving warrant	⁷⁵	3 miles serving warrant	¹⁵	90 ^c
Serving 4 Subp & 8 miles travel				1.40
Boarding Prisoner July 5, 6 & 7, 3 days at \$1 per day				3.00
Guarding Prisoner 3 days & 2 nights				5.00
				10.30

Witnesses Before Justice

Lewis Schroeder	1 day	50	
R N Heimh	1 "	50	
Martin Meyer	1 "	50	1.30

Geo S Reynolds atty fees

15.00

State of Missouri } In the Jefferson Circuit
 vs } Court of Missouri
 Charles M Preister } March Term, March 14th 1870

Indictment found by Grand Jury on the day
 aforesaid against said Defendant for an attempt
 to commit Arson, Defendant tried by Jury
 March 18th 1870 Convicted and sentenced to impris-
 onment in the Penitentiary for two years
 Bill of Costs.

E. A. Norey Clerk Ct.			
Indictment	50	Judge on forfeiture of recognizance	50
		Borders	45
			1.45
Capias	100	Ent plea	15
		also Ent plea of Insanity	15
			1.30
Swearing & Ent jury	50	Ent recd	35
		Judge	50
		6 Spas @ 25	150
			2.75
J. Suchtemeyer Sheriff.			
Serving Capias	100	Serv 10 Spas @ 50	5.00
		trial	100
		Calling 10 mb	50
			7.50
Witnesses, March Term Circuit Court, 1870.			
Jacob Hager	2 days		2.00
R. M. Hunt	5 "	48 miles	8.84
M. Meyer	5 "		5.00
L. K. Waters	1 "	80 miles	7.65
Jacob Preister	3 "	42 "	6.36
J. Volmack	1 "		1.00
			30 85
N. M. Parker Justice			
Writing off	100	issuing warrants	35
		4 Subpoenas	140
			2.75
Locket case	10	Cont from July 5 to 7 th 1870	35
			45
300ths	15	Writing evidence	3.50
		Having prisoners bond	100
			4.65
300th bond	150	Transcript cert & postage	2.50
		Dec Bill	50
			4.50
			12.35
Amt carried forward			56 20

State
no
President