

DeFerson County Circuit Court
Case 212 - Criminal

Box

26 Folio 60

September 1870

State

vs

Klein, Bernard

Neglect as road overseer

Failed to put up sign board where
road to Hiramswick leaves road from
Sulphur Springs to St. Louis

State of Missouri
Jefferson County J.C. In Circuit Court
September 1870 Term.

The Grand Jurors of the State of Missouri, duly empannelled sworn and charged to inquire within and for the body of the County of Jefferson aforesaid upon their oath aforesaid do present, that Bernard Klein, late of said County, on the 16th of September 1870 at the County of Jefferson State of Missouri was, and ever since that time has been and still is an officer holding a trust and appointment, to wit the trust and appointment of road overseer of the road district in the County and State aforesaid known as the North half of Township 42 Range 6 East; that the said Bernard Klein then and then being said road overseer ~~and~~ holding said trust and appointment did there and there and from that time to this has wilfully neglected and failed, and still wilfully does neglect and fail to perform a duty enjoined upon him by law in this that he the said Bernard Klein then and then and from said time to this, and now yet holding said trust and appointment as aforesaid, did there and then and from that time to this has wilfully failed and neglected and still wilfully fails and

neglects to put up a sign board at that point and fork on the public road leading from Sulphur Springs to St Louis where the public road leading to Kennesaw leaves said road (said fork and point being in the road district ~~as~~ aforementioned) and to keep that part of said public road leading from Sulphur Springs to Saint Louis which lies in the road district aforementioned, in good repair. Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State.

Geo. S. Reynolds.
Att'y.

263, 271, 775

No 28

2849

Stat

no

Bernard Klein,

Waglast as Counsel
over seen.

Wittmuckas.

Jacob H. Meyer

Trusty Works

Booker Buchanan.

A true bill.

Wheeler Dovers

W. Mannan.

1850 21

Filed March 21st 1871

Wm. H. Boyce et

Alvin \$12.00

Vol 6 p 278

March 22 1871
Amount 2,000

15

115 or more

171 nothing

275 Budget

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We Command you to take *Bernard Klein*
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, *on the sixth day of March next*
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 *Neglect as Road Overseer*

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

W. S. Boyce
Witness, *W. S. Boyce*, Clerk of our said Circuit Court,
with the Seal thereof hereto affixed, at Office this
Twenty first day of *December*
A. D. 1870

W. S. Boyce
Clerk Circuit Court.
By Th. Merine Deft

COUNTY OF JEFFERSON, 201

State
and
Bernard Klein

John Williams
Sheriff fee \$1.75

Oiled & Shy 9.1871
100 May 20 1871

I have the Within Writ in Jefferson County
Mo on the 16th Day of January 1871 by
arresting Bernard Klein and taking
his Bond for his appearance at our circuit
court on the sixth Day of March next
John Williams
Sheriff

Know all Men by these Presents, That
Bernard Klein as principal,
and _____ as securities, are held
and firmly bound unto the State of Missouri, in the full and just sum of
one Hundred Dollars, for the true payment whereof, well and truly to be
made, we bind ourselves, jointly and severally, firmly by these presents. Sealed with our
seals and dated this 16 day of January A. D. 1871

The Condition of this Obligation is such, That if the above bounden Bernard
Klein shall personally be and appear before the Circuit Court of
Jefferson County, on the first day of the next term thereof, to be begun and held at the Court
House, in the town of Hillsboro, within and for the County of Jefferson, on the Sixth
Day of March next, to answer an indictment pre-
ferred against him for Neglect as Road Overseer

and from day to day and from term to term, and not depart said court without leave thereof,
then this bond to be void; otherwise to remain in full force and effect.

Bernard Klein 

Fred V. llmark 



Taken and approved by me this 16 day of January 1871

John Williams
Sherriff Jefferson
County Mo

Stacy
and Alice
Bernard Allen

October 9, 1871

Mr. Mayce care

The State of Missouri,
COUNTY OF JEFFERSON.

To

Justices, Wm. H. Hunt, Peter Richardson

You are Herby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *20th day of March 1871*, at Hillsboro, then and there to testify and the

truth to say in a certain matter of controversy, now pending in our said Court, wherein *The State of Missouri* Plaintiff, and *James C. Hunt*

Defendant, on the part of *Hunt*; and herein you are in no wise to fail.

Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 16th day of March A. D. 1871

E. F. Honey Clerk.

SUBPENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Bernard Klein

Jacob Hager
R. Hawks
Booker Richardson

13. Jm Williams Shff fee
150

I served the within Subpoena in Jefferson County New
in the 13th day of March 1871 in Jacot Hager & Clerk
and Booken Richardson by reading the same to each of
them

John. Williams Sheriff
By J B Huff
Deputy

The State of Missouri,
COUNTY OF JEFFERSON.

To

W. H. Smith

You are **Hereby Commanded**, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *first*

being week, you do *come* *and* *testify* and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *the defendant of Edward Allen*
Plaintiff, and

Defendant, on the part of _____; and herein you are in no wise to fail.

W. H. Smith
Witness, **ELIAS F. HONEY**, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *22d* day of

May A. D. 1871

W. H. Smith Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
Bernard Klein

W R Donnell

John Williams
Sheriff for 50

State
vs.
Bernard Klein, deft.

In the Circuit Court
of Jefferson County,
Missouri,
March Term 1871.

Now comes the defendant by his Attorney
and moves the Court to quash the indictment
in the following above entitled cause
for the following reasons to wit:

1st because the acts, ^{or omissions} alleged in said
indictment as those of defendant, constitute
neither a crime or misdemeanor at com-
mon law, nor under the Statutes of the
State, and hence the indictment shows
no cause of action,

2nd This Court has no jurisdiction
of the matter, alleged in said indict-
ment,

3^{dly} It appears from the indict-
ment, that it was not presented by
the foreman of the grand jury, by which
it is pretended to have been found,
to the Court and in the presence of
the grand jury, as the law requires,

4th The Statutes do not require Road
Overseers to put up sign boards as al-
leged in the indictment.

5th The indictment does not show
that in what particulars or particulars

dependent joined to keep the road in
good repair.

Henry J. Ahlborn
atly for report,

State
vs.
Bernard Klein,

Motion
to quash in-
dictment

File Mar 22 1871
W. S. Boyce Cl
overruled

State no 13 Klein

} . has neglected road between
Mar 23^d 1871 Drive \$200
Vol 6h 275-

m Stages

hutch 30⁰ Captas 1.00 yills 30⁰

\$ 180

ordmunchelund 15⁰ notice 20⁰ mds 20⁰

55-

hutch 30⁰ and 15⁰ 300⁰ 10⁰ maring each 25⁰

1.00

4 shaw 1.00

1.00

4,35

Mr Williams Hgt

Captas 1.00 Amc 50⁰ trial 100

2.50

4 shaw —

2.00

4,50

Jacob Stager 2 days 34 miles

4.72

Mr Donnell

1 — 2000 notices

2.05

6.77

STATE OF MISSOURI,

VS.

Klein

W.D. Boyce

FEE BILL.

Indict. ⁵⁰ Venire for jury Writ ¹⁰⁰ capias ¹⁰⁰ Writ of attach.	1 00	
Ent. recognizance Ent. recog. prisoner Ent. surrender prisoner		
^{Capias Exp} Discharging recognizance Issue of fact joined Continuance	1 00	
³⁰ Subpoenas ²⁰ Rule ²⁰ Copy of same ²⁰ Com. to take depositions	90	
Copy of interrogatories Ent. judgment ⁵⁰ ¹⁵ Nolle prosequi	65	
^{and nine pro time} Swearing and ent. jury Ent. verdict Ent. appeal	35	
^{Ind 15} Taking recog. on appeal Scire facias Cert. & seal	15	
^{Docket 10} Issuing fieri facias Copy bill of costs with cert. judge and cir. att'y	10	
^{25 c & s 50} Bill of costs hundred words Cert. to affidavit	75	
¹⁵ Transcript per hundred words Files	15	5 53
^{Time}		2 00
Geo D Reynolds cir atty	5 00	5 00
Jos Williams Shff Cap ¹⁰⁰ Bond ⁵⁰	1 50	
3 Shus ¹⁵⁰ calls confess ¹⁰⁰	2 50	4 00
Booker Richardson	4 36	4 36

State
no
Alvin