

Jefferson County Circuit Court
Case Files - Criminal

Box 26 Folder 64

September 1870, No. 29

State

vs

Hunt, Presley T.

Misconduct in office

Defendant, as JP, illegally let to
bail Charles Higginson charged
with murder

State of Missouri 15th Judicial Dist.
County of Jefferson 3d, In Circuit Court,
September 1870 Term.

The Grand Jurors of the State of Missouri,
within and for the County of Jefferson, now
in Court present, duly empaneled and sworn
and charged to inquire ^{on their oath} and present that
Presley T. Hunt, late of the County of Jefferson,
aforesaid, on the first of June 1870, at the County
of Jefferson, State of Missouri, then and there, un-
lawfully and wilfully did let to bail one
Charles Wiggerson, he the said Charles Wigger-
son being then and there brought before the
said Presley T. Hunt, charged with ~~an~~
offense murder in the first degree, the same
being then and there an offense not bailable
the said Presley T. Hunt being then and
there a Justice of the Peace, within and
for the Township of Big River in the
County of Jefferson and State of Missouri; and
so the Jurors aforesaid upon their oath afo-
said to say that he the said Presley T. Hunt
then and there being a Justice of the Peace,
within and for the Township, County and
State aforesaid, the same being ~~an~~ and so
holding an office of trust, was then and there
guilty of unlawful and wilful misconduct
in office and of unlawful and wilful neglect

to perform the a duty enjoined on him
by law - Contrary to the form of the
statute in such case made and provided
and against the peace and dignity of the
state.

And the Grand Jurors aforesaid, upon
their oath aforesaid do further present,
that Presley T. Bunt, late of the county of
Jefferson aforesaid, on the first day of June 1870,
at the County of Jefferson, State of Missouri, then and
then and continually afterwards, until the
day of finding this indictment was, and yet
is holding an office holding a trust and
appointment, to wit, a Justice of the Peace
within and for the Township of Big
River in the County and State last aforesaid,

and duly and legally appointed and authorized
to discharge the duties of that office.
Nevertheless, the said Presley T. Bunt, not
regarding the duties of his said office but
perverting the trust reposed in him, did
then and then unlawfully and wilfully neglect
to perform a duty enjoined on him
by law, in this to wit, that whereas on the said
first day of June 1870 one Charles Wiggerson
appeared before him the said Presley T. Bunt
^{Bunt}~~Wiggerson~~, in his the said Presley T. Bunt's
capacity of Justice of the Peace as aforesaid,

in the Township County and State as aforesaid, charged with an offense punishable by imprisonment in the Penitentiary, to wit with the offense of man-slaughter in the first degree, and whereas it yet the said Wesley T. Hunt, disregarding his said office and trust unlawfully and wilfully did release the said Charles Wiggins and suffer him the said Charles Wiggins, so charged as aforesaid, with the offense as aforesaid, to depart from his custody and to remain at large, without exacting and requiring, taking and receiving from him the said Charles Wiggins, or from any other person for him, good and sufficient bail, for the appearance of him the said Charles Wiggins to answer the charge as aforesaid before the Court in which the said offence is cognizable, but the Circuit Court of Jefferson County Indiana. ~~for~~ Contrary to the form of the Statute in such case made & provided & against the peace and dignity of the State.

Geo. D. Heywood,
Circuit Attorney.

No 29 2851

State

Pro
Quincy J. Hunt.

Washed of duty &
this conduct in
office.

Mempho.

Coms Merritt

H. W. Chmikan
Jaeger Lewis.

A true bill

Abner Dover

Attorney.

Filed Apr 14 1876

Clara Henry Cla

Judgment Oct 6 1878

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We Command you to take *Presley D. Hunt*
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 of duty & misconduct in office,

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

W. S. Royce,
Witness, *E. R. HONEY*, 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. Royce

Clerk Circuit Court.

By Tho Horine Deft.

I sented this ~~to~~ letter in of Exeter County, Mo on the 14th
Day of December 1891 by a messenger Tuesday 8th of Jan and
asking his answer for his appearance at court the
Bonds is here with filed

John Williams Sheriff

State
vs
P. D. Hunt

John Williams
Sheriff fee \$175

Filed Feb 24th 1871
W. S. Poyce cl



Now all Men by these Presents, That
Presley, J. Hunt as principal,
and William McKay and S. Dandy as securities, are held
and firmly bound unto the State of Missouri, in the full and just sum of
Two 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 14th day of February A. D. 1871

The Condition of this Obligation is such, That if the above bounden Presley
J. Hunt 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 of duty and misconduct
in office
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.

P. J. Hunt



Wm. McKay



Stephen Dandy



Taken and approved by me this 14th day of February 1871

John Williams
Sheriff

The State of Missouri,
COUNTY OF JEFFERSON.

To

James Smith

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *2nd 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 v*

Plaintiff, and *J. H. Smith*

Defendant, on the part of *H. H. Smith*; 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 *6th day of March* A. D. 1871

E. F. Honey Clerk.

SUBPENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
P J Hunt

Em. Merratt
W M Christians
Jasper Lewis

15

pro Williams fee \$1.50

I served the within subpoena in Jefferson County me
on the 15th day of March 1871 on Luis Merriatt. Wm
Christian and Jacob Lewis by reading the same to
each of them

John. Williams Sheriff

By J. B. Hub

Deputy

The State of Missouri,
COUNTY OF JEFFERSON. }

To *Wm. Chapman, Sheriff*

You are Herely 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 is* Plaintiff, and *J. O. Mounch is*

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

Wd. Joyce
Witness, **EDIAS F. HONEY**, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *21st March* day of *March* A. D. 1871

W. J. Joyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March

Term, 1877

State

vs

P. T. Hunt

for Debt

Wm Christian

John. Williams

Sheriff Fee 1.00

The State of Missouri,
COUNTY OF JEFFERSON.

To

Wm Phillips vs Wm A

You are Herely Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court, for the County aforesaid, on the *20th*

, 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 vs*
Plaintiff, and *J. A. A. Co.*

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

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

A. D. 187

W. H. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
vs
P. Y. Hunt

For Deft.
W. M. Christian
vs
D. J. Hunt

Served

Signed

John. Williams
Sheriff Fee 1.00

State of Missouri } In the Circuit Court
 ^{vs} } of Jefferson County
P. J. Hunt } Missouri

Now at this day comes the Defendant and Demurs to the indictment in this Cause for the following reasons, To wit,

1st Because said indictment is insufficient in Law in this that it does not charge that said Charles Higgerson was at the ~~time or before being~~ brought before the Defendant as a Justice of the Peace under or by virtue of any warrant for his arrest or other process nor that said Higgerson was charged with murder or other crime before said Hunt upon the affidavit or written statement of any ~~competent~~ person,

2nd Because the indictment is inconsistent & contradictory in that the first Count charges that said ^{Higgerson} Defendant was brought before Defendant charged with murder in the first degree & the second Count

Charges that ~~that~~ said Wiggerson
was at the same time brought before
Def^t. charged with man-slaughter -

3^d Because the second ~~part~~ Count
of the indictment is insufficient
in law in that it is not charged in
the said Count that Defendant
had any power or authority to
detain said Wiggerson in his
Custody or that it was his duty
to do so, or that said Wiggerson
was brought before Defendant as
a Justice of the Peace charged with
any crime upon the affidavit
of any person

4th Because the indictment does
not charge that Defendant
was guilty of any official
misconduct corruptly or
feloniously

5th Because the indictment does not
charge that said Wiggerson was at
any time brought before Defendant
charged with any offence in the
Custody of any officer authorized

to arrest ^{or} ~~or~~ hold him in Confinement
or by virtue of any warrant for
his arrest,

Jos. L. Williams
Atty. for Defendant

Made

on

J. J. Hunt

Demerit to
indignity

Made Mar 23 1871

M. J. Boyce