

DeForsan County Circuit Court
Case Files - Criminal

Box

27 Folder 16

September 1870, ND 23

State

vs

McKee, Michael

Neglect as road Overseer

Failed to put sign at fork in
road from Richwood to Morse's
Mill

COUNTY OF JEFFERSON, Sct.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson, Greeting:

We Command you to take *Michael McKee*
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, *E. P. HONAN*, 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 Tho. H. Hines Dep't

COUNTY OF JEFFERSON, MO.

State
vs
Michael McKee

John Williams
Sheriff Jan 8 1875

Filed Feb 24 1875
108-184200

I Executed this Writ in Jefferson County Mo on the 14th
Day of February 1875 by arresting Michael McKee and
taking his Bond for his appearance at Court the
Bond is herewith filed

John Williams
Sheriff

111
Now all Men by these Presents, That
Michael McKee as principal,
and *William McKee* 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 *14th* day of *February* A. D. 1871

The Condition of this Obligation is such, That if the above bounden *Michael*
McKee 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.

Michael McKee SEAL

Wm. McKee SEAL

SEAL

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

John Williams
Sheriff

State of Missouri
County of Jefferson J. P. Mcraut Court September
Term 1870.

The Grand Jurors of the State of Missouri,
duly empanelled sworn and charged to
inquire within and for the County of Jefferson
aforesaid, upon their oath do present, that
Michael McKee late of said County and State
on the 16th day of September 1869 at the County of
Jefferson State of Missouri was and ever since
has been and still is an officer holding a trust
and appointment to wit the trust and ap-
pointment of road overseer of the road district in
the County and State aforesaid known as the East
Holt of Township 40 Range 3 East,
that the said Michael McKee then and then
being said road overseer and holding said trust and
appointment, did then and there and from that time to
this has wilfully neglected and failed and still wilfully
does neglect and fail to perform a duty imposed on him
by law in that that he the said Michael McKee then and
there and from that time to this and now not holding
said trust and appointment as aforesaid did then
and there and from that time to this has unlawfully
and wilfully failed and neglected and still wilfully
fails and neglects to put up a sign board at that
point or fork on the public road leading from ~~Holt~~
to ~~Peter~~ Richwoods to Morse's Mill where the public

road leading to Hillsboro Leansville road, said
point and fork being in the road district as
aforesaid, and to that portion of the
public road leading from Hillsboro to Potomac
which lies in the aforesaid road district
in good repair — Contrary to the
provisions of the statute in such case made
and punished and against the
peace and dignity of the State.

Geo. S. Pugh, Secy,
Genl. Atty.

no 23
28521

Stati-

B

Mich. N. K.

Neglect as road
overrun.

Mittrus
J. Pritchett
Francis Wiley
W. Graham.

Attn: Geo.
Beverly Brown
Tanner,

Filed Mar 21 1871
W. D. Borce CB

Nolle Pross
Vol 6 page 290

The State of Missouri,

COUNTY OF JEFFERSON.

Do

John A. Schell Francis Wiley & Mr. Graham

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 *Michael Mckeiv*

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

M. D. Boyce

Witness, ELIAS E. HONEY, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *20th* day of

March A. D. 1871

M. D. Boyce Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 1871

State
^{vs}
Michael McKee

J Prichett
Francis Wiley
Jm Graham copy

Sheriff's fees 1.50

I served the within subpoena in Jefferson County Mo on the 15th
day of March 1871 on J^r Oriskett & Francis Wiley by reading
the same to each of them and I also on the same day
served the same on Wm Graham by leaving a copy of the
same at his usual place of abode with a white person
above the age of 18 years

John Williams Sheriff

By J. B. Webb

Deputy

The State of Missouri,
COUNTY OF JEFFERSON.

To William Hancock

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

State of Missouri is Plaintiff, and William Hancock is

Defendant, on the part of Defendant; 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 9th day of March A. D. 1871

W. F. Honey Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March Term, 18*77*

State
vs.
M. McKee

William Hearst

Shff's fee 50

I served the within subpoena in Jefferson County, Mo
on the 1st day of March 1871 on Mr Stewart by reading the
same to him

John Williams Sheriff

By J. B. Webb
Deputy

The State of Missouri,
COUNTY OF JEFFERSON.

To

W. D. C. C. C.

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

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

Plaintiff, and

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

W. D. C. C. C.
Witness, ELIAS F. HONEY, Clerk of our said Court, with the seal thereof

hereto affixed, at office, this 22nd day of A. D. 1871

W. D. C. C. C. Clerk.

SUBPOENA

RETURNABLE TO
JEFFERSON CIRCUIT COURT.

March

Term, 1871

State
vs

Michael McKee

W. R. Darnell

John. Williams

Sheriff Fee 50

State of Missouri } In the Circuit
 } Court of
Michael McKee } Jefferson
 } County Missouri

Now at this day comes the Defendant and moves the Court to quash the indictment for the following reasons

1st Because the acts charged against the Defendant in said indictment are not indictable under the Laws of the State of Missouri

2nd Because the indictment against Defendant on which Defendant has been arrested has not been filed in this Court.

3rd Because said indictment is too vague & indefinite ~~as in~~ that - it is not charged that the Defendant is or has within three years next before the indictment was preferred been an overseer of any road district in said County of

Jefferson, ~~because it is not~~

4th Because it is not charged that Defendant held the Trust or Office of Road overseer in said County by an appointment made by the County Court of said County or any other Power or Tribunal authorized to appoint road overseers,

5th Because said indictment does not show that Defendant was at any time notified that he had been appointed or constituted a road overseer in said County of Jefferson after such appointment as required by law in such cases

Jos. J. Williams
Atty for Defendant

Mate
Mo. McKee

motion to
quash,
and return

Filed Mar. 20th 1871,
J. S. Dwyer clerk