

United States versus David H. Bailey for aiding and abetting an escaped fugitive

This bench warrant and bail bond relate to the charge against David Bailey for aiding and abetting a fugitive to escape in 1859 in the Kansas Territory. The First District Court of the Kansas Territory in Leavenworth issued a bench warrant for Bailey on June 28, 1859. Bailey was apprehended and released on bond on July 9, 1859 with the provision that he return for trial during the September court session of 1859.

Date: warrant June 28, 1859

Callnumber: Kansas Territory Criminal Case Files, Box 4, Folder 24

KSHS Identifier: DaRT ID: 444730

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www.kansasmemory.org/item/444730

KANSAS
HISTORICAL
SOCIETY

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Know all men by these presents, That we David H Bailey as principal and William Tholen as security, acknowledge ourselves to owe and be indebted to the United States of America, in the just and full sum of five hundred Dollars, lawful money of the United States, to be levied on our goods and chattels, Lands and Tenements respectively upon the following expressed condition: Whereas the above bounden David H Bailey stands indicted in the District Court of the United States, in and for the First Judicial District of the Territory of Kansas, for the crime of aiding and abetting a fugitive to escape — Now if the said David H Bailey shall make his personal appearance before the Court aforesaid, to answer the said crime, on the Twelfth day, and second Monday, of September A.D. 1859, at the Court House in the city of Lawrence in said District, and continue in Court from day to day, during the Term, and from Term to Term and from day to day during each Term, until duly discharged, then this obligation to be null and void — else to remain in full force and virtue.

Given under our hands and seals, this 9th day of July A.D. 1859

David H Bailey {3}

Wm Tholen {3}

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United States of America.

Territory of Kansas.

ss.

First Judicial District.

THE TERRITORY OF KANSAS,

To the Marshal of the United States for said Territory, Greeting;

We command you to take the body of David H. Bailey, so that you have him before the Judge of the District Court for said District, sitting for the trial of causes arising under the Constitution and Laws of the United States, in the City of Leavenworth, on the first day of the next regular term thereof to be begun and held in said City on the 12th day of September A. D. 1859. Then and there to answer a certain crime of aiding & abetting fugitives to escape with which he stands indicted in our said Court by the Grand Inquest of the United States in and for said District and Territory, and hereof fail not, and have you then and there this writ, with the return of your doings thereon.

Witness, JAMES R. WHITEHEAD, Clerk of said Court, and the Seal thereof affixed at Office in the City of Leavenworth, this the 28th day of June A. D. 1859.

James R. Whitehead Clerk.


Wm. H. Ruel Deputy Clerk.



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U. S. D. C.
C. D.



UNITED STATES

David H. Bailey
Bench Warrant.
Issued... day of...
A. D. 1859

Filed Sep 6. 1859
Re Whitman's case
By J. A. R. [illegible]

The Marshal is authorized
to take Bail in the sum of
Five hundred Dollars
By order of the Court.
Attest: *W. H. [illegible]* Clerk.
W. H. [illegible] Deputy Clerk.
Filed *Sept 10 1859*

I have taken into my custody
the body of the within named David H. Bailey, July 9th 1859
and took a bail bond as authorized by the Court, which
bond is herewith returned —

W. H. [illegible]
U. S. Marshal

Rec - fine \$2.00
Bail Bond \$2.50