Kansas Territory versus Homer Hays for robbery

2nd District. Funds for digitization provided by Mr. Steve Peckel in memory of William Chalfant.

Date: date of crime September 15, 1856; indictment October 1856

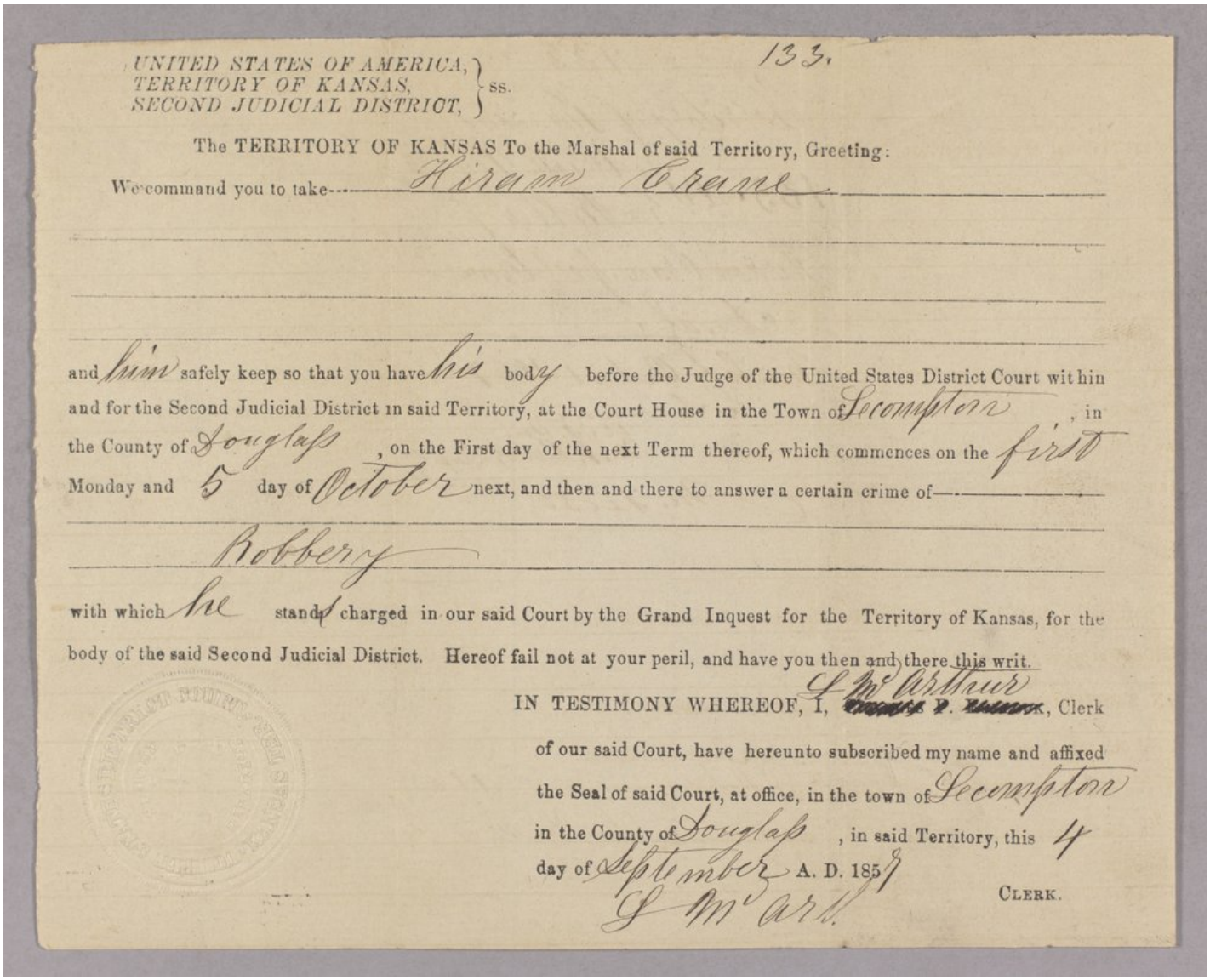
Callnumber: Kansas Territory Criminal Case Files, Box 7, Folder 75

KSHS Identifier: DaRT ID: 445145

Item Identifier: 445145

www.kansasmemory.org/item/445145

Kansas Territory versus Homer Hays for robbery



UNITED STATES OF AMERICA,
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT, } ss.

133.

The TERRITORY OF KANSAS To the Marshal of said Territory, Greeting:

We command you to take---- Hiram Crane

and him safely keep so that you have his body before the Judge of the United States District Court within and for the Second Judicial District in said Territory, at the Court House in the Town of Lecompton, in the County of Douglas, on the First day of the next Term thereof, which commences on the first Monday and 5 day of October next, and then and there to answer a certain crime of----

Robbery

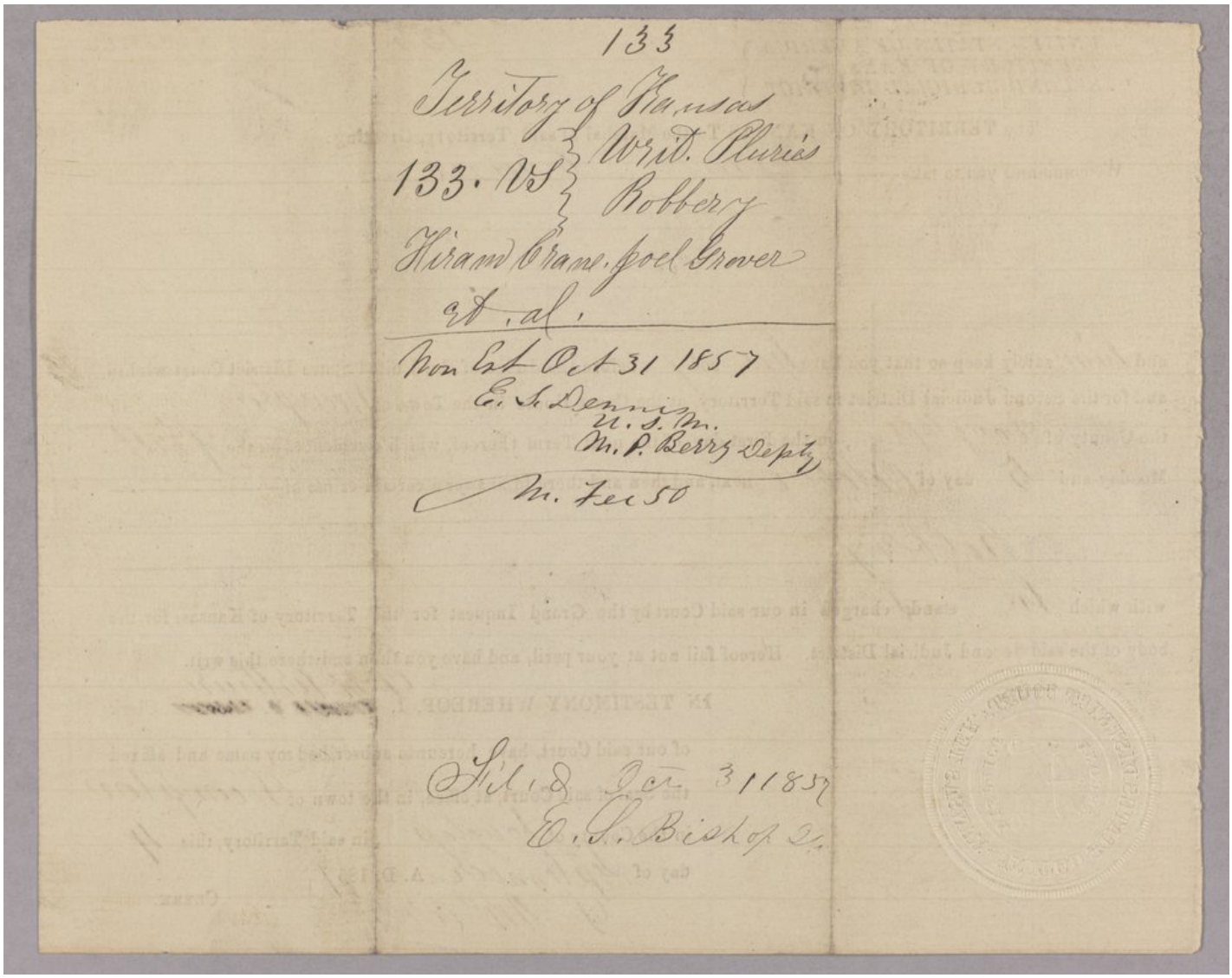
with which he stands charged in our said Court by the Grand Inquest for the Territory of Kansas, for the body of the said Second Judicial District. Hereof fail not at your peril, and have you then and there this writ.

IN TESTIMONY WHEREOF, I, S. McArthur, [redacted], Clerk of our said Court, have hereunto subscribed my name and affixed the Seal of said Court, at office, in the town of Lecompton in the County of Douglas, in said Territory, this 4 day of September A. D. 1857

S. McArthur

CLERK.

Kansas Territory versus Homer Hays for robbery



133

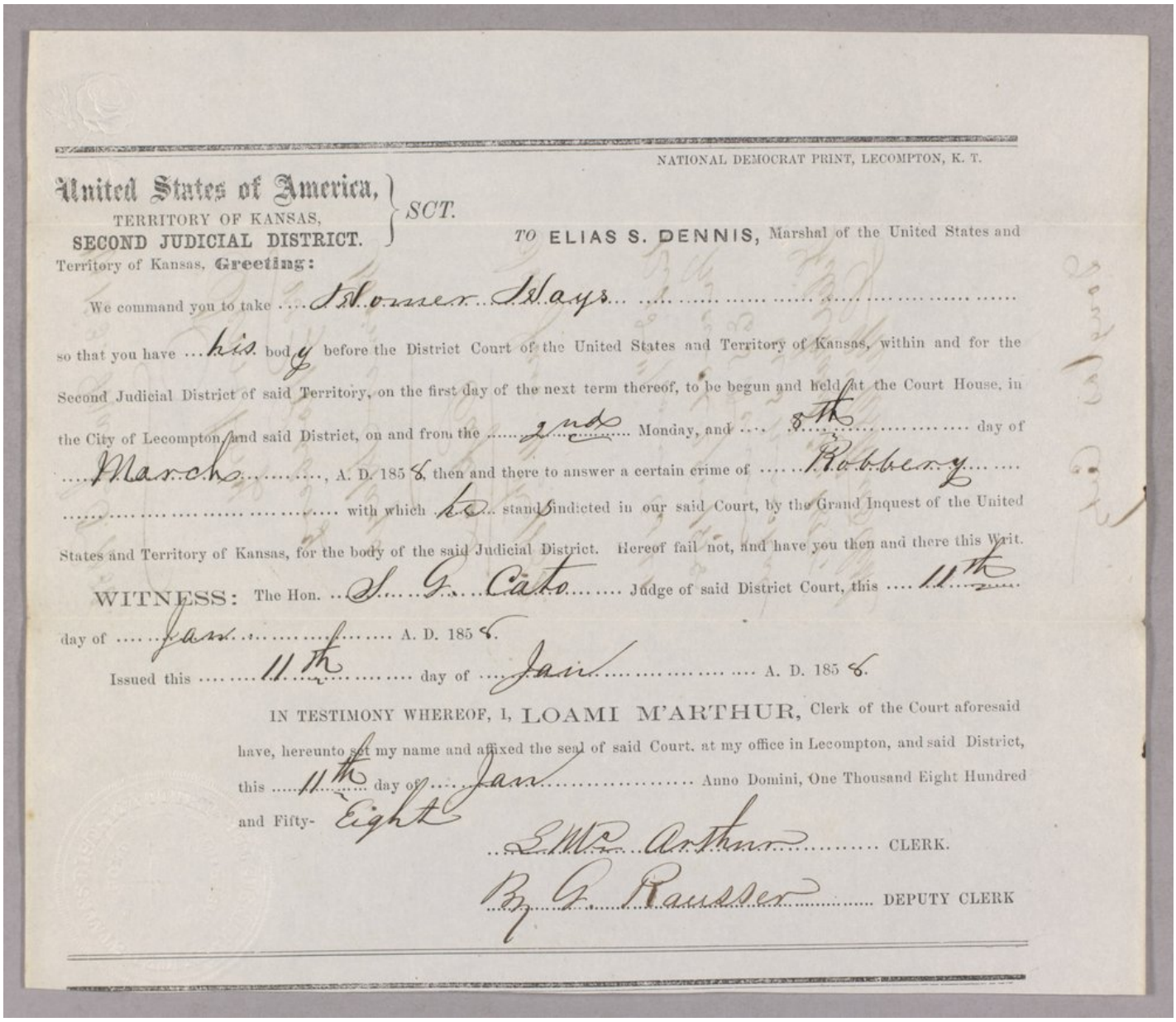
Territory of Kansas
133. vs } Writ. Pluries
Robbery
Hiram Crane. Joel Grover
et. al.

Non Est Oct 31 1857
E. S. Dennison
U. S. M.
M. P. Berry Dept

M. Fee 50

Fil'd Oct 31 1857
E. S. Bishop Cl.

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, Greeting:

We command you to take ... Homer Hays ... so that you have ... his body before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the ... 2nd ... Monday, and ... 8th ... day of ... March ..., A. D. 185 8, then and there to answer a certain crime of ... Robbery ... with which he ... stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. ... S. G. Cato ... Judge of said District Court, this ... 11th ... day of ... Jan ... A. D. 185 8.

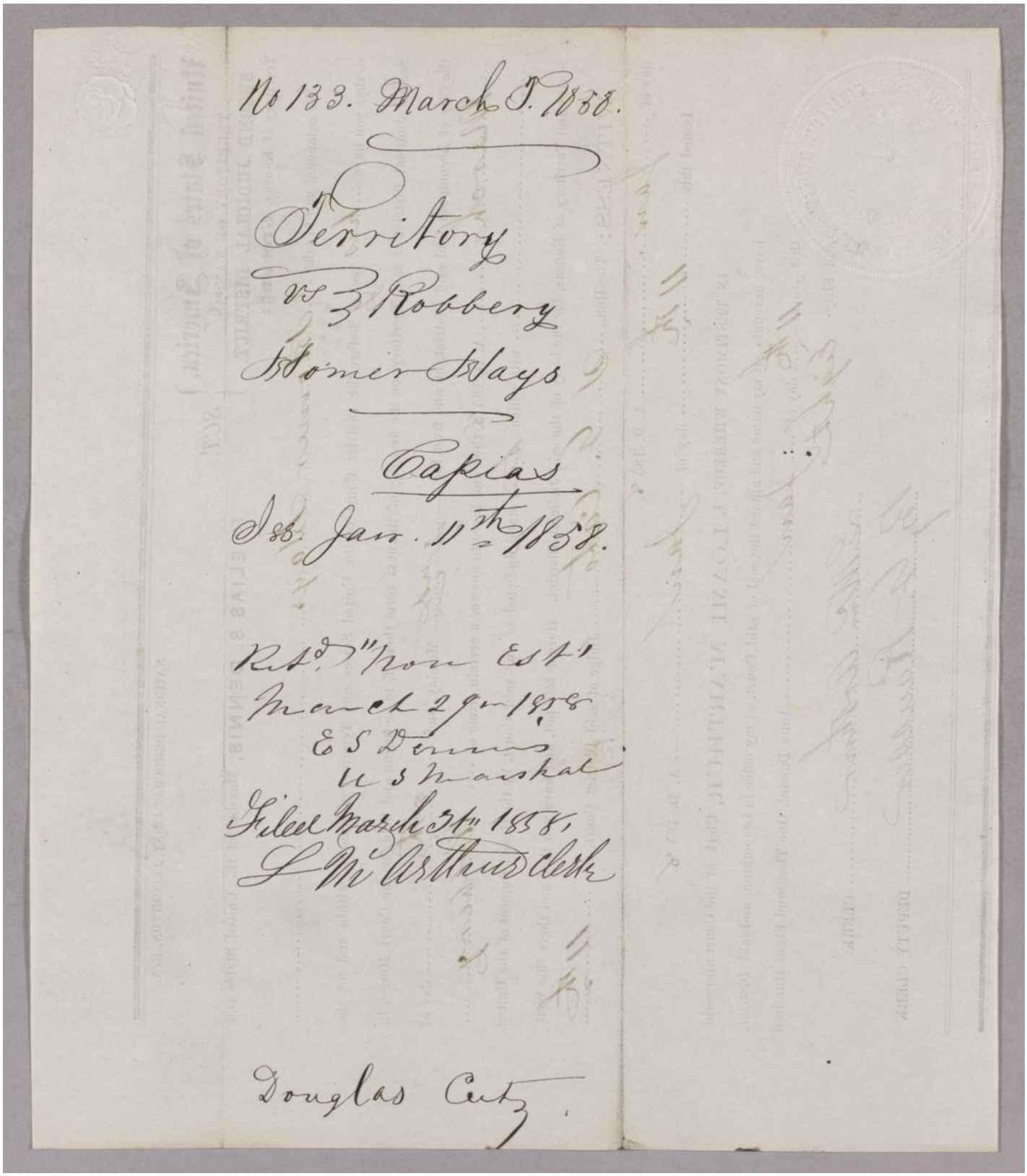
Issued this ... 11th ... day of ... Jan ... A. D. 185 8.

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this ... 11th ... day of ... Jan ... Anno Domini, One Thousand Eight Hundred and Fifty-Eight

... L. M'r. Arthur ... CLERK.

By G. Rausser ... DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858.

Territory
vs
Robbery
Homer Hays

Capias

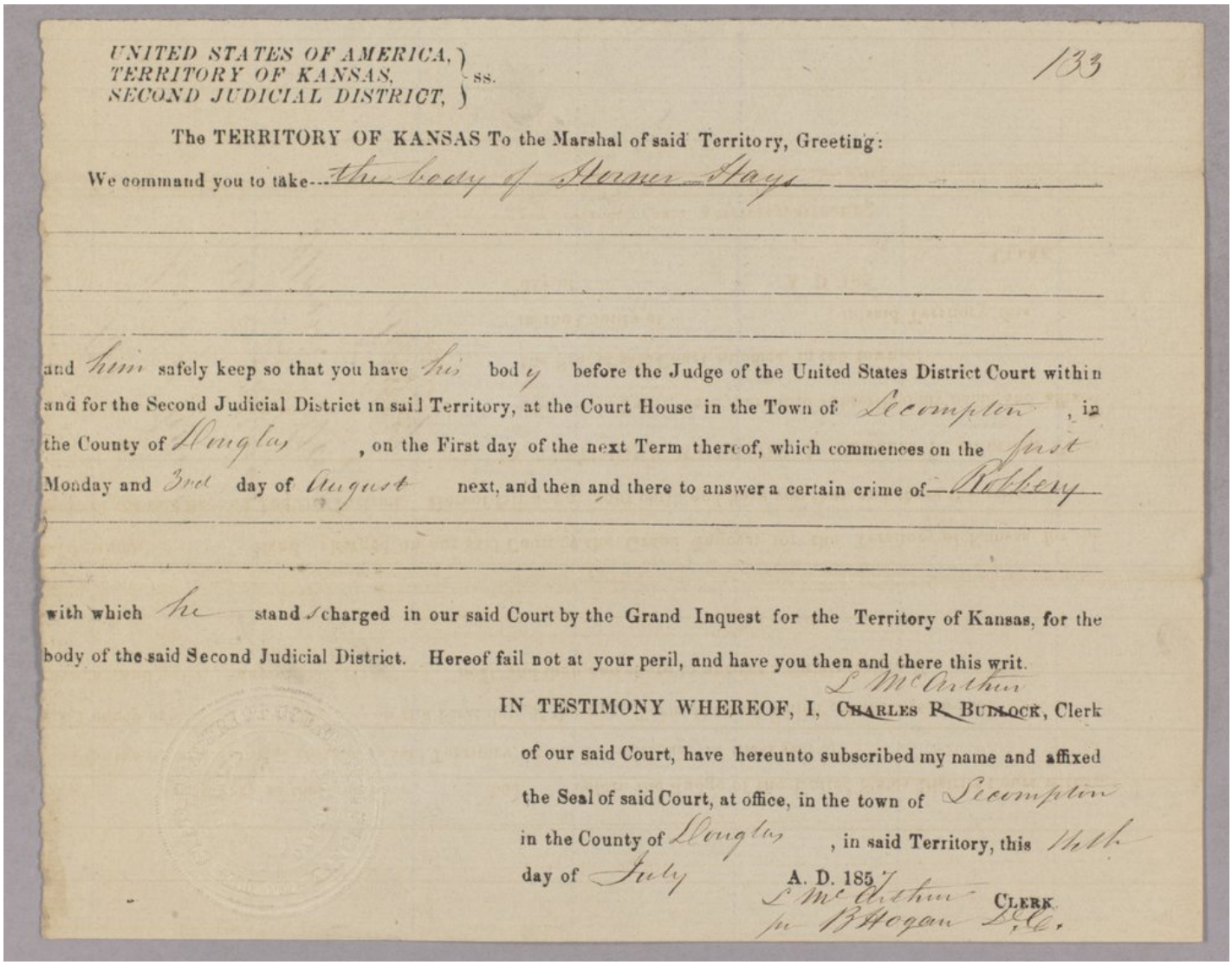
Iss. Jan. 11th 1858.

Rtd. "non Est"
March 29th 1858
E S Dennis
U S Marshal

Filed March 31st 1858.
L M Arthur Clerk

Douglas Cty.

Kansas Territory versus Homer Hays for robbery



UNITED STATES OF AMERICA,
TERRITORY OF KANSAS, } ss.
SECOND JUDICIAL DISTRICT,

133

The TERRITORY OF KANSAS To the Marshal of said Territory, Greeting:

We command you to take---the body of Homer Hays

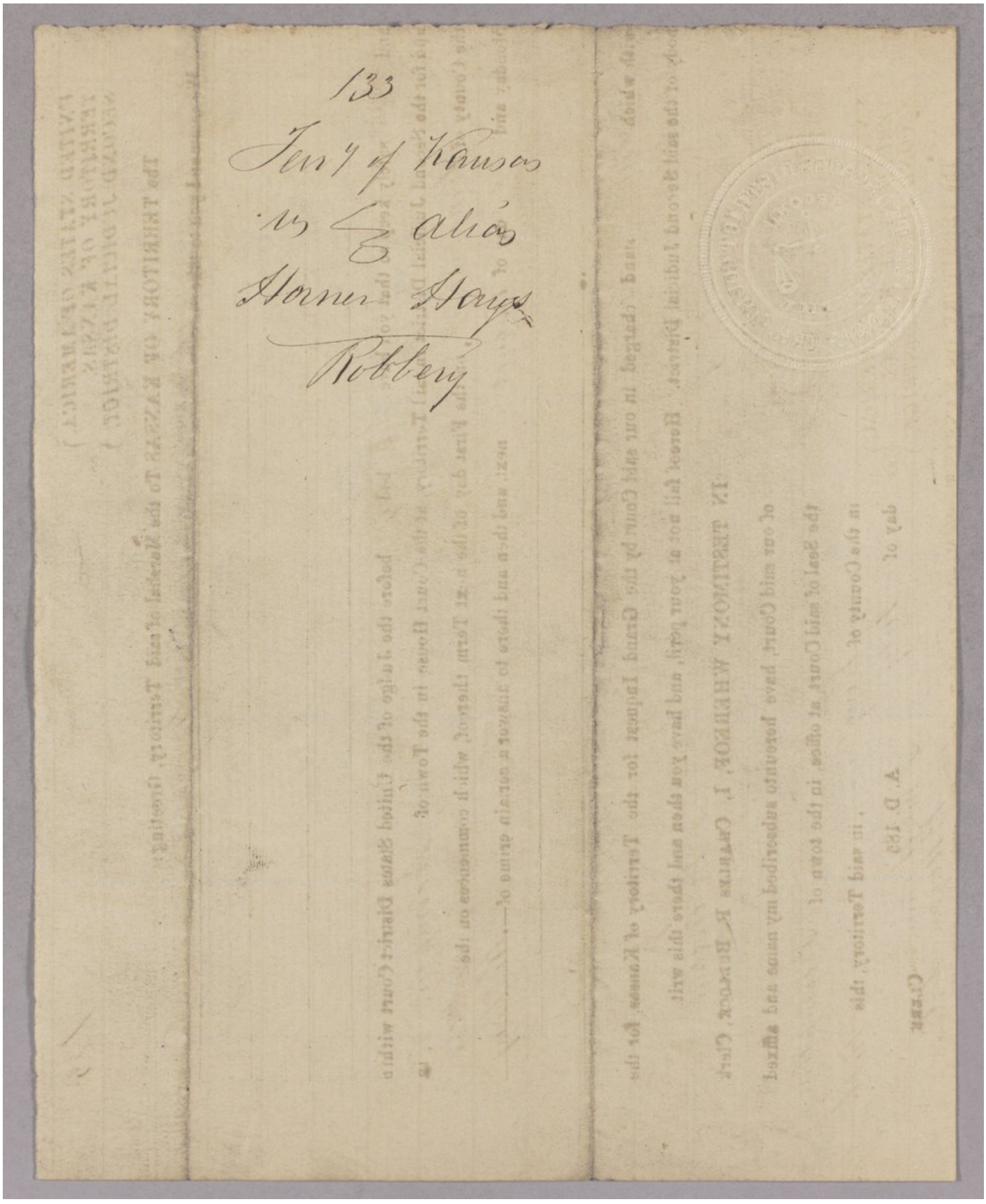
and him safely keep so that you have his body before the Judge of the United States District Court within and for the Second Judicial District in said Territory, at the Court House in the Town of Lecompton, in the County of Douglas, on the First day of the next Term thereof, which commences on the first Monday and 3rd day of August next, and then and there to answer a certain crime of—Robbery

with which he stand charged in our said Court by the Grand Inquest for the Territory of Kansas, for the body of the said Second Judicial District. Hereof fail not at your peril, and have you then and there this writ.

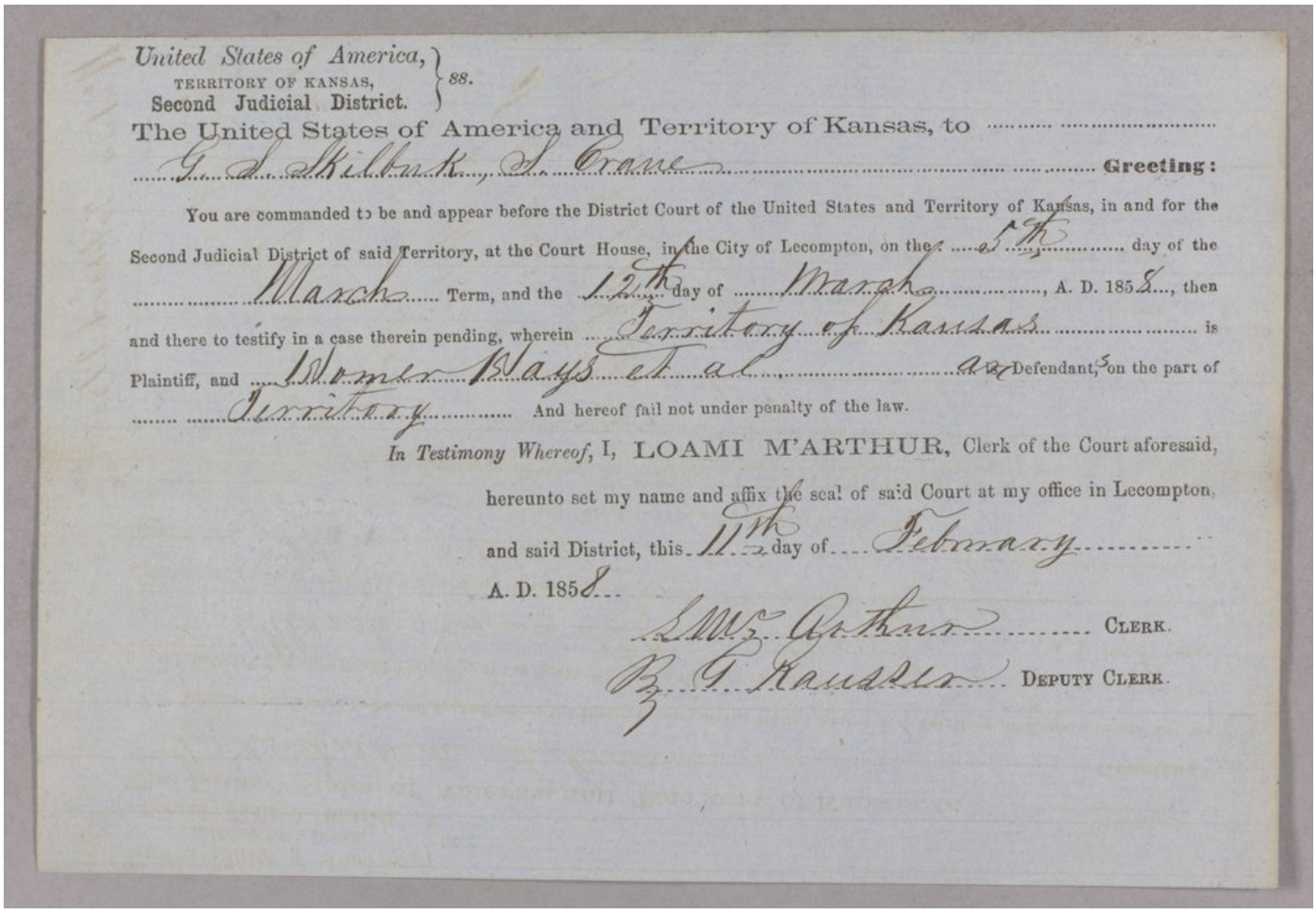
IN TESTIMONY WHEREOF, I, L McArthur CHARLES R. BUDLOCK, Clerk of our said Court, have hereunto subscribed my name and affixed the Seal of said Court, at office, in the town of Lecompton in the County of Douglas, in said Territory, this 11th day of July A. D. 185[illegible]

L McArthur CLERK.
pr B Hogan D.C.

Kansas Territory versus Homer Hays for robbery



Kansas Territory versus Homer Hays for robbery



United States of America,
TERRITORY OF KANSAS,
Second Judicial District. } 88.

The United States of America and Territory of Kansas, to .....

G. L. Kilburk, S. Crane ..... Greeting:

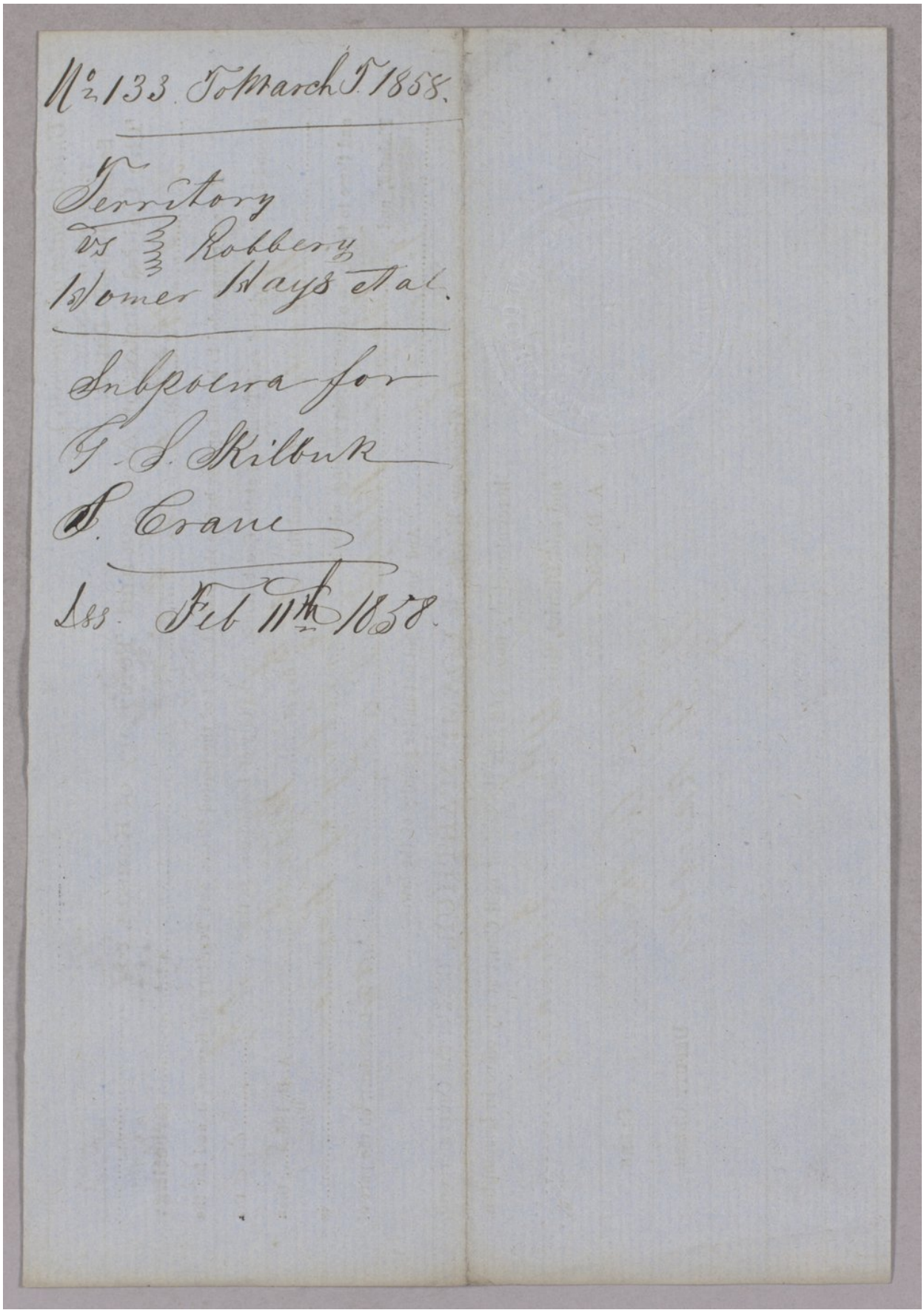
You are commanded to be and appear before the District Court of the United States and Territory of Kansas, in and for the Second Judicial District of said Territory, at the Court House, in the City of Lecompton, on the 5th day of the March Term, and the 12th day of March, A. D. 1858, then and there to testify in a case therein pending, wherein Territory of Kansas is Plaintiff, and Homer Hays et al are Defendant, on the part of Territory. And hereof fail not under penalty of the law.

In Testimony Whereof, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid, hereunto set my name and affix the seal of said Court at my office in Lecompton, and said District, this 11th day of February A. D. 1858

L. M'Arthur ..... Clerk.

B. F. Randles ..... Deputy Clerk.

Kansas Territory versus Homer Hays for robbery



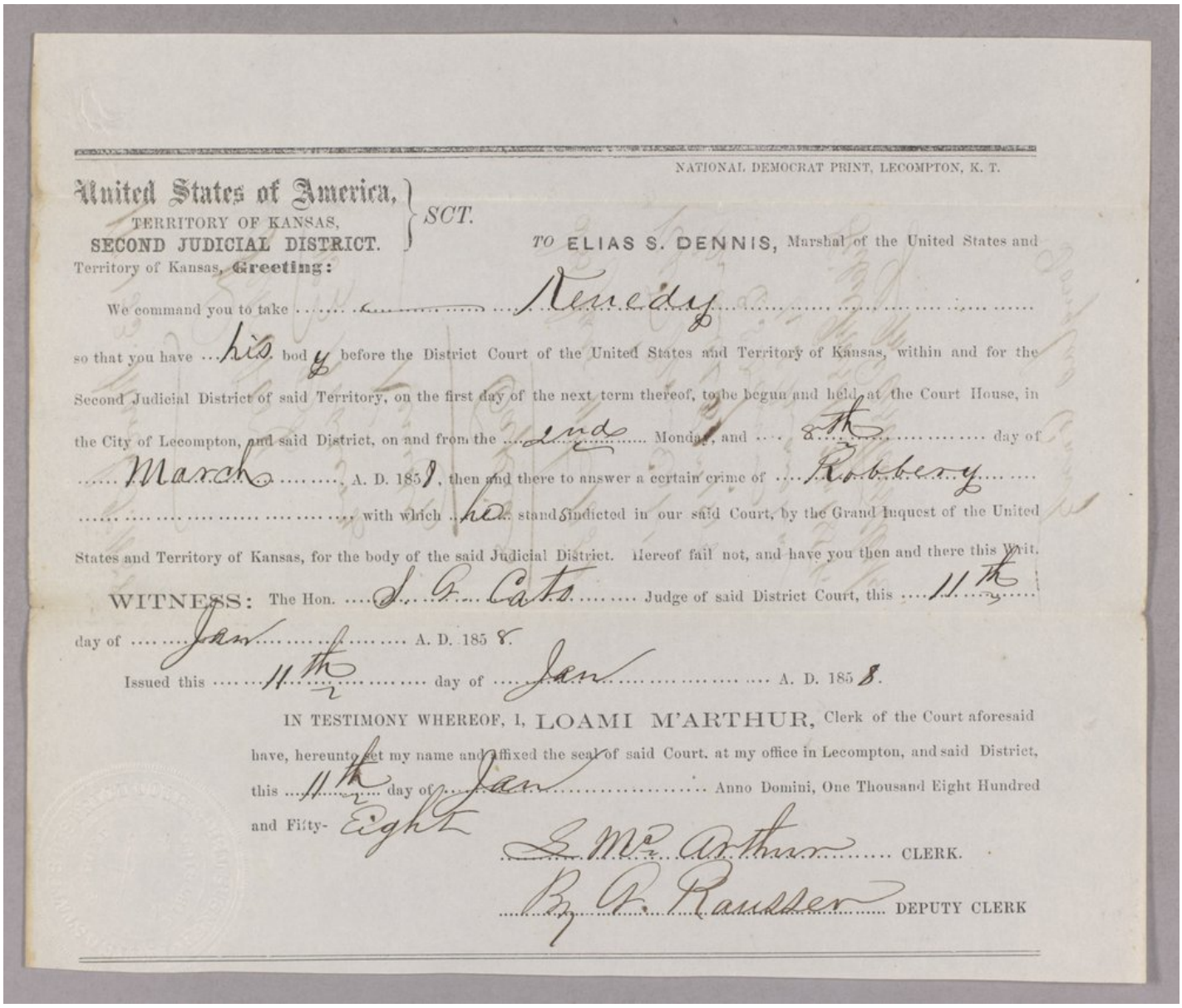
No 133. To March T. 1858.

Territory
vs
Robbery
Homer Hays et al.

Subpoena for
G. S. Kilbuck
S. Crane

Iss. Feb 11th 1858.

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, Greeting:

We command you to take Kennedy

so that you have his body before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 2nd Monday, and 8th day of March, A. D. 1858, then and there to answer a certain crime of Robbery with which he stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. S. A. Cato Judge of said District Court, this 11th day of Jan A. D. 1858

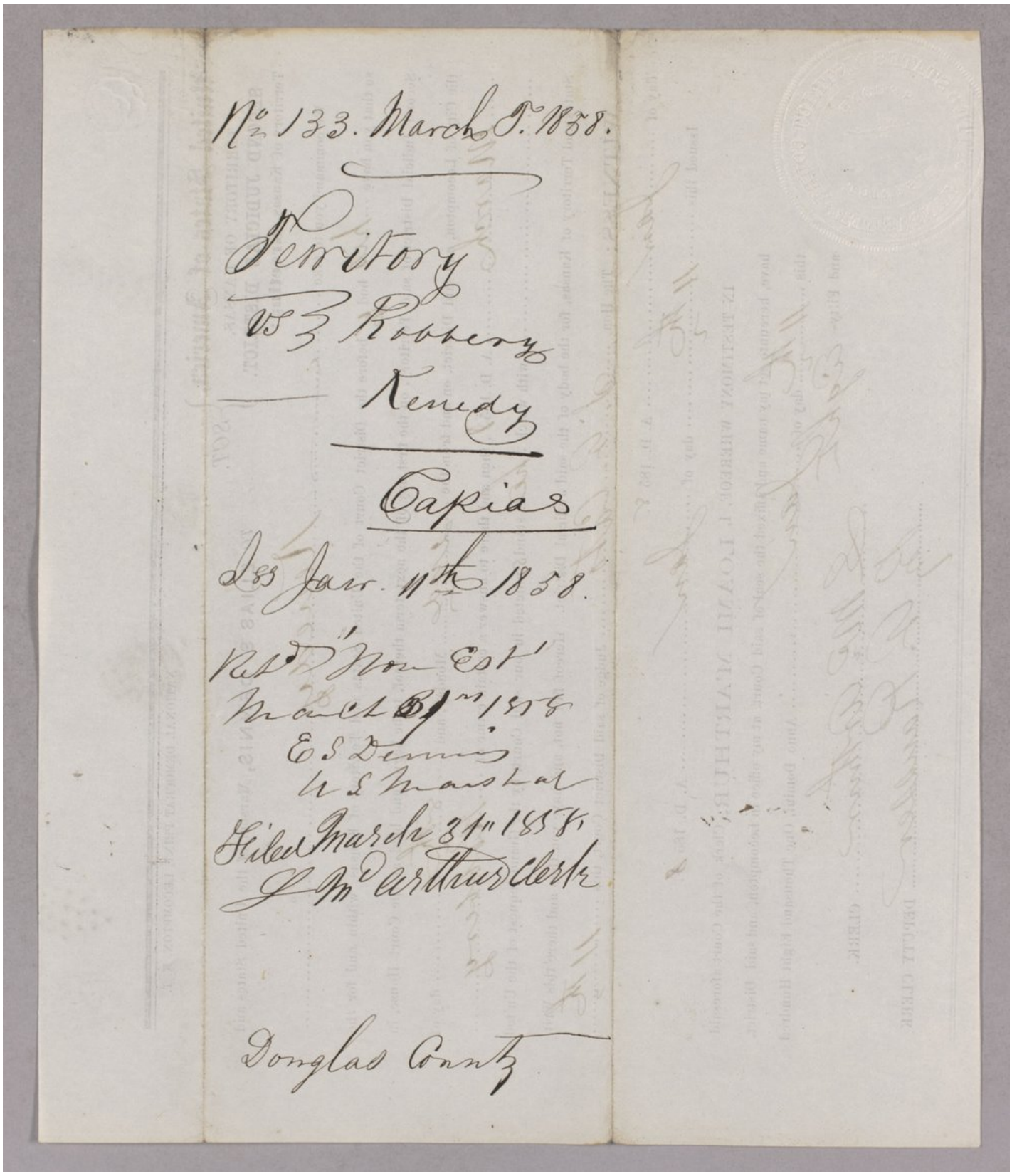
Issued this 11th day of Jan A. D. 1858.

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this 11th day of Jan Anno Domini, One Thousand Eight Hundred and Fifty-Eight

L. McArthur CLERK.

By A. Rankster DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858.

Territory
vs
Robbery
Kenedy

Capias

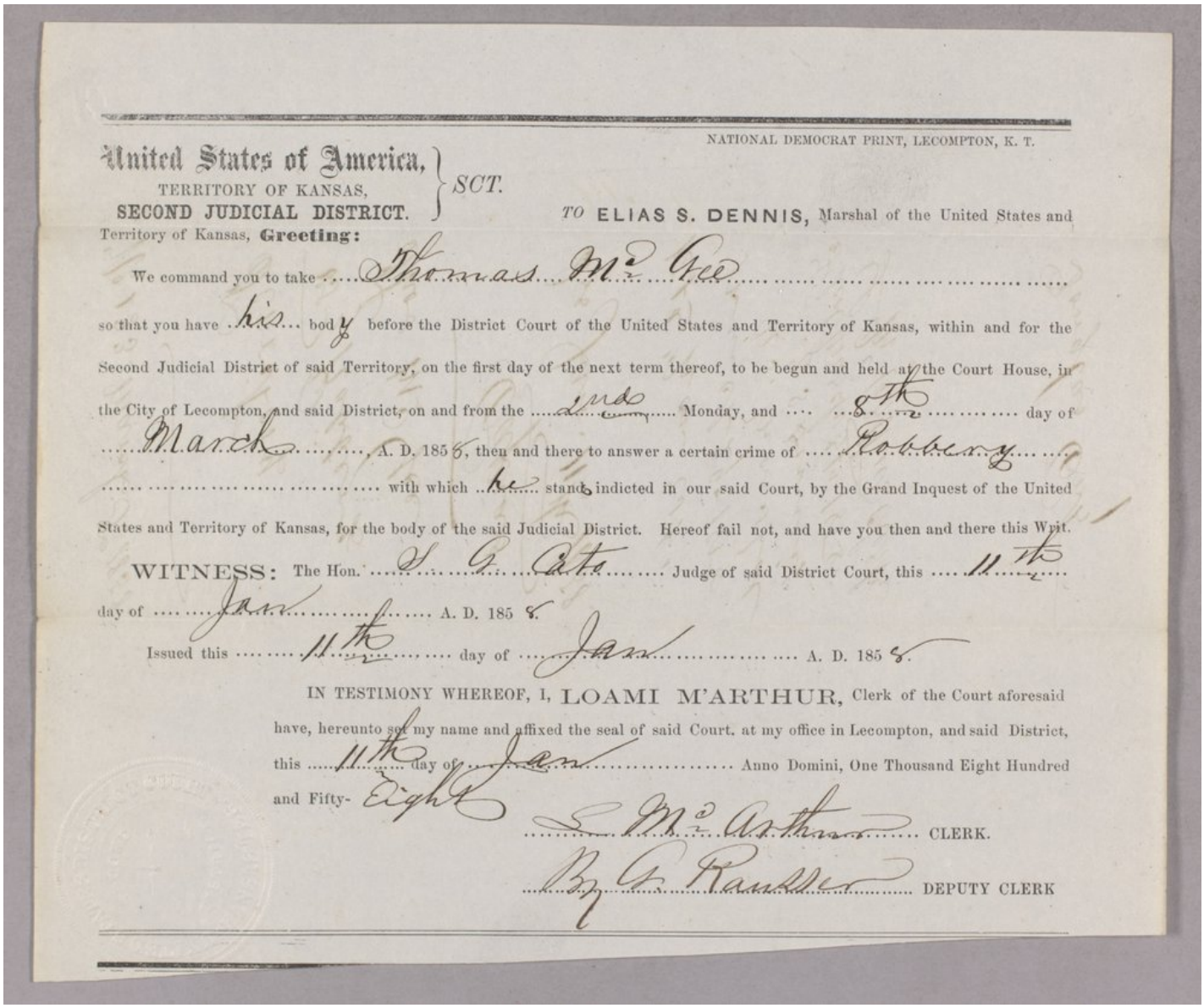
Dft Jan. 11th 1858.

Ret'd "Non Est"
March 31st 1858
E S Dennis
U S Marshal

Filed March 31st 1858
L McArthur Clerk

Douglas County

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, **Greeting:**

We command you to take Thomas McGee so that you have his body before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 2nd Monday, and 8th day of March, A. D. 1856, then and there to answer a certain crime of Robbery with which he stands indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. S. G. Cato Judge of said District Court, this 11th day of Jan. A. D. 1858

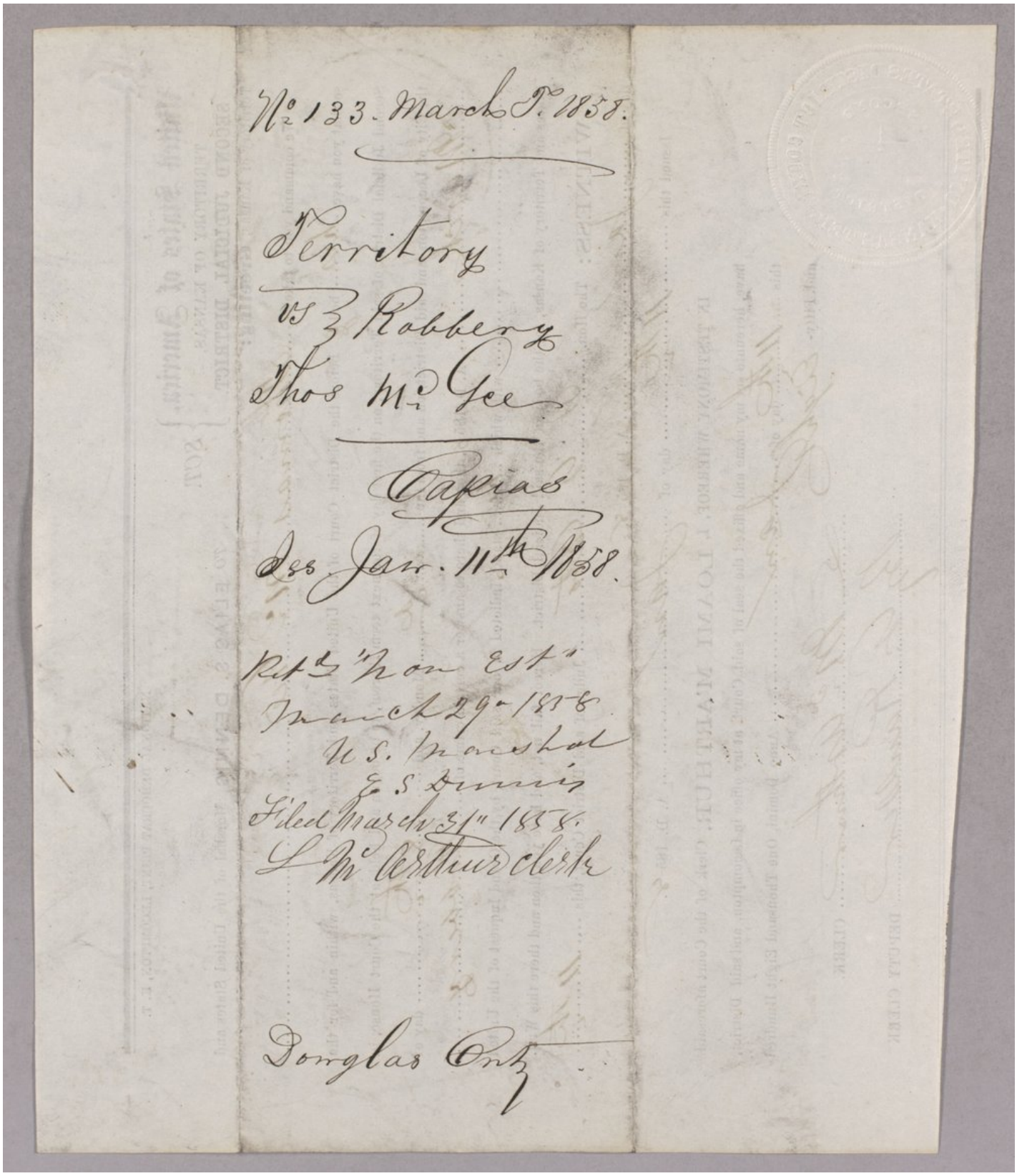
Issued this 11th day of Jan. A. D. 1858

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this 11th day of Jan. Anno Domini, One Thousand Eight Hundred and Fifty-Eight

L. McArthur CLERK.

By G. Rankler DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858.

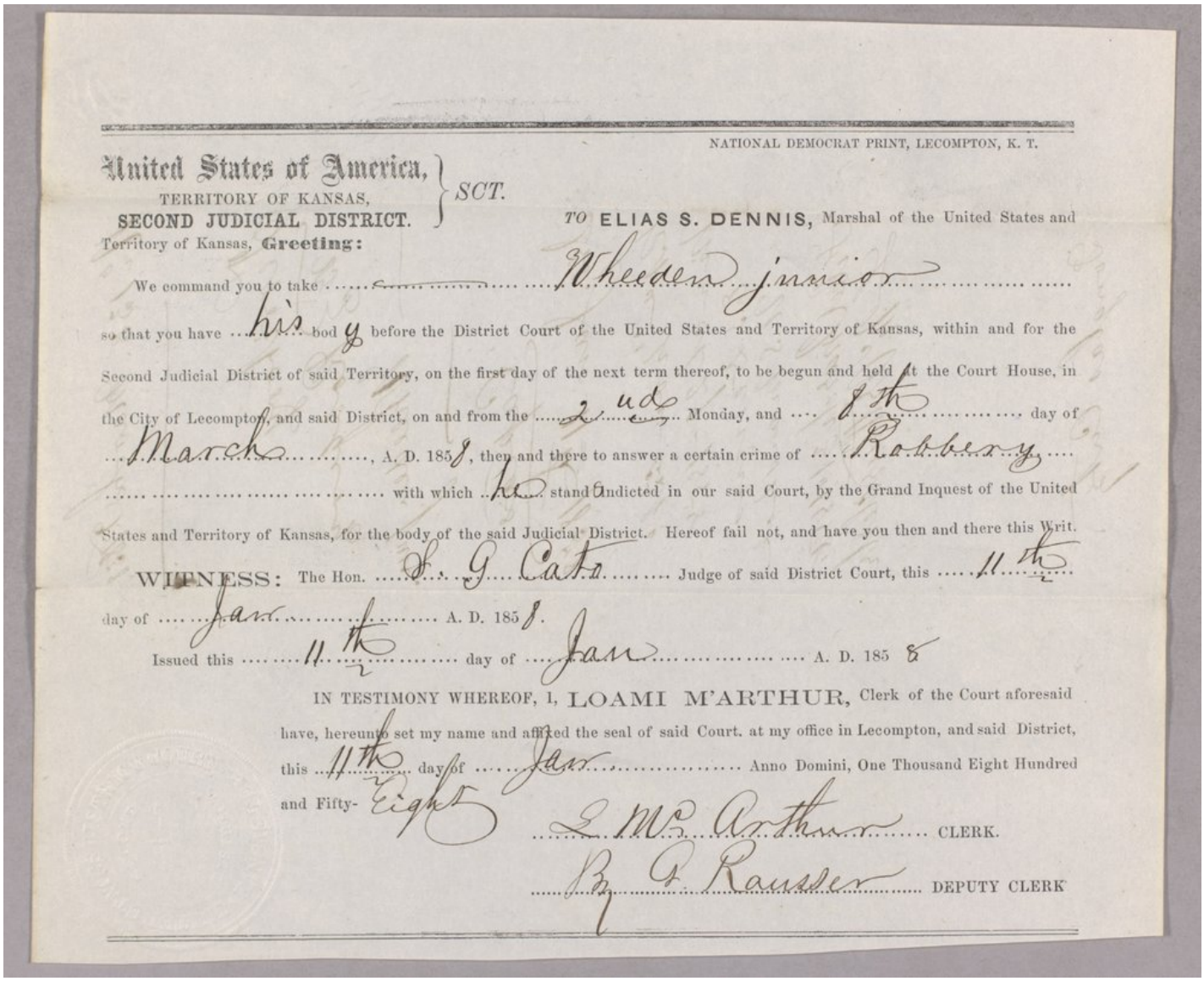
Territory
vs
Robbery
Thos McGee

Capias
Dss Jan. 11th 1858.

Rtd "Non Est"
March 29th 1858
U.S. Marshal
E.S. Dennis
Filed March 31st 1858.
L McArthur clerk

Douglas Cnty

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, **Greeting:**

We command you to take ..... Wheeden junior .....

so that you have his bod y before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 2nd Monday, and 8th day of March, A. D. 185 8, then and there to answer a certain crime of Robbery, with which he stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. S. G. Cato Judge of said District Court, this 11th day of Jan. A. D. 185 8.

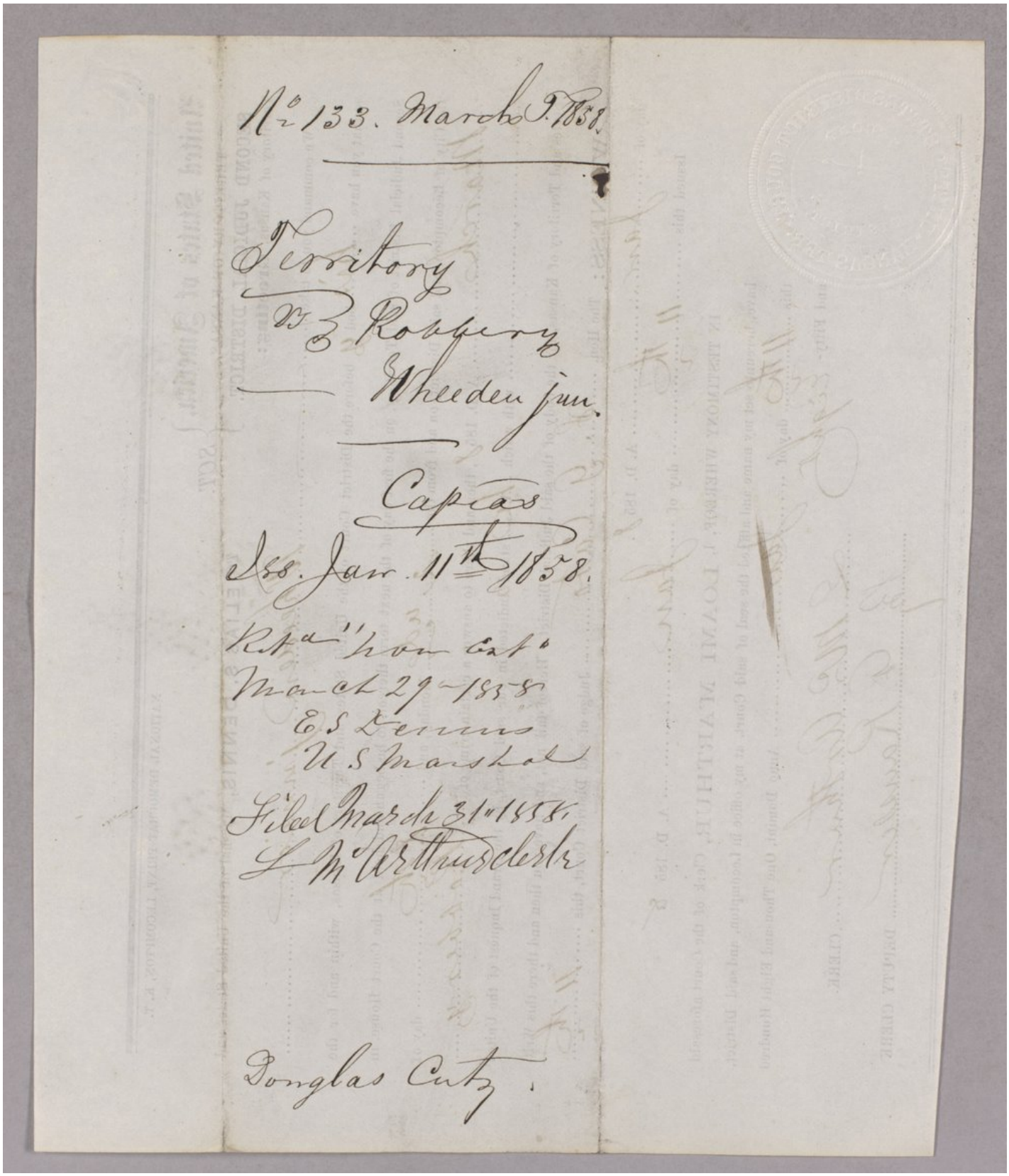
Issued this 11th day of Jan A. D. 185 8

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court. at my office in Lecompton, and said District, this 11th day of Jan Anno Domini, One Thousand Eight Hundred and Fifty-Eight

L McArthur CLERK.

By G. Rausser DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March 9. 1858

Territory
vs
Robbery
Wheeden jun.

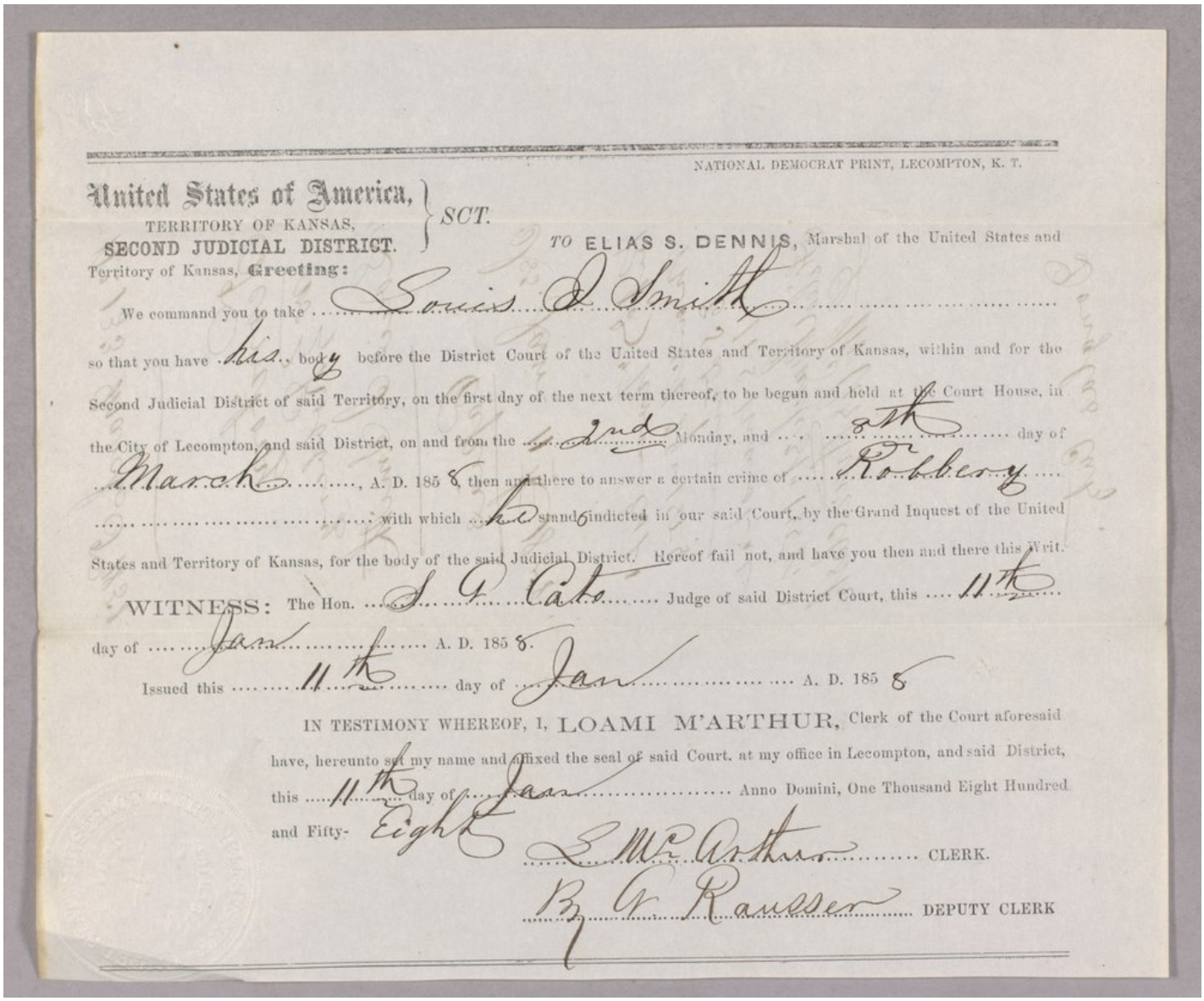
Capias
Iss. Jan. 11th 1858.

Rtd "Non Est"
March 29 - 1858
E S Dennis
U S Marshal

Filed March 31st 1858.
L McArthur Clerk

Douglas Cty.

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, Greeting:

We command you to take Louis D. Smith

so that you have his body before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 2nd Monday, and 8th day of March, A. D. 185 8, then and there to answer a certain crime of Robbery with which he stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. J. G. Cato Judge of said District Court, this 11th day of Jan A. D. 185 8.

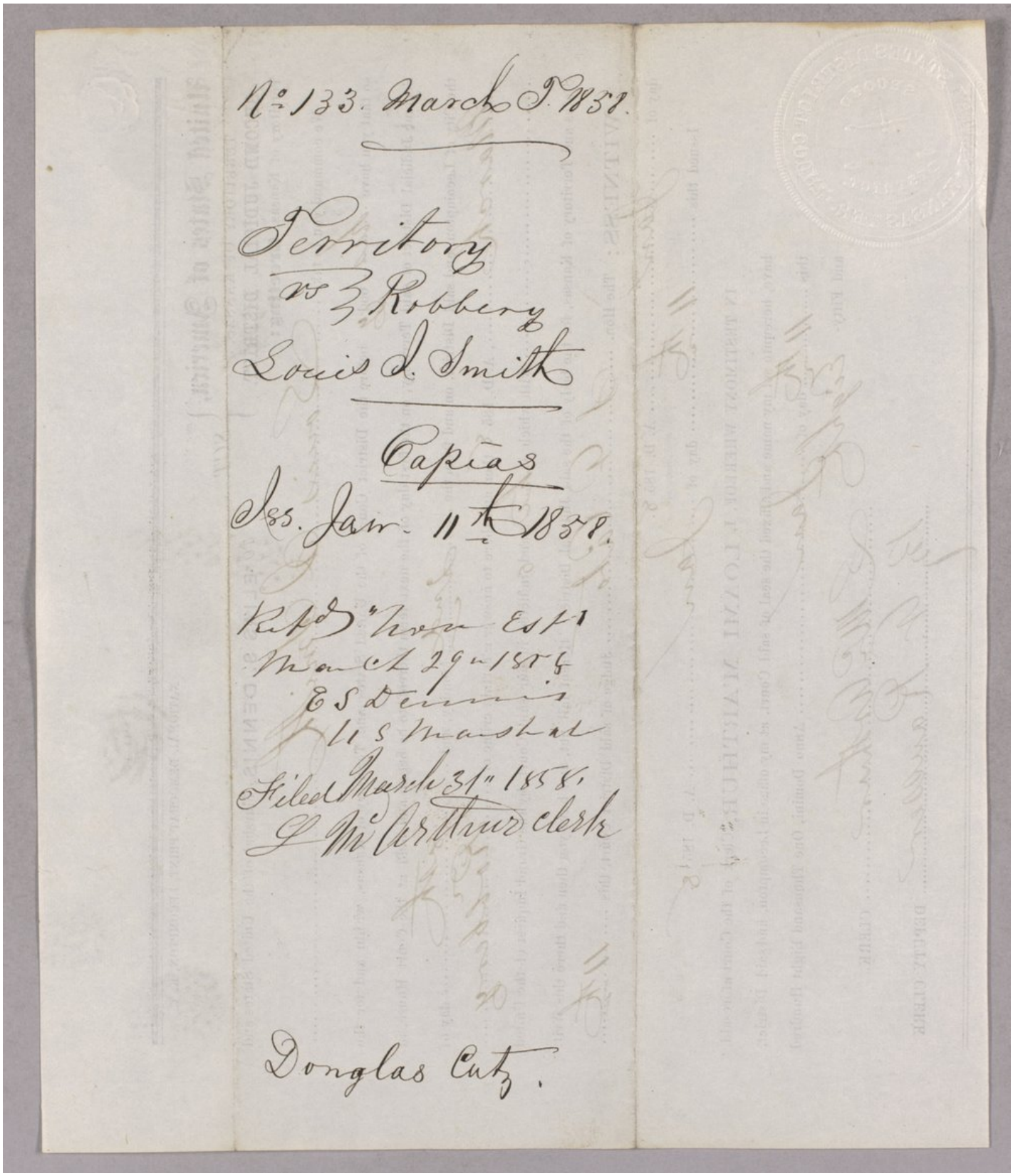
Issued this 11th day of Jan A. D. 185 8

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this 11th day of Jan Anno Domini, One Thousand Eight Hundred and Fifty-Eight

L McArthur CLERK.

By A. Rausser DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858.

Territory
vs
Robbery
Louis L. Smith

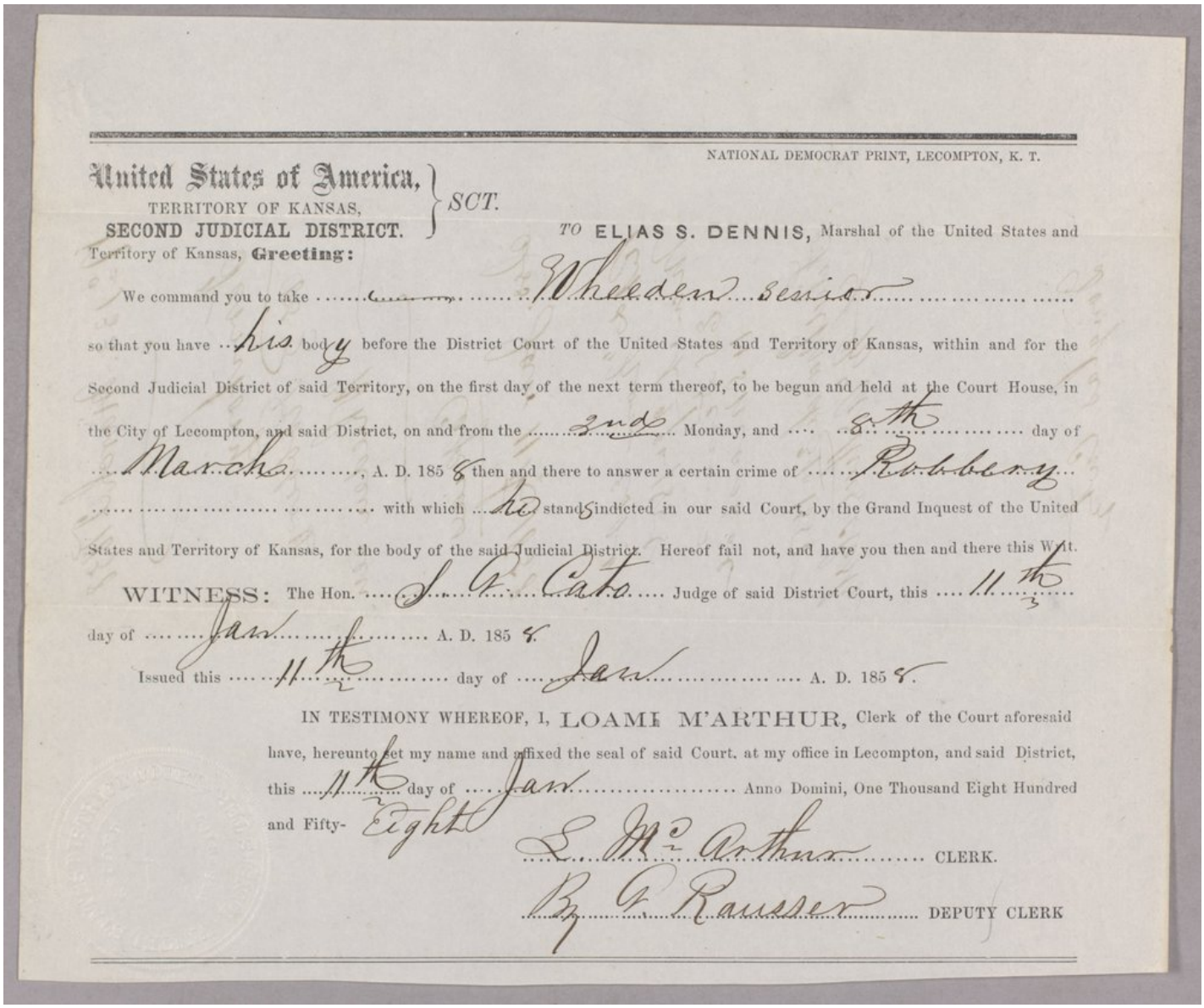
Capias
Iss. Jan. 11th 1858.

Rtd "Not Ext"
March 29th 1858
E S Dennis
U S Marshal

Filed March 31st 1858.
L McArthur clerk

Douglas Cty.

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America,
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT. } SCT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, **Greeting:**

We command you to take ..... Wheeden Senior .....

so that you have his body before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 2nd Monday, and 8th day of March, A. D. 185 8 then and there to answer a certain crime of Robbery with which he stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. S. A. Cato Judge of said District Court, this 11th day of Jan A. D. 185 8.

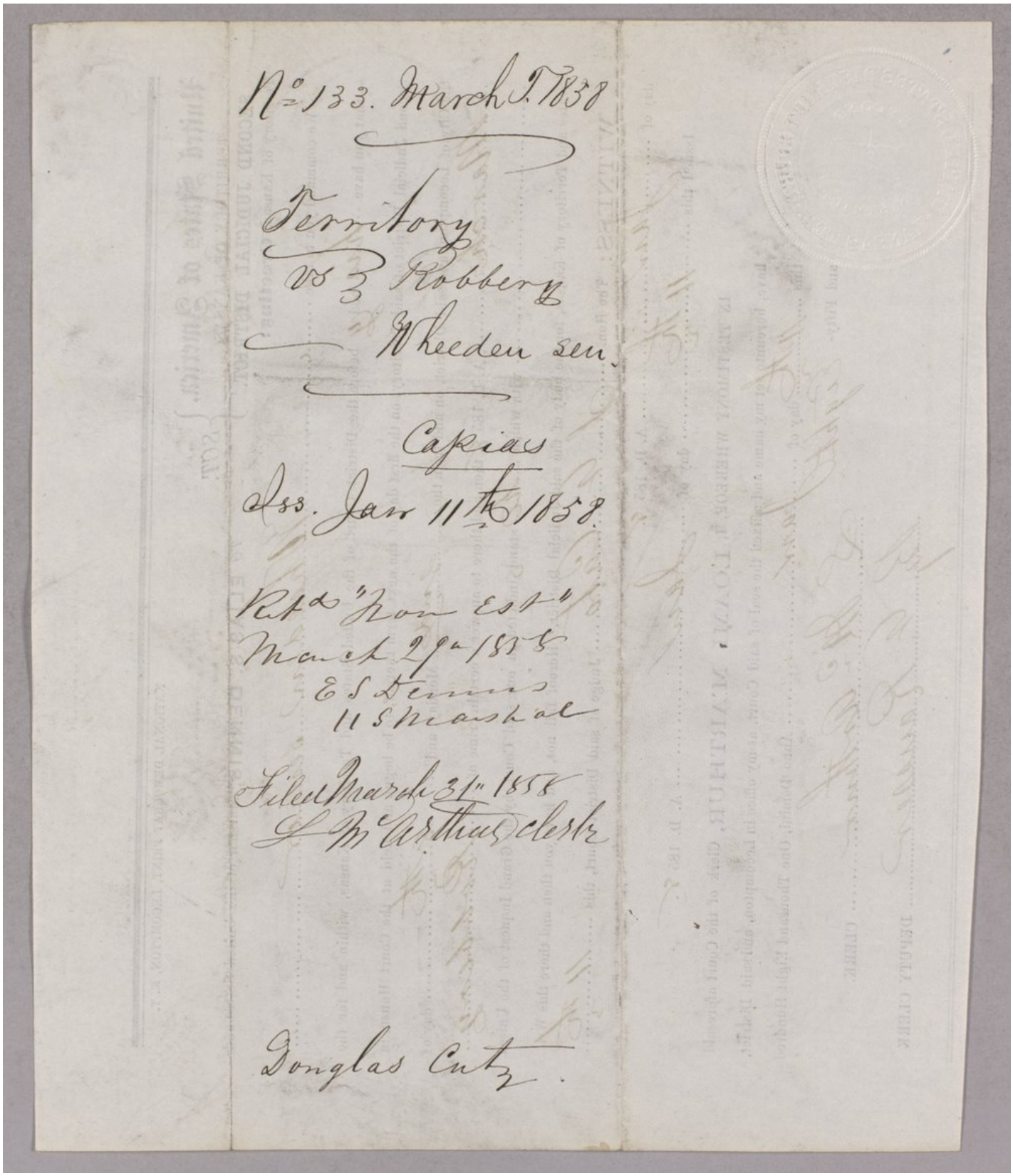
Issued this 11th day of Jan A. D. 185 8.

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this 11th day of Jan Anno Domini, One Thousand Eight Hundred and Fifty-Eight

L. McArthur CLERK.

By G. Rausser DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858

Territory
vs
Robbery
Wheeden sen.

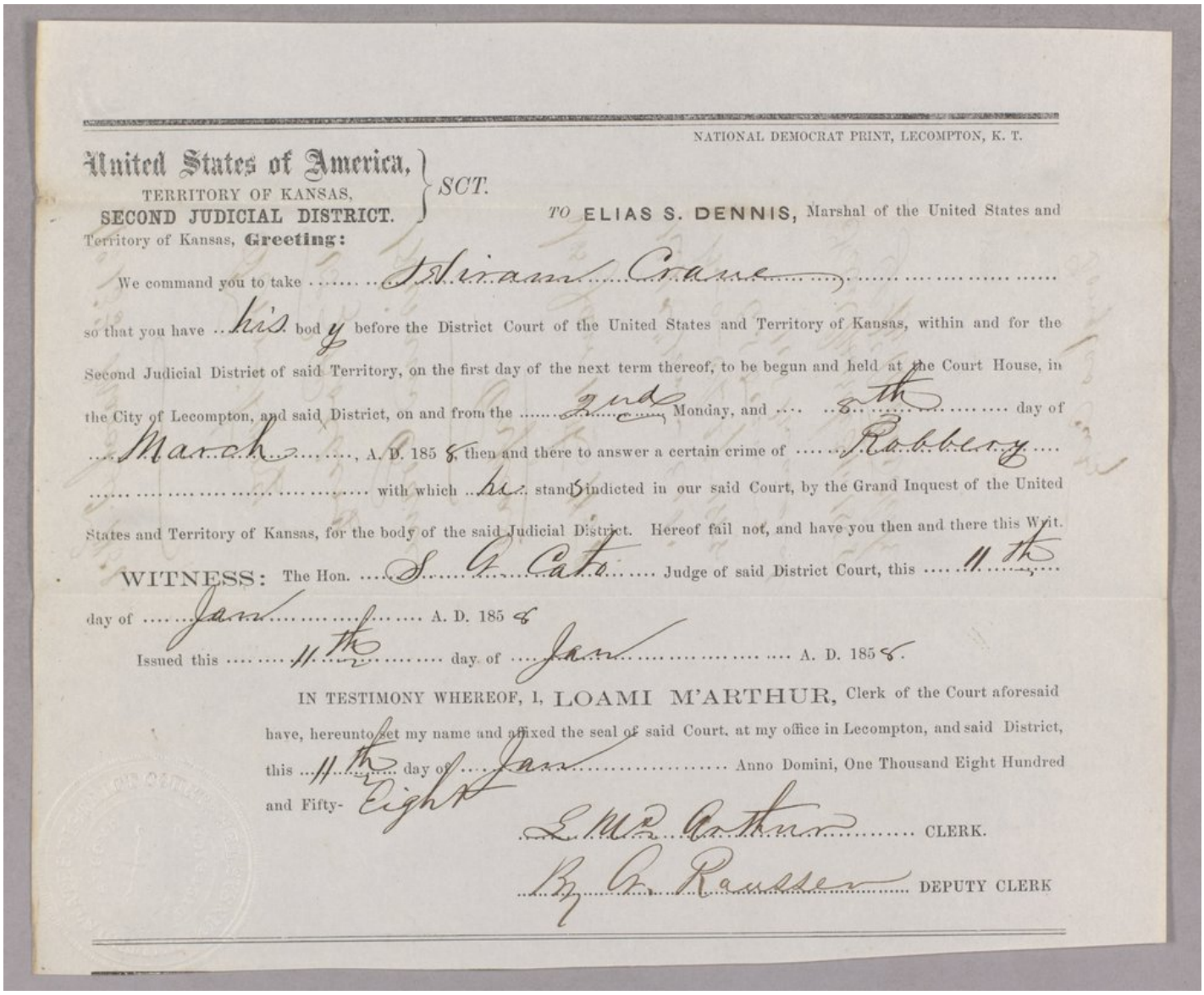
Capias
Iss. Jan 11th 1858

Rt'd "Non Est"
March 29th 1858
E S Dennis
U S Marshal

Filed March 31st 1858
L McArthur clerk

Douglas Cty.

Kansas Territory versus Homer Hays for robbery



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, } SCT.
TERRITORY OF KANSAS,
SECOND JUDICIAL DISTRICT.

TO ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas, **Greeting:**

We command you to take ..... William Crane ..... so that you have ..his.. bod y before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the ..... 2nd ..... Monday, and .... 6th ..... day of ..... March ....., A. D. 185 8 then and there to answer a certain crime of ..... Robbery ..... with which ..he.. stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

WITNESS: The Hon. ..... S. A. Cato ..... Judge of said District Court, this ..... 11th ..... day of ..... Jan ..... A. D. 185 8

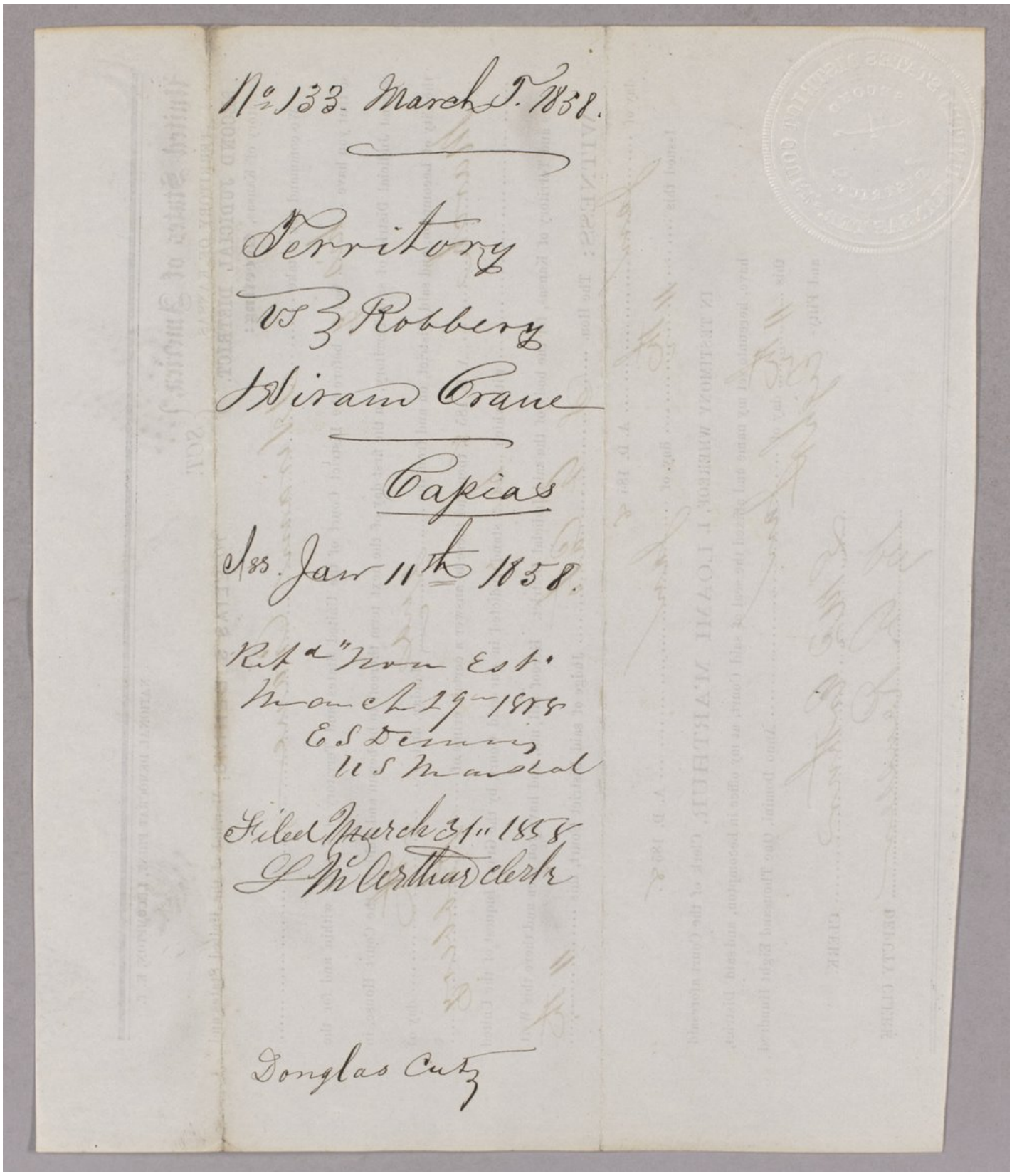
Issued this ..... 11th ..... day of ..... Jan ..... A. D. 185 8.

IN TESTIMONY WHEREOF, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid have, hereunto set my name and affixed the seal of said Court, at my office in Lecompton, and said District, this ..11th.. day of ..... Jan ..... Anno Domini, One Thousand Eight Hundred and Fifty- Eight

..... L. M'Arthur ..... CLERK.

..... By A. Rausser ..... DEPUTY CLERK

Kansas Territory versus Homer Hays for robbery



No 133. March T. 1858.

Territory
vs
Robbery
Wiram Crane

Capias

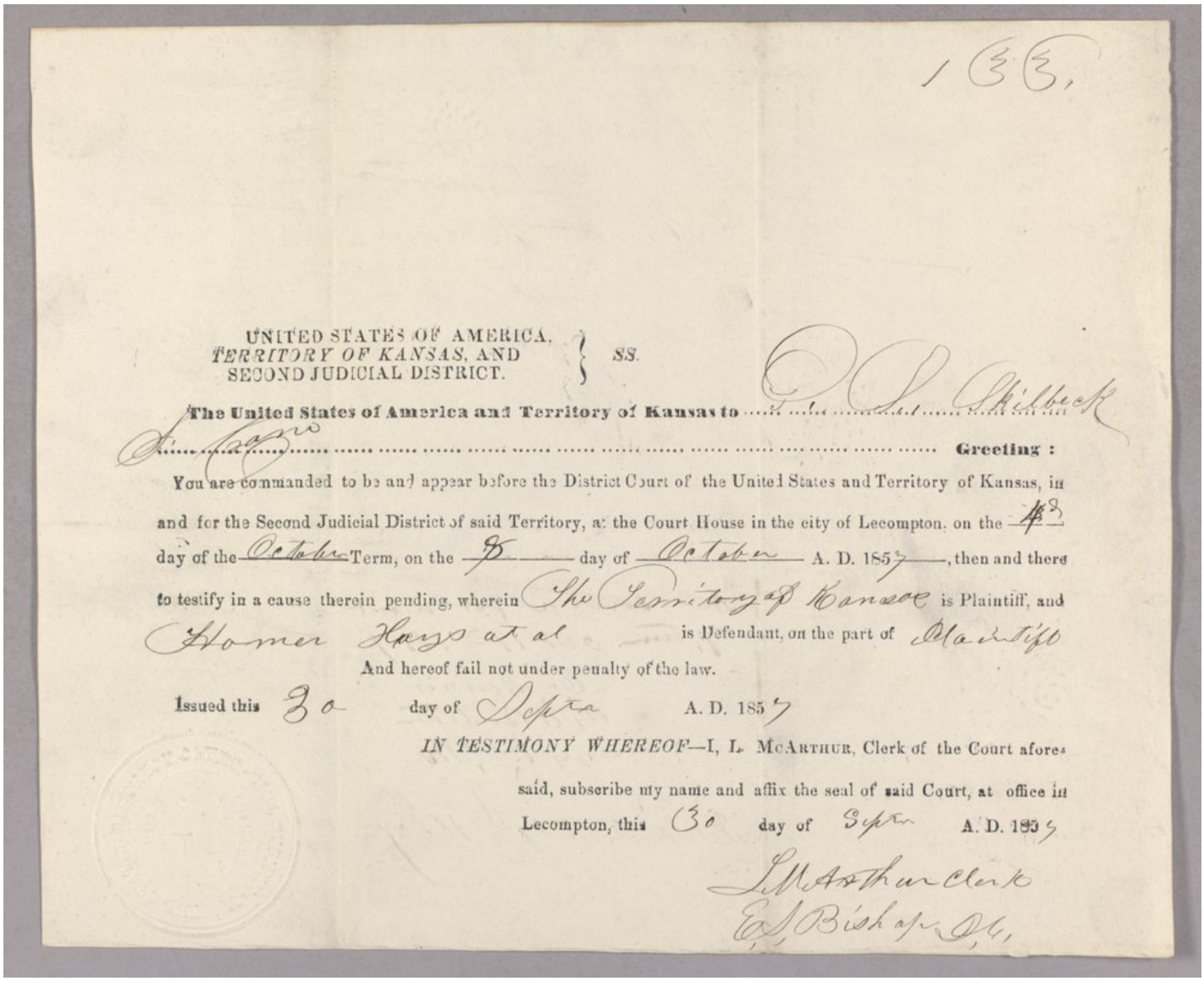
Iss. Jan 11th 1858.

Ret'd "Not Est.
Mar 29 1858
E S Dennis
U S Marshal

Filed March 31st 1858
L McArthur clerk

Douglas Cty

Kansas Territory versus Homer Hays for robbery



1 E E.

UNITED STATES OF AMERICA,
TERRITORY OF KANSAS, AND
SECOND JUDICIAL DISTRICT. } *SS.*

The United States of America and Territory of Kansas to ..... S. Gibbeck .....
..... Hays .....
..... **Greeting :**

You are commanded to be and appear before the District Court of the United States and Territory of Kansas, in and for the Second Judicial District of said Territory, at the Court House in the city of Lecompton, on the 13 day of the October Term, on the 15 day of October A. D. 1857, then and there to testify in a cause therein pending, wherein The Territory of Kansas is Plaintiff, and Homer Hays et al is Defendant, on the part of Plaintiff

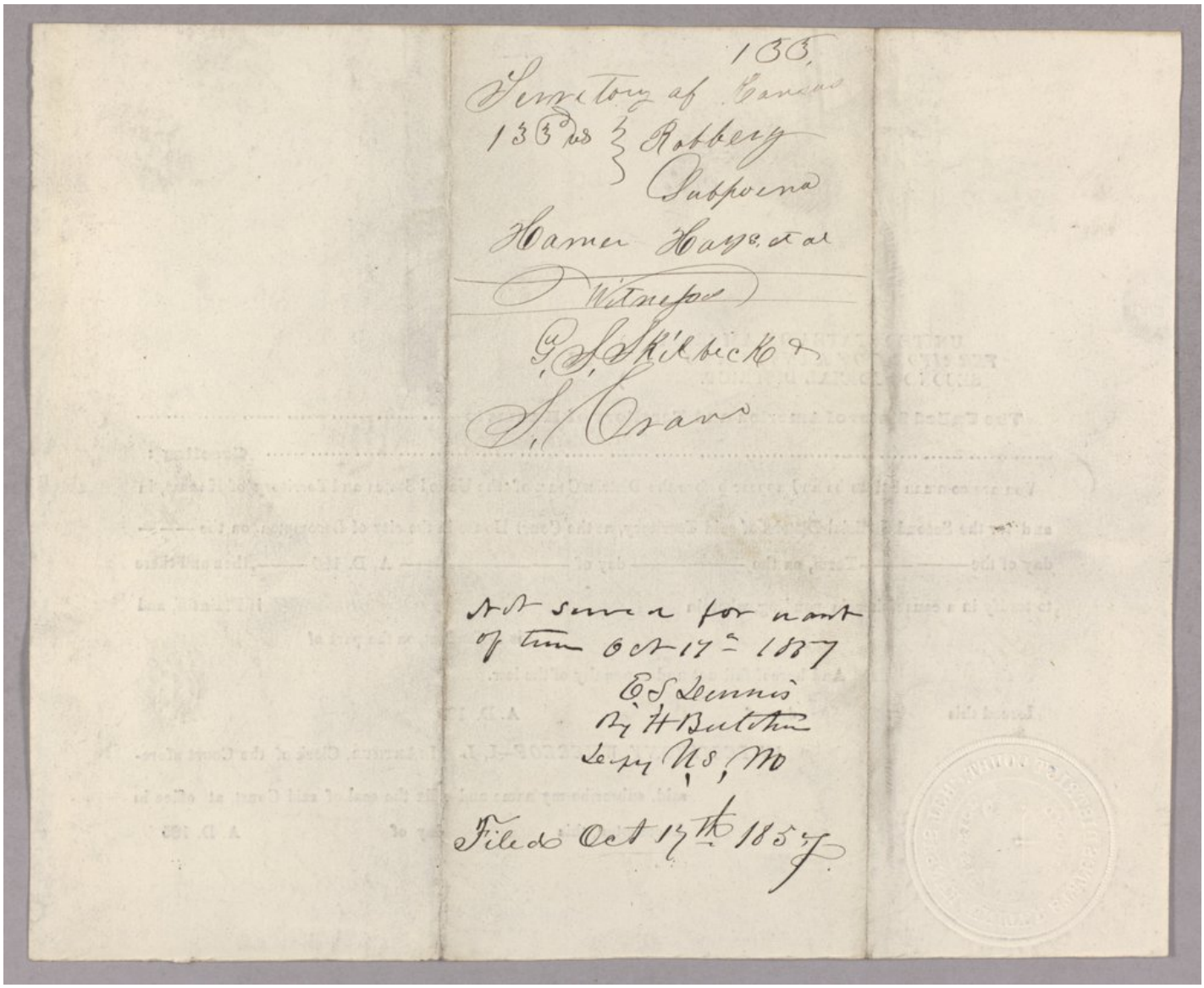
And hereof fail not under penalty of the law.

Issued this 30 day of Sept A. D. 1857

IN TESTIMONY WHEREOF—I, L. McARTHUR, Clerk of the Court aforesaid, subscribe my name and affix the seal of said Court, at office in Lecompton, this 30 day of Sept A. D. 1857

L McArthur clerk
E. S. Bishop D. C.

Kansas Territory versus Homer Hays for robbery

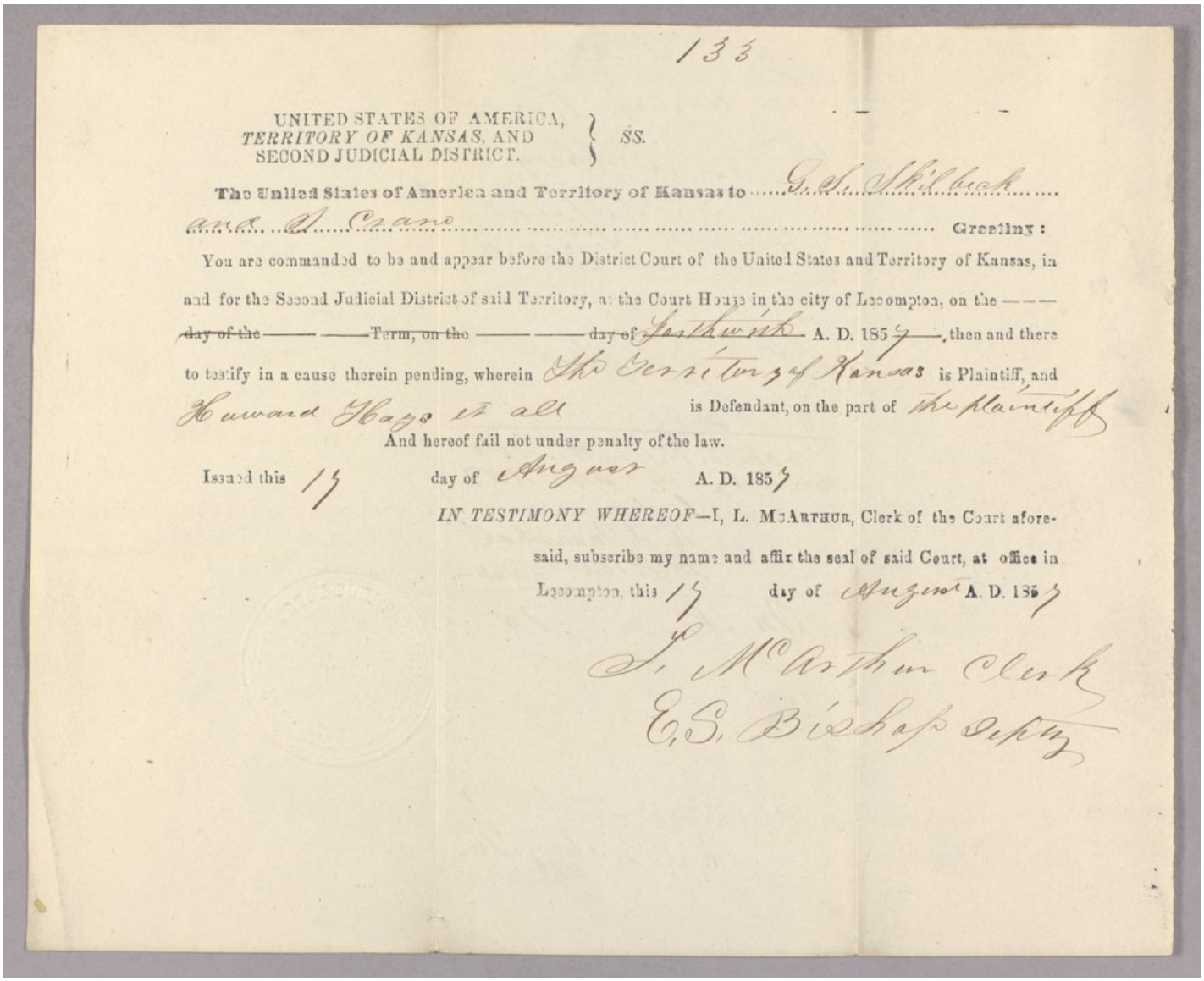


186
Territory of Kansas
136 vs } Robbery
Subpoena
Homer Hays et al
Witness
G. J. Kilbuck &
S. Evans

Not served for want
of time Oct 17th 1857
E. S. Dennis
By H. Butcher
Sheriff Ms, Mo

Filed Oct 17th 1857

Kansas Territory versus Homer Hays for robbery



133

UNITED STATES OF AMERICA,
TERRITORY OF KANSAS, AND
SECOND JUDICIAL DISTRICT. } *SS.*

The United States of America and Territory of Kansas to G. S. Hilbuck and A. Crane Greeting:

You are commanded to be and appear before the District Court of the United States and Territory of Kansas, in and for the Second Judicial District of said Territory, at the Court House in the city of Lecompton, on the ——— ~~day of the~~ ——— ~~Term, on the~~ ——— ~~day of~~ September A. D. 185 7, then and there to testify in a cause therein pending, wherein The Territory of Kansas is Plaintiff, and Howard Hays et al is Defendant, on the part of the Plaintiff

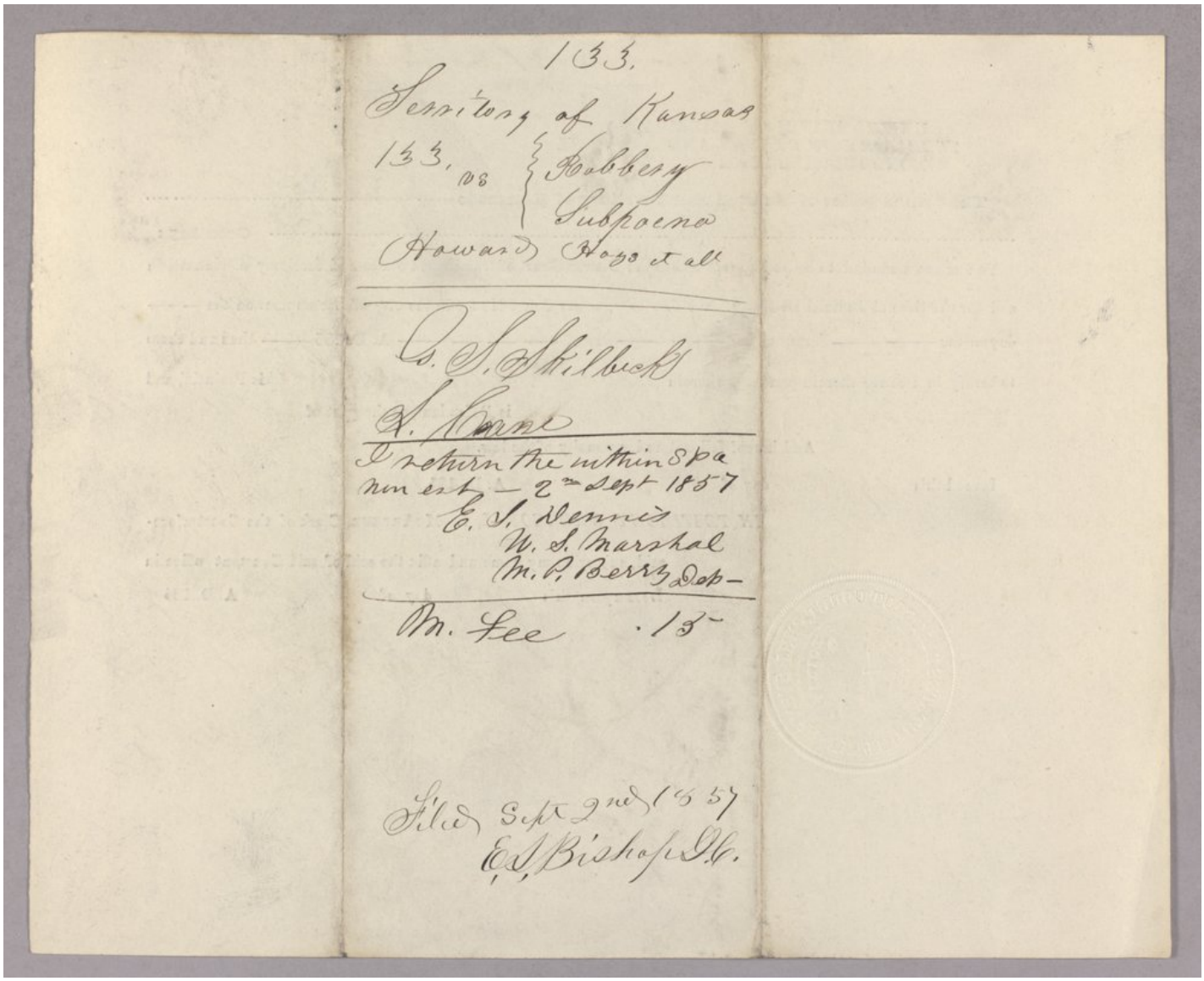
And hereof fail not under penalty of the law.

Issued this 13 day of August A. D. 185 7

IN TESTIMONY WHEREOF—I, L. McArthur, Clerk of the Court aforesaid, subscribe my name and affix the seal of said Court, at office in Lecompton, this 13 day of August A. D. 185 7

L. McArthur Clerk
E. S. Bishop Deputy

Kansas Territory versus Homer Hays for robbery



133.

Territory of Kansas
133, vs } Robbery
Subpoena
(Howard) Hays et al

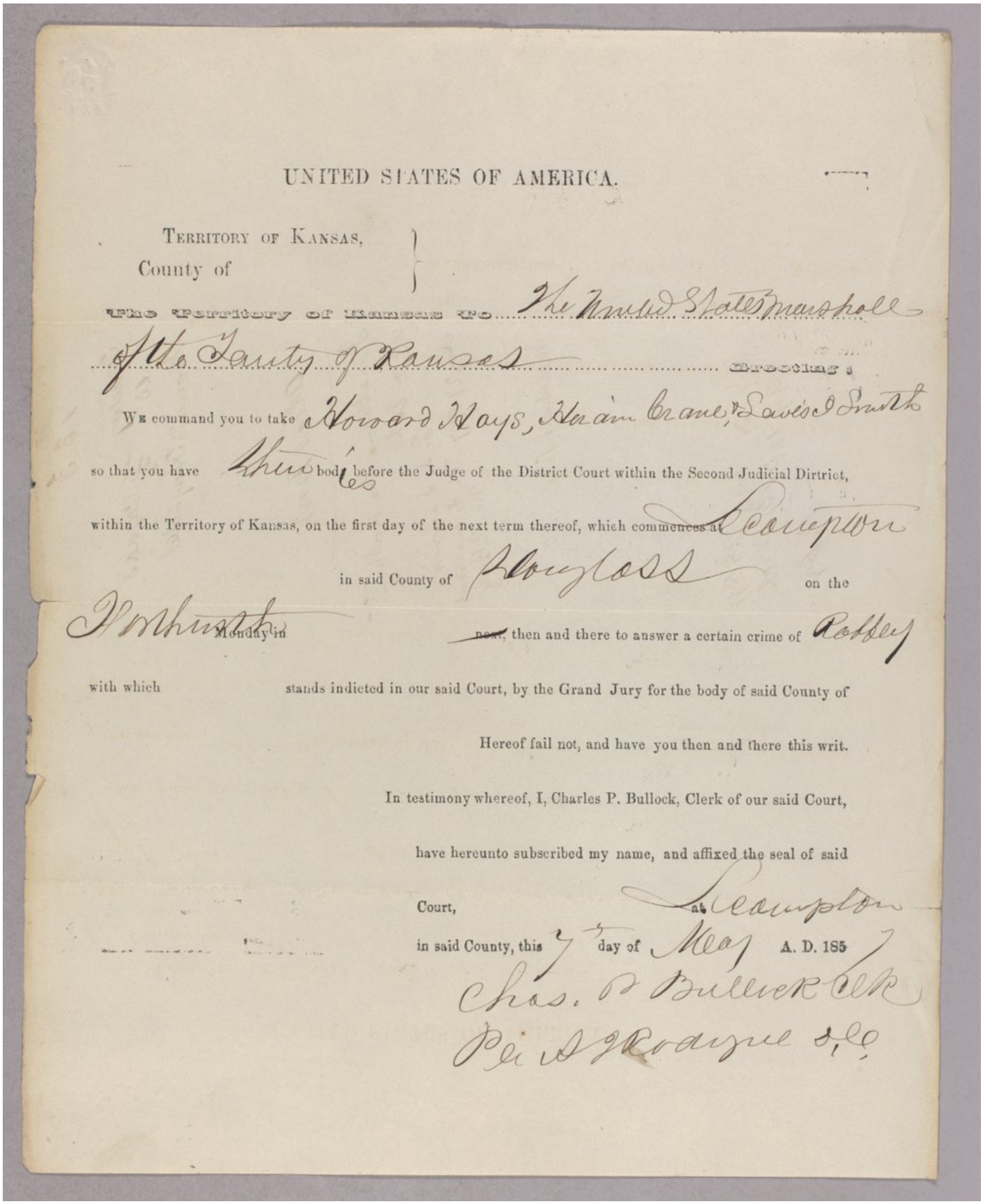
G. S. Hillock
L. Lane

I return the within Sub-
mon ent — 2nd Sept 1857
E. S. Dennis
U. S. Marshal
M. P. Berry Dep —

M. Lee .15

Filed Sept 2nd 1857
E. J. Bishop D.C.

Kansas Territory versus Homer Hays for robbery



UNITED STATES OF AMERICA.

TERRITORY OF KANSAS,
County of

The Territory of Kansas to The United States Marshall
of the County of Kansas Greeting:

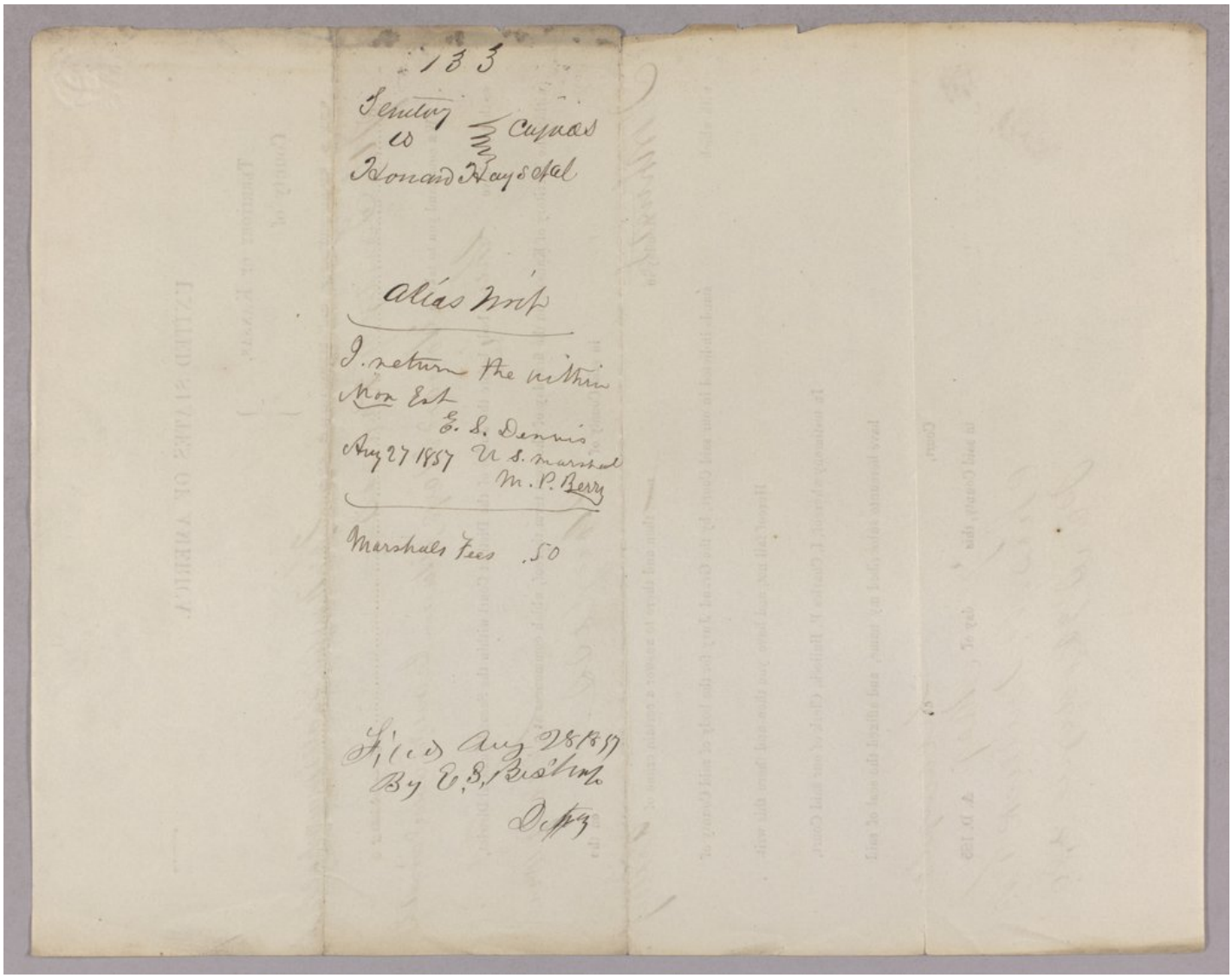
We command you to take Howard Hays, Hiram Crane, & Lewis J Smith
so that you have them body before the Judge of the District Court within the Second Judicial Dirtrict,
within the Territory of Kansas, on the first day of the next term thereof, which commences at Lecompton
in said County of Douglass on the
Monday in ~~next~~, then and there to answer a certain crime of Robbery
with which stands indicted in our said Court, by the Grand Jury for the body of said County of

Hereof fail not, and have you then and there this writ.

In testimony whereof, I, Charles P. Bullock, Clerk of our said Court,
have hereunto subscribed my name, and affixed the seal of said
Court, at Lecompton
in said County, this 7 day of May A. D. 185

Chas. P. Bullock Clk
Per A. J. Rodgers D. C.

Kansas Territory versus Homer Hays for robbery



133

Sentence
vs
Homer Hays et al

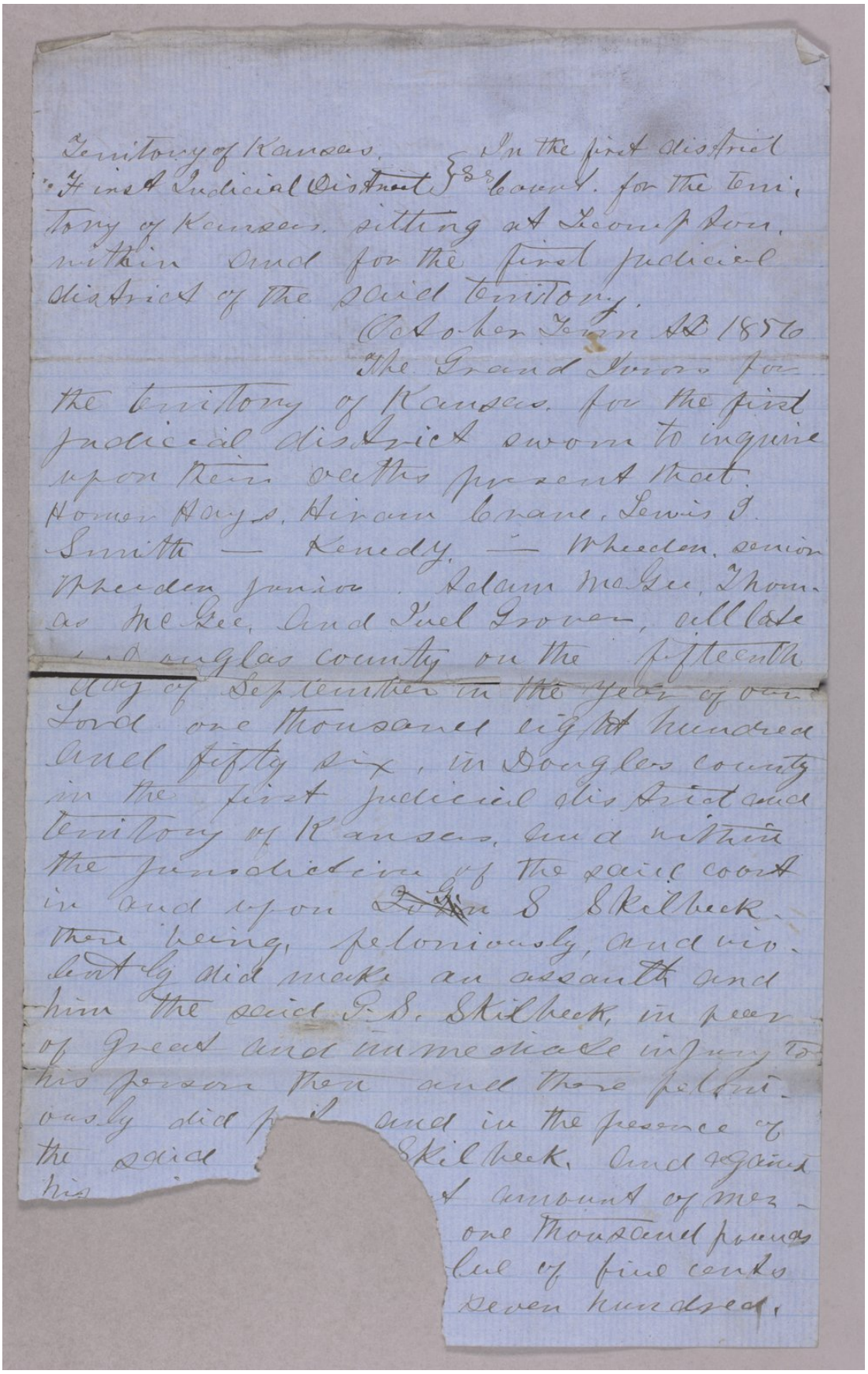
Alias Writ

I return the within
Non Est
E. S. Dennis
Aug 27 1857 U. S. marshal
M. P. Berry

Marshals Fees .50

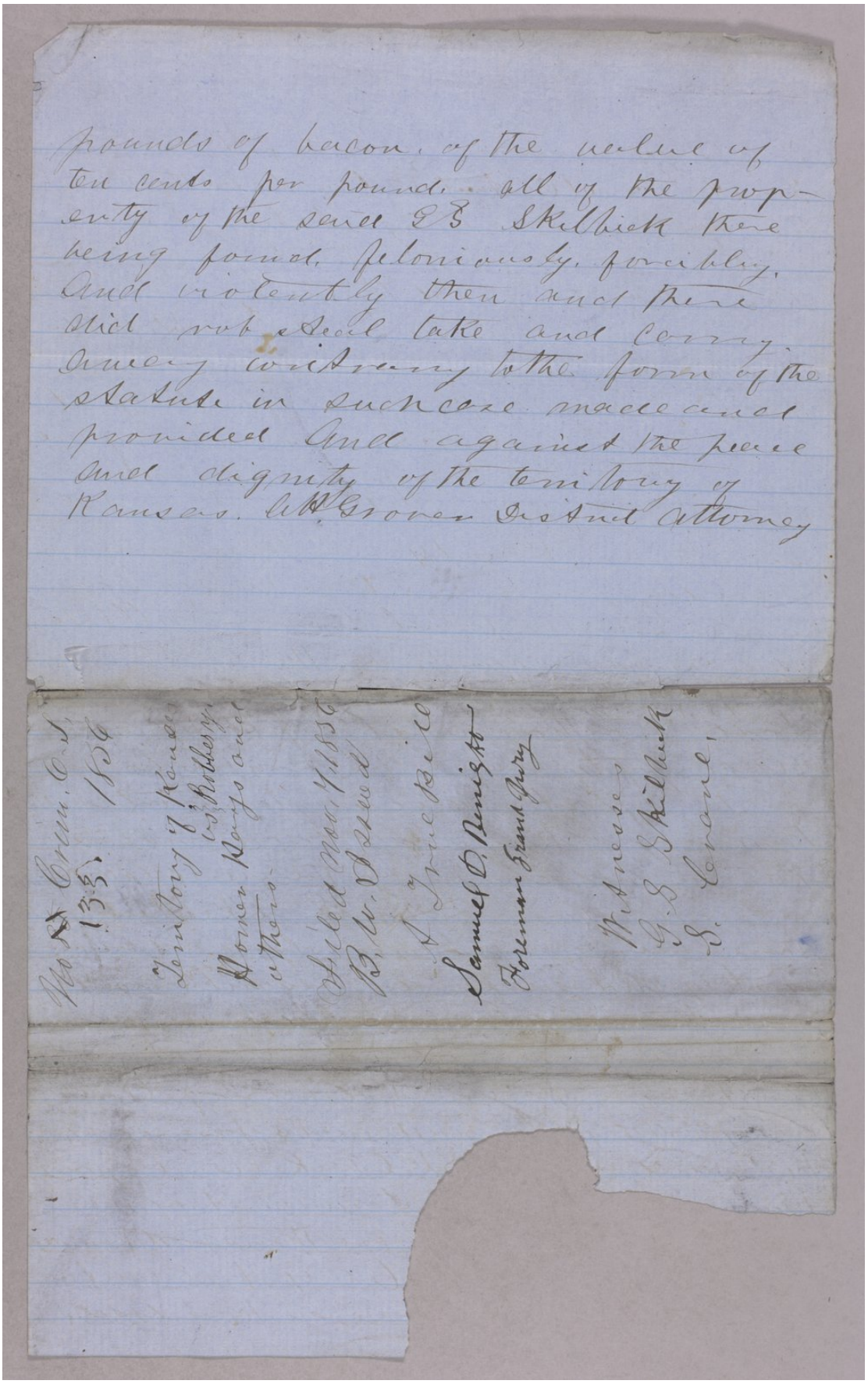
Filed Aug 28 1857
By E. B. Whitman
Deputy

Kansas Territory versus Homer Hays for robbery



Territory of Kansas. In the first district
First Judicial District 3d Court. for the Terri-
tory of Kansas. sitting at Lecompton.
within and for the first judicial
district of the said territory.
October Term AD 1856
The Grand Jurors for
the territory of Kansas. for the first
judicial district sworn to inquire
upon their oaths present that
Homer Hays. Hiram Crane. Lewis J.
Smith — Kenedy — Wheeden. senior
Wheeden junior. Adam McGee. Thom-
as McGee. and Fuel Brown. all late
of Douglas county on the fifteenth
day of September in the year of our
Lord one thousand eight hundred
and fifty six. in Douglas county
in the first judicial district and
territory of Kansas. and within
the jurisdiction of the said court
in and upon [illegible] S Skilbeck.
then being. feloniously, and vio-
lently did make an assault and
him the said P. S. Skilbeck. in peace
of God and the territory then to
his person then and there felon-
iously did [illegible] and in the presence of
the said [illegible] Skilbeck. and against
his [illegible] amount of mon-
one thousand pounds
lawful of fine coins
Seven hundred.

Kansas Territory versus Homer Hays for robbery


pounds of bacon, of the value of ten cents per pound, all of the property of the said D S Skillbeck there being found, feloniously, forcibly, and violently then and there did rob, steal take and carry away with intent to the form of the statute in such case made and provided and against the peace and dignity of the territory of Kansas. A W Grover District Attorney

No 8 Crim. C. S. 1855. 1856

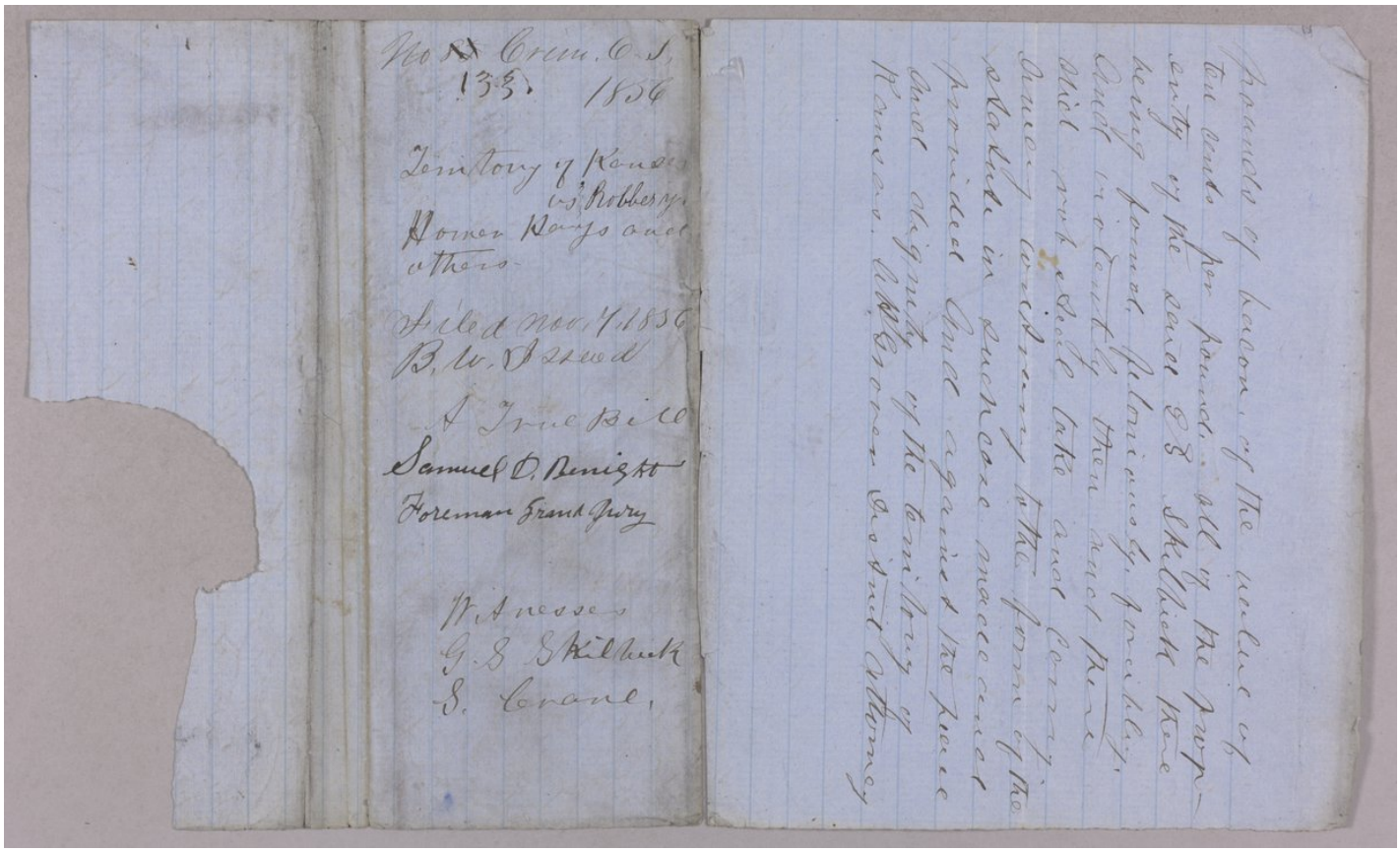
Territory of Kansas vs Robbery Homer Hays and others

Filed Mar 4 1856 B. W. D Atwood

A True Bill Samuel D Dunight Foreman Grand Jury

Witnesses D S Skillbeck S. Lowe

Kansas Territory versus Homer Hays for robbery


No. 11 Crim. C. S.
135. 1856

Territory of Kansas
vs
Robbery.
Homer Hays and
others.

Filed Nov. 4, 1856
B. W. Stewart

A True Bill
Samuel D. Wright
Foreman Grand Jury

Witnesses
G. S. Kilbuck
S. Crane.

Recognizance of Robert Wallace in the sum of Five hundred dollars for appearance of said Robert Wallace before the District Court of Douglas County, Kansas Territory, on the first Monday in March A.D. 1857 to testify in the case of Territory of Kansas vs Homer Hays and others charged with Robbery and to remain in the meantime from day to day and not depart the Court without leave. Entered into before me this 4th day of November A.D. 1856. B. W. Stewart Clerk