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Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance

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Date: date September 14, 1857

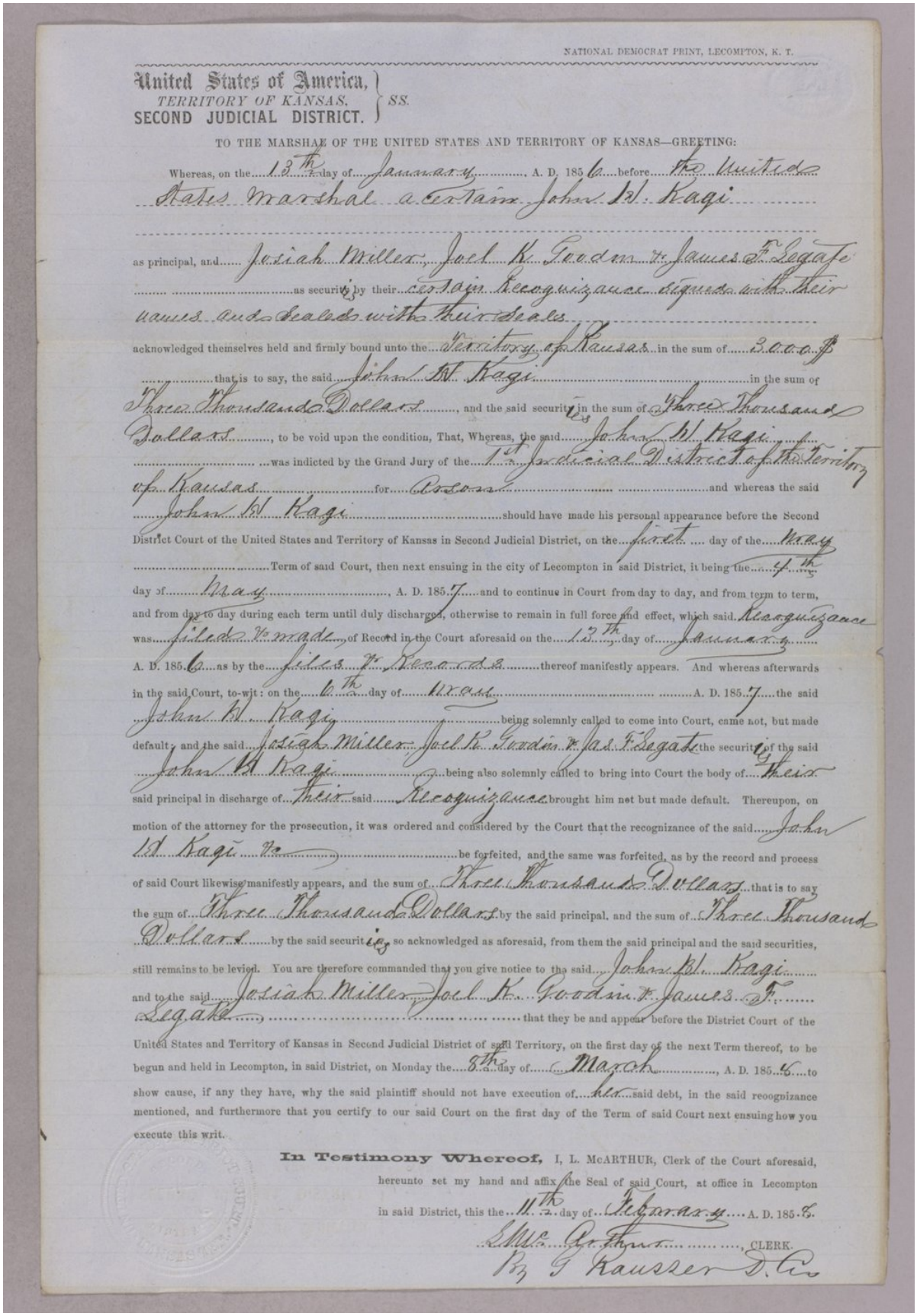
Callnumber: Kansas Territory Criminal Case Files, Box 9, Folder 24

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Item Identifier: 445238

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Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance



NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

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

TO THE MARSHAL OF THE UNITED STATES AND TERRITORY OF KANSAS—GREETING:

Whereas, on the 13th day of January, A. D. 185 6 before the United States marshal a certain John H. Kagi

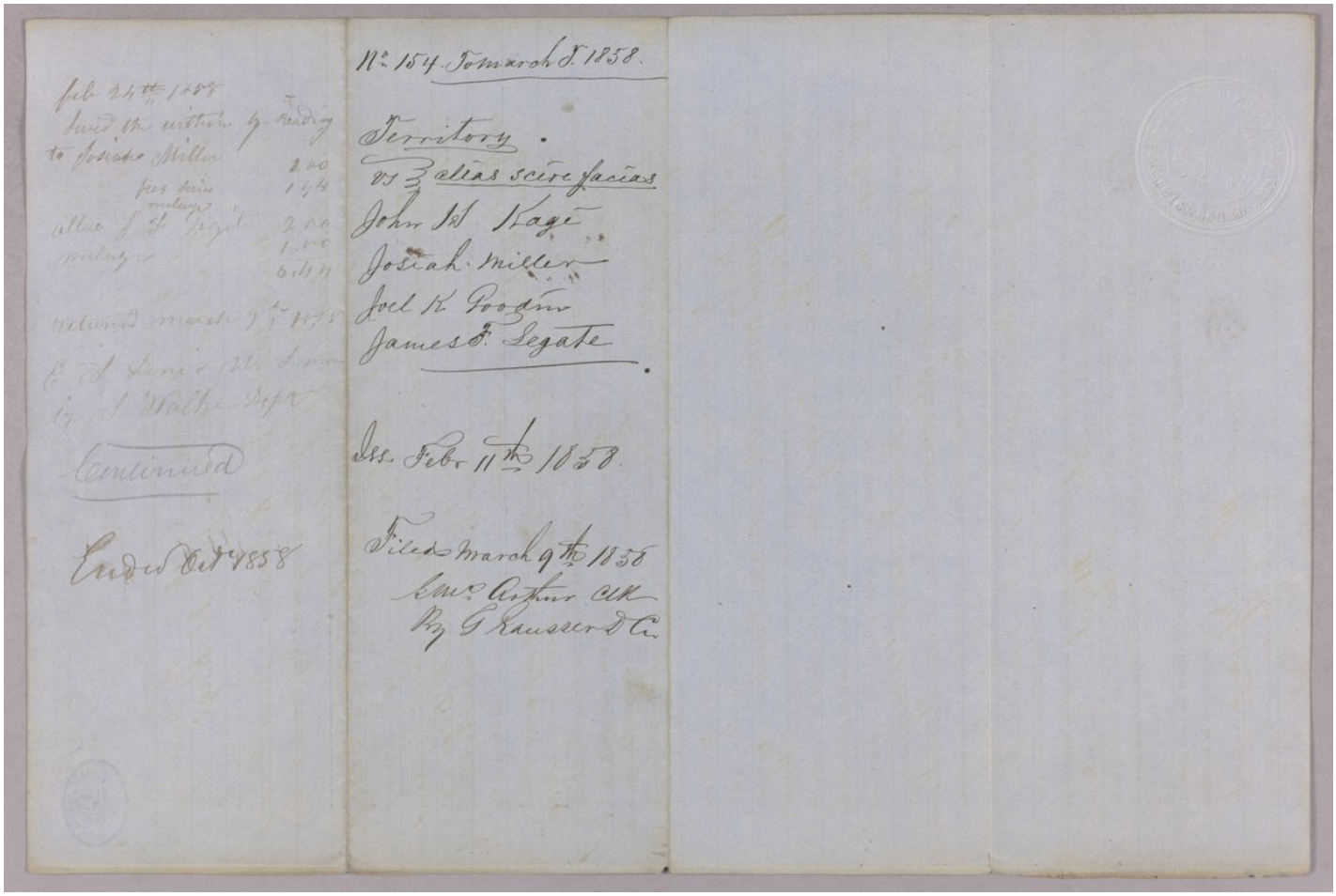
as principal, and Josiah Miller, Joel K. Goodwin & James F. Legate as security by their certain Recognizance signed with their names and sealed with their seals

acknowledged themselves held and firmly bound unto the Territory of Kansas in the sum of 3000.00 that is to say, the said John H. Kagi in the sum of Three Thousand Dollars, and the said security in the sum of Three Thousand Dollars, to be void upon the condition, That, Whereas, the said John H. Kagi was indicted by the Grand Jury of the 1st Judicial District of the Territory of Kansas for Arson and whereas the said John H. Kagi should have made his personal appearance before the Second District Court of the United States and Territory of Kansas in Second Judicial District, on the first day of the May Term of said Court, then next ensuing in the city of Lecompton in said District, it being the 4th day of May, A. D. 185 7 and to continue in Court from day to day, and from term to term, and from day to day during each term until duly discharged, otherwise to remain in full force and effect, which said Recognizance was filed & made of Record in the Court aforesaid on the 13th day of January A. D. 185 6 as by the files & Records thereof manifestly appears. And whereas afterwards in the said Court, to-wit: on the 6th day of March A. D. 185 7 the said John H. Kagi being solemnly called to come into Court, came not, but made default; and the said Josiah Miller Joel K. Goodwin & Jas F. Legate the securities of the said John H. Kagi being also solemnly called to bring into Court the body of their said principal in discharge of their said Recognizance brought him not but made default. Thereupon, on motion of the attorney for the prosecution, it was ordered and considered by the Court that the recognizance of the said John H. Kagi be forfeited, and the same was forfeited, as by the record and process of said Court likewise manifestly appears, and the sum of Three Thousand Dollars that is to say the sum of Three Thousand Dollars by the said principal, and the sum of Three Thousand Dollars by the said securities so acknowledged as aforesaid, from them the said principal and the said securities, still remains to be levied. You are therefore commanded that you give notice to the said John H. Kagi and to the said Josiah Miller Joel K. Goodwin & James F. Legate that they be and appear before the District Court of the United States and Territory of Kansas in Second Judicial District of said Territory, on the first day of the next Term thereof, to be begun and held in Lecompton, in said District, on Monday the 5th day of March, A. D. 185 6 to show cause, if any they have, why the said plaintiff should not have execution of said debt, in the said recognizance mentioned, and furthermore that you certify to our said Court on the first day of the Term of said Court next ensuing how you execute this writ.

In Testimony Whereof, I, L. McARTHUR, Clerk of the Court aforesaid, hereunto set my hand and affix the Seal of said Court, at office in Lecompton in said District, this the 11th day of February A. D. 185 6.

L. McArthur, CLERK.
By J Kausser D. C.

Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance



feb 24th 1858
Issued the within Sc fa
to Josiah Miller
per diem 2.00
mileage 1.44
Alias Sc fa 2.00
mileage 1.00
6.44

returned march 9th 1858
E. T. Lane Sh. Leav.
by J. Walker Dept

Continued

Ended Oct 1858

No. 154. To march T. 1858.

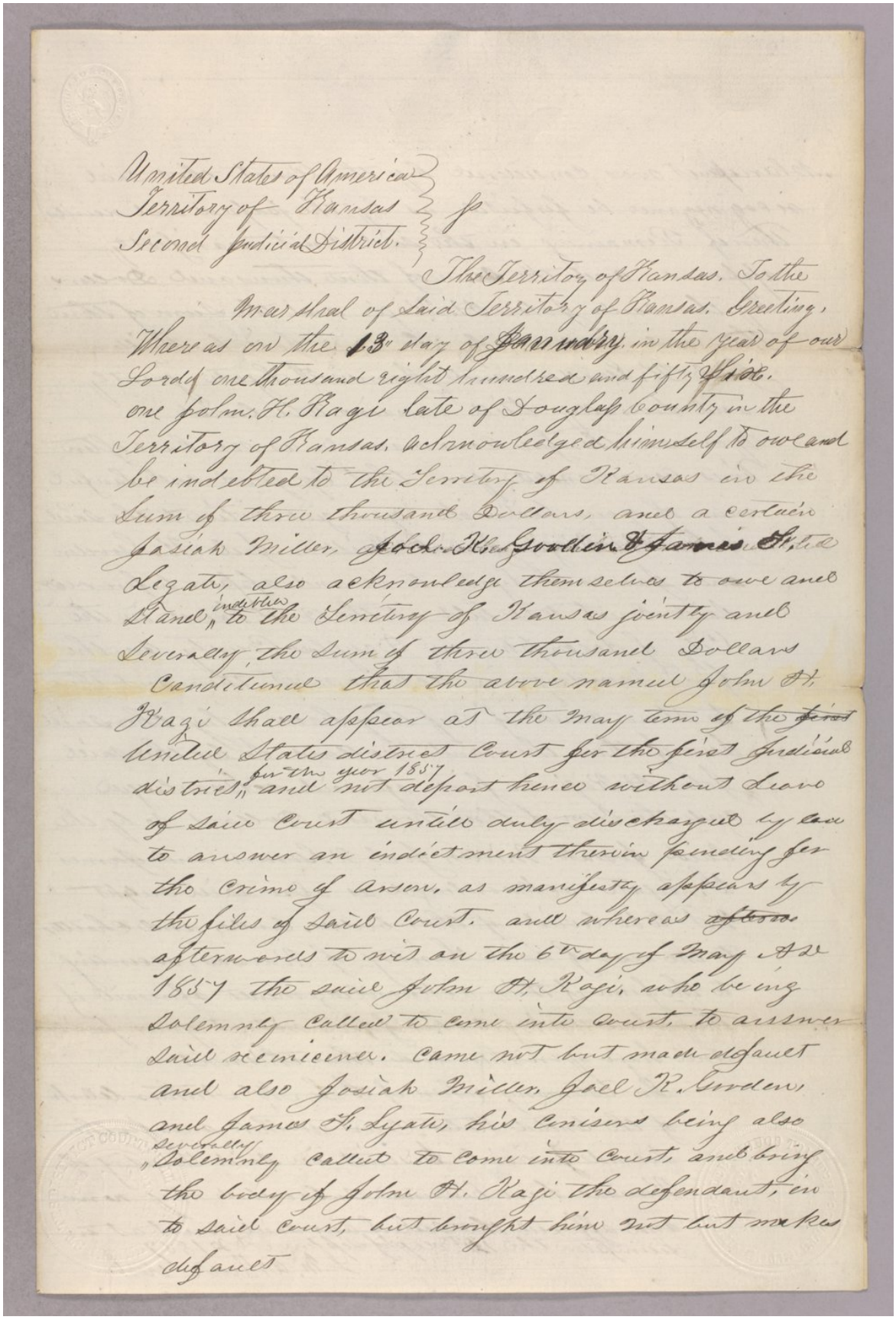
Territory.
vs
Alias scire facias
John H. Kagl
Josiah Miller
Joel K. Goodwin
James F. Legate

Iss. Febr 11th 1858.

Filed March 9th 1858
Lew. Arthur Clk
By G. Rausser D. Clk

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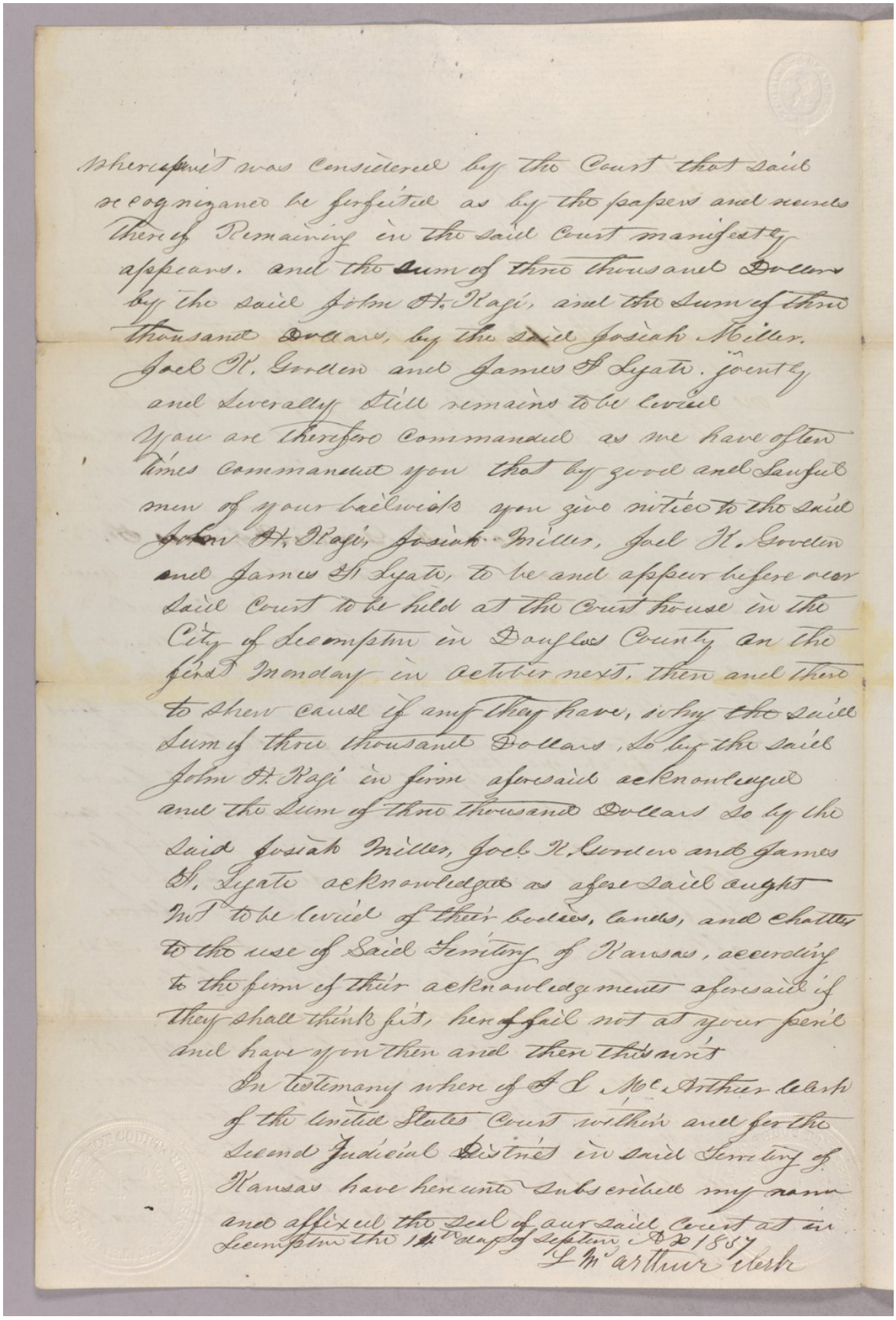
Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance



United States of America
Territory of Kansas } ss
Second Judicial District.

The Territory of Kansas. To the Marshal of said Territory of Kansas. Greeting,
Whereas on the 13th day of January in the year of our Lord one thousand eight hundred and fifty ~~six~~ seven. one John H. Kagi late of Douglas County in the Territory of Kansas acknowledged himself to owe and be indebted to the Territory of Kansas in the sum of three thousand Dollars, and a certain Josiah Miller, ~~Joel K. Goodwin & James F.~~ Legate also acknowledge themselves to owe and stand, severally to the Territory of Kansas jointly and severally the sum of three thousand Dollars Conditioned that the above named John H. Kagi shall appear at the May term of the ~~first~~ United States district Court for the first judicial district, for the year 1857 and not depart hence without leave of said Court until duly discharged by law to answer an indictment therein pending for the crime of arson, as manifestly appears by the files of said Court. and whereas ~~afterwards~~ afterwards to wit on the 6th day of May A.D 1857 the said John H. Kagi, who being solemnly called to come into court, to answer said recognizance. came not but made default and also Josiah Miller, Joel K. Goodwin and James F. Legate, his sureties being also severally solemnly called to come into court, and bring the body of John H. Kagi the defendant, in to said court, but brought him not but makes default

Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance



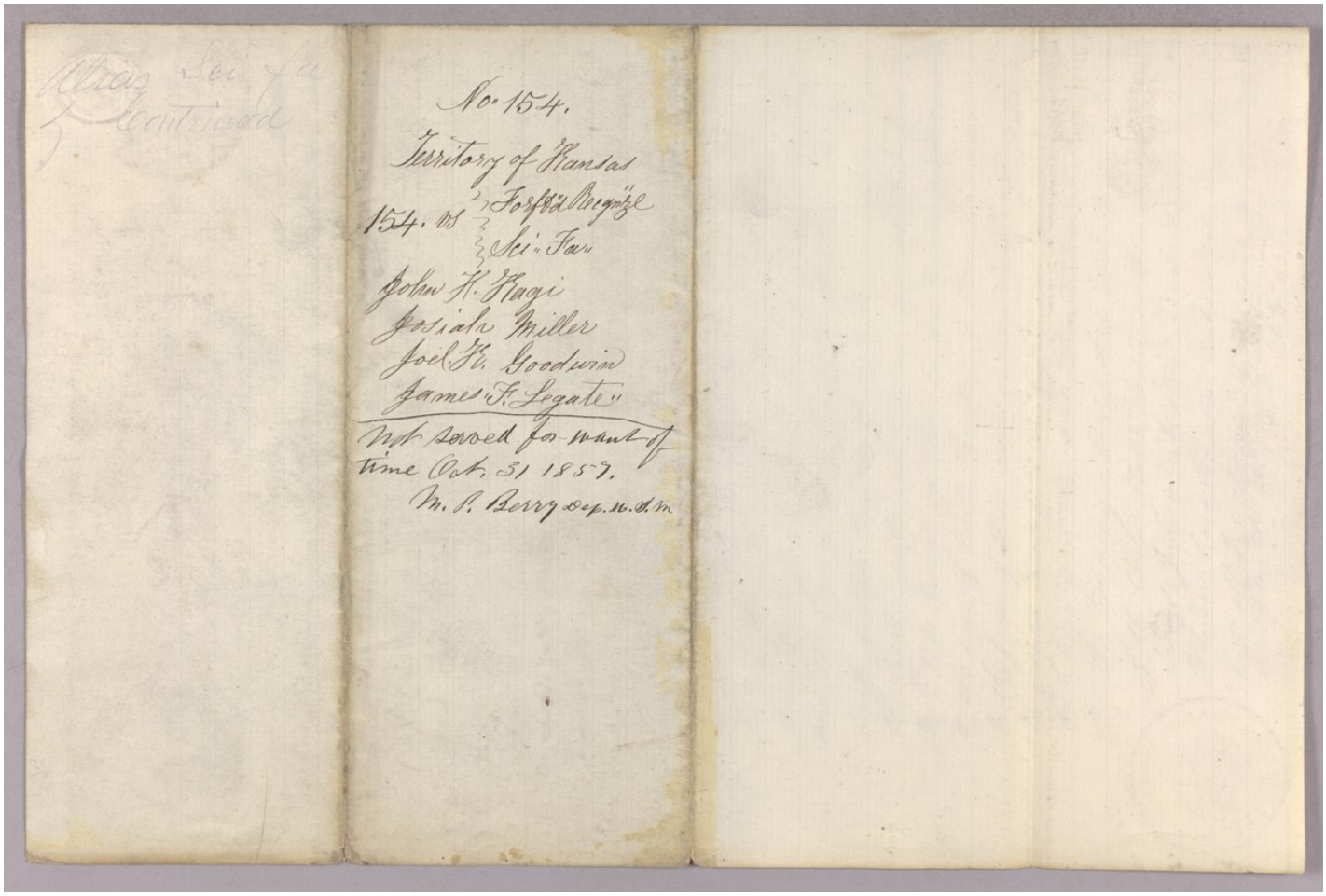
Whereupon it was considered by the Court that said recognizance be forfeited as by the papers and records thereof Remaining in the said Court manifestly appears. and the sum of three thousand Dollars by the said John H. Kagi, and the Sum of three thousand Dollars, by the said Josiah Miller. Joel K. Goodwin and James F Legate. jointly and severally still remains to be levied

You are therefore commanded as we have often times commanded you that by good and lawful men of your bailwick you give notice to the said John H. Kagi, Josiah Miller, Joel K. Goodwin and James F Legate, to be and appear before our said Court to be held at the Court house in the City of Lecompton in Douglas County on the first Monday in October next. then and there to shew cause if any they have, why the said Sum of three thousand Dollars, so by the said John H. Kagi in form aforesaid acknowledged and the Sum of three thousand Dollars so by the said Josiah Miller, Joel K. Goodwin and James F. Legate acknowledged as aforesaid ought not to be levied of their bodies, lands, and chattles to the use of said Territory of Kansas, according to the form of their acknowledgments aforesaid if they shall think fit, hereof fail not at your peril and have you then and there this writ

In testimony where of I A. L. McArthur clerk of the United States Court within and for the Second Judicial District in said Territory of Kansas have hereunto subscribed my name and affixed the Seal of our said Court at in Lecompton the 14th day of September A.D. 1857

L. McArthur clerk

Kansas Territory versus John H. Kagl, Josiah Miller, Joel K. Goodwin, James F. Legate for forfeited recognizance


No. 154.
Territory of Kansas
154. vs } Forfeited Recognizance
} Sci. Fa.
John H. Kagi
Josiah Miller
Joel K. Goodwin
James F. Legate
Not served for want of time Oct. 31 1857.
M. S. Berry Dep. U. S. M.