Kansas Territory versus Jesse Mitchner for gambling

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

Date: date of crime October 9, 1856; indictment November 1856

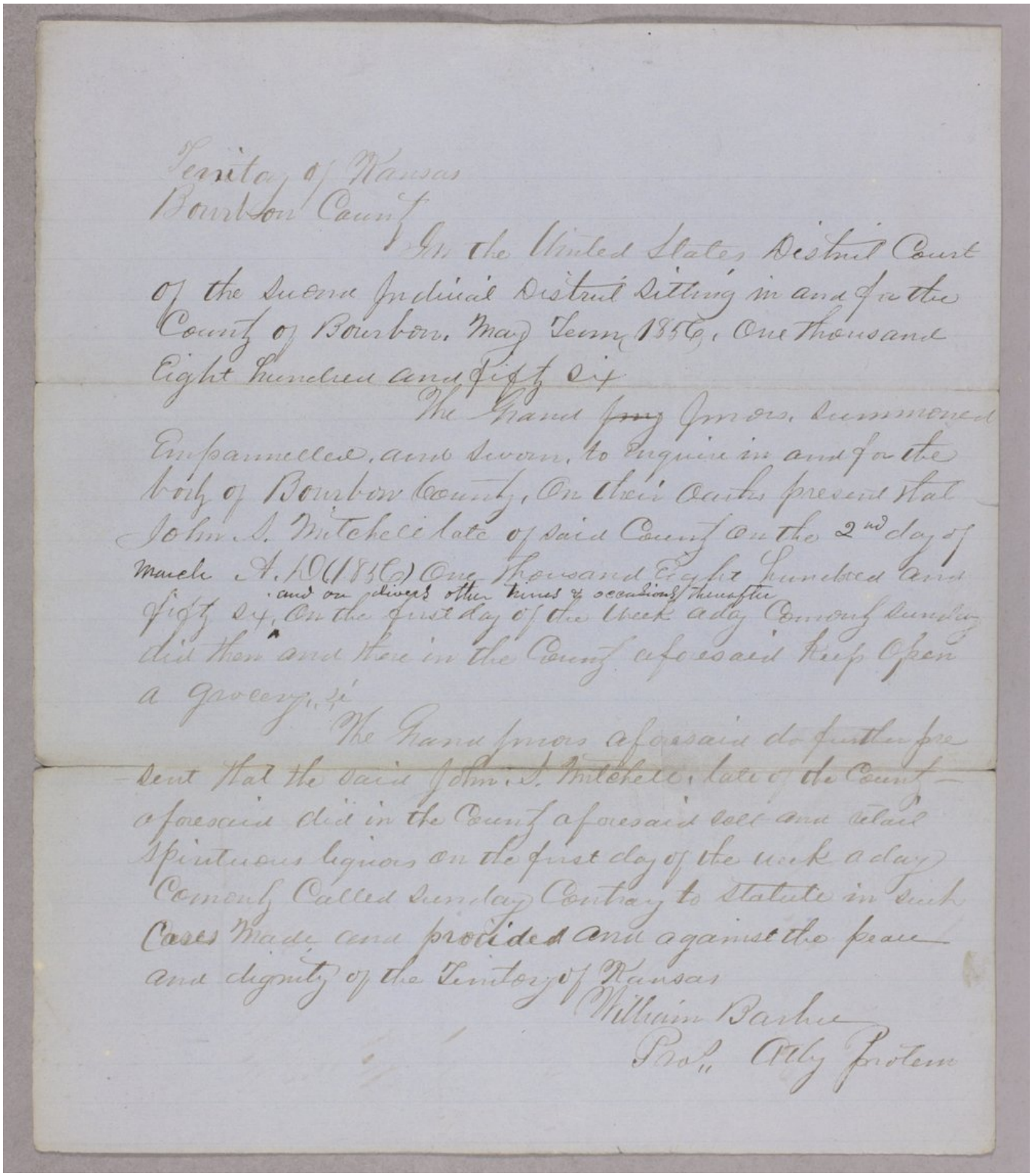
Callnumber: Kansas Territory Criminal Case Files, Box 11, Folder 23

KSHS Identifier: DaRT ID: 445396

Item Identifier: 445396

www.kansasmemory.org/item/445396

Kansas Territory versus Jesse Mitchner for gambling



Territory of Kansas
Bourbon County

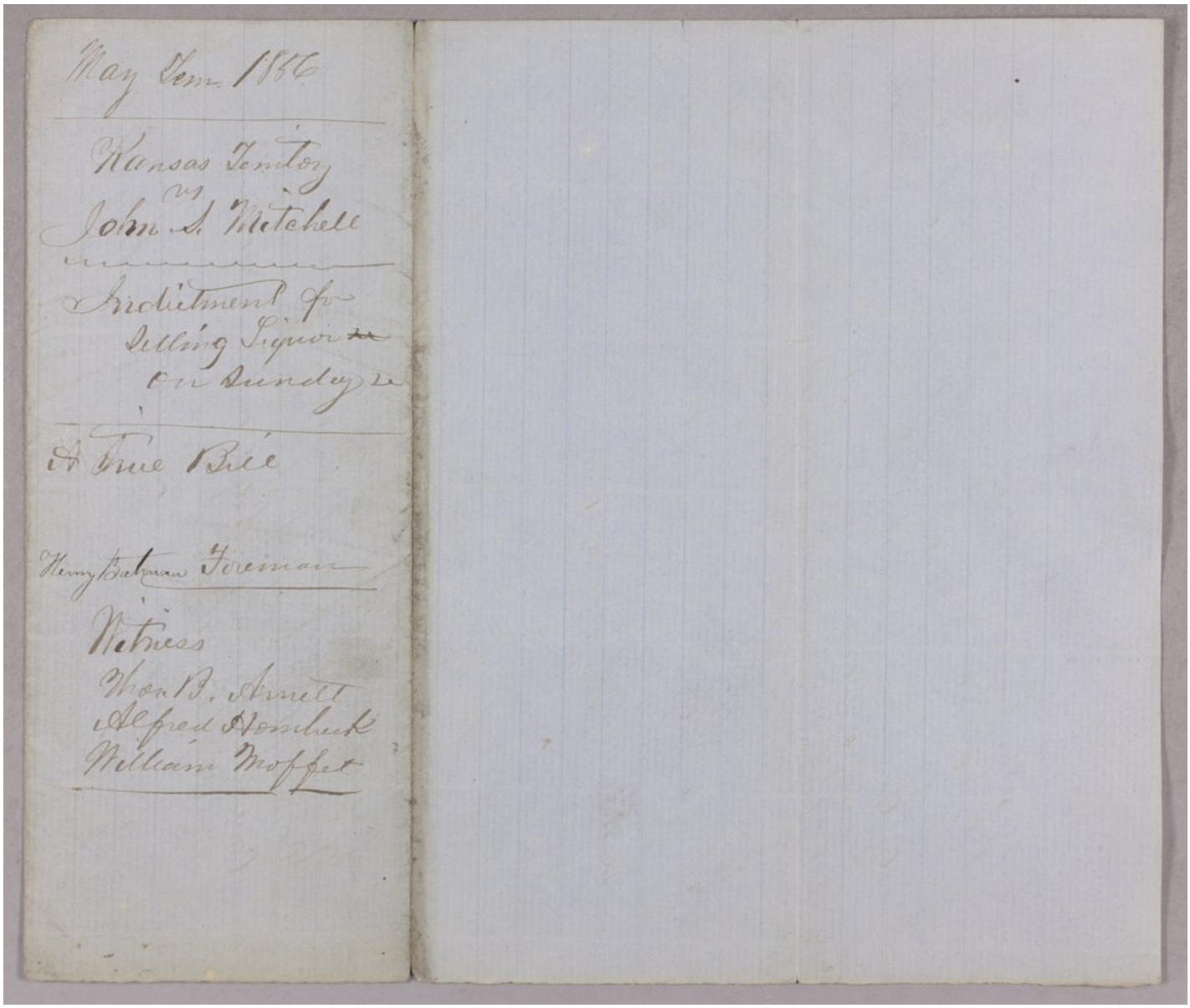
In the United States District Court of the Second Judicial District Sitting in and for the County of Bourbon. May Term 1856. One Thousand Eight Hundred and fifty six

The Grand ~~Jury~~ Jurors. Summoned Empannelled, and Sworn, to Inquire in and for the body of Bourbon County, On their Oaths present that John S. Mitchell late of said County on the 2nd day of March A.D. (1856) One Thousand Eight Hundred and fifty six, and on diverse other times & occasions thereafter On the first day of the week aday Comonly Called Sunday did then and there in the County aforesaid keep Open a Grocery &c

The Grand Jurors aforesaid do further present that the said John S. Mitchell, late of the County aforesaid did in the County aforesaid sell and deal Spirituous liquors on the first day of the week aday Comonly Called Sunday Contary to Statute in such Cases Made and provided and against the peace and dignity of the Territory of Kansas

William Barker
Pros. Atty Protem

Kansas Territory versus Jesse Mitchner for gambling


May Term 1856

Kansas Territory
vs
John A. Mitchell

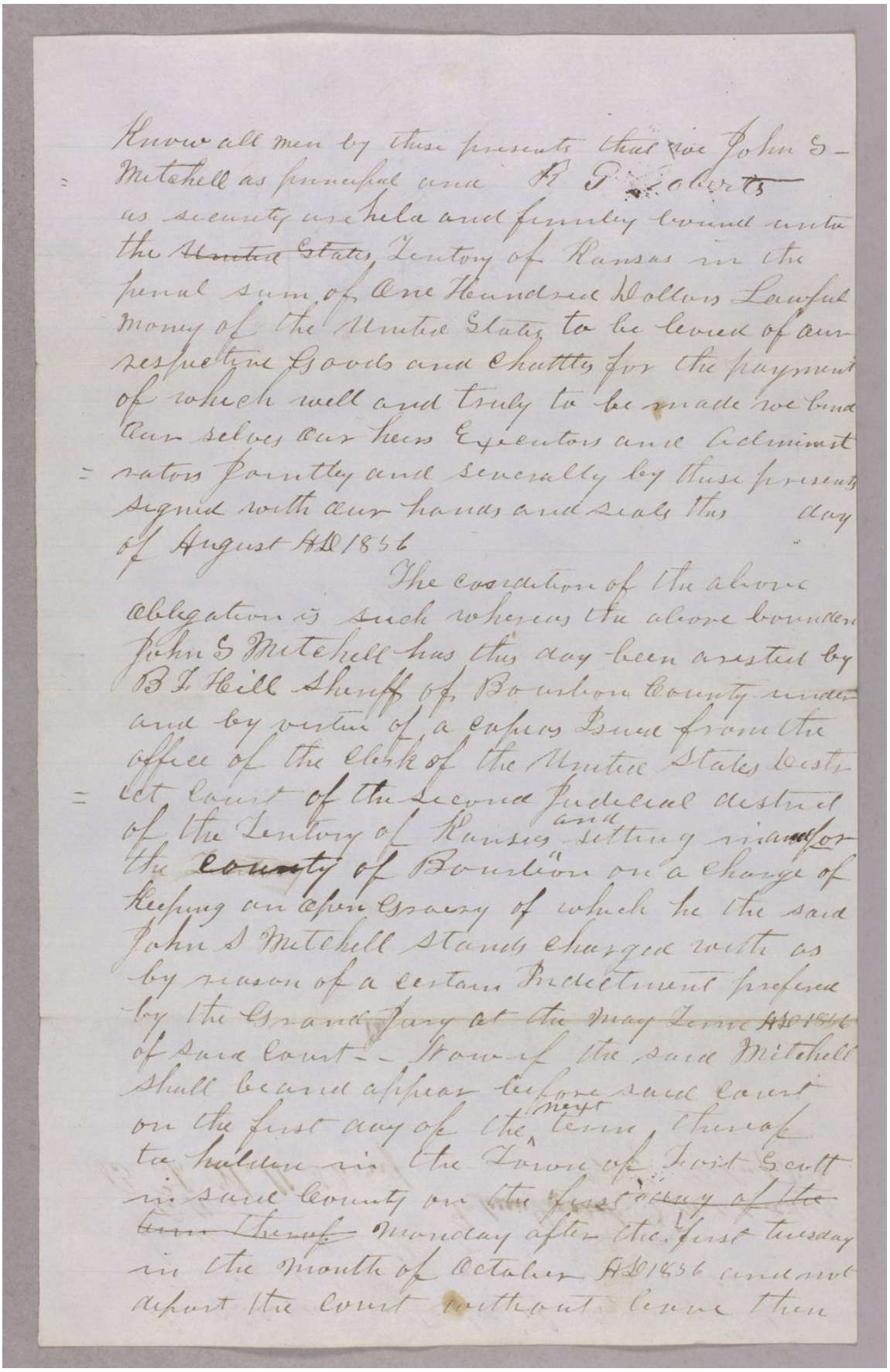
Indictment for
selling Liquor &c
on Sunday &c

A True Bill

Henry Bahman Foreman

Witness
Wm B. Arnett
Alfred Hornbuck
William Moffet

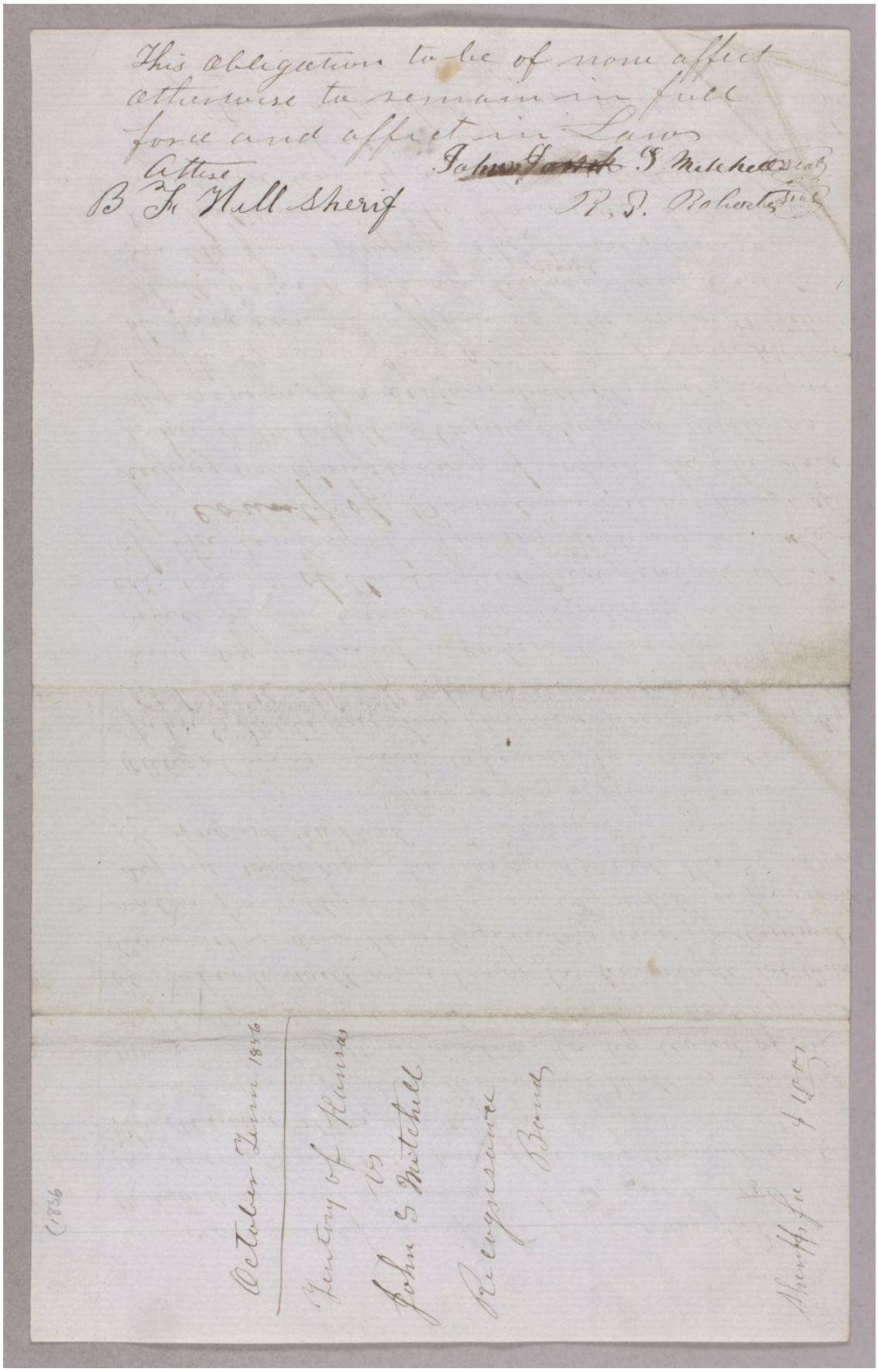
Kansas Territory versus Jesse Mitchner for gambling



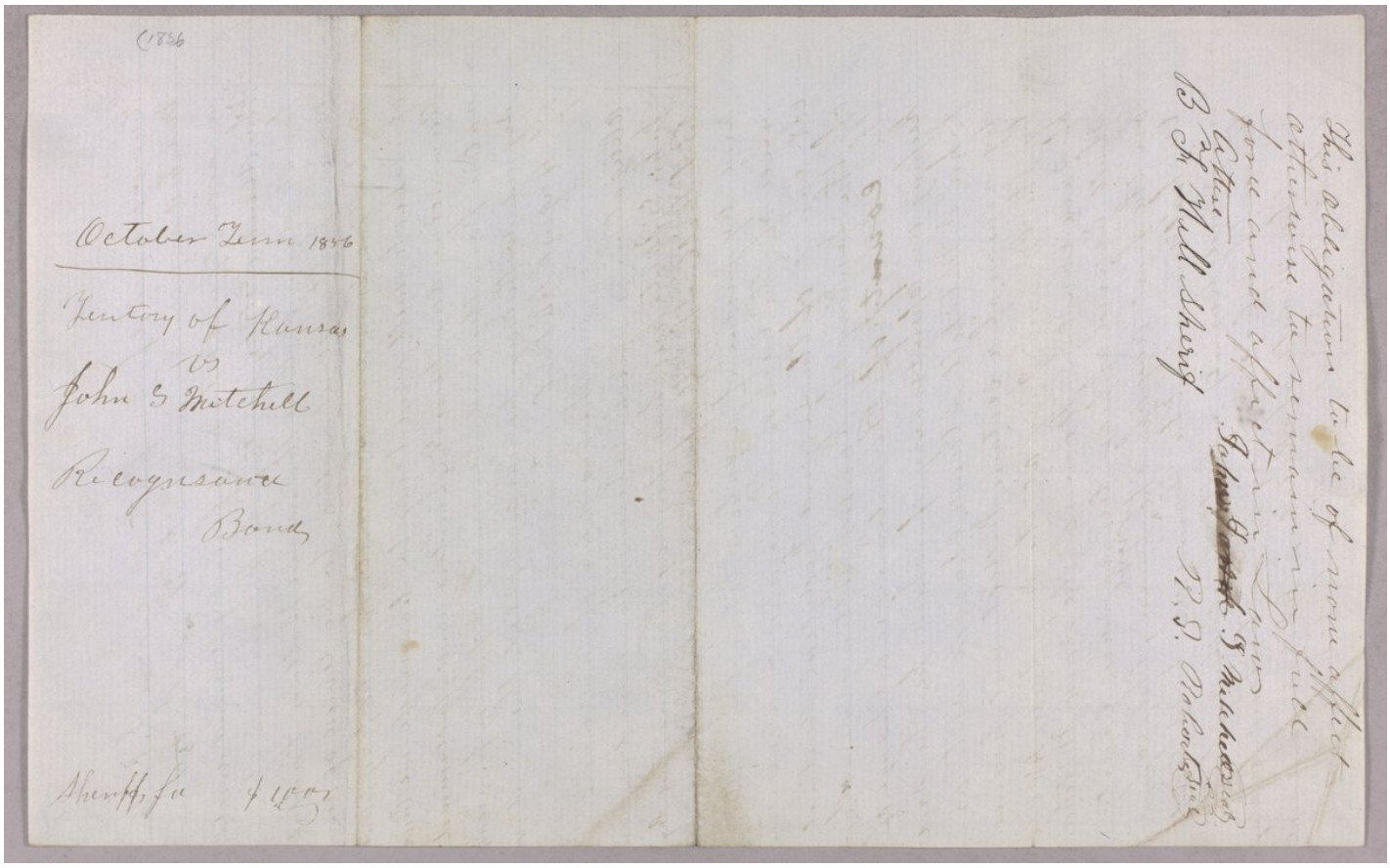
Know all men by these presents that we John S Mitchell as principal and P D Roberts as security are held and firmly bound unto the United States Territory of Kansas in the penal sum of One Hundred Dollars Lawful Money of the United States to be levied of our respective Goods and Chattels for the payment of which well and truly to be made we bind our selves our heirs Executors and Administrators jointly and severally by these presents signed with our hands and seals this day of August AD 1856

The condition of the above obligation is such whereas the above bounden John S Mitchell has this day been arrested by B F Hill Sheriff of Bourbon County under and by virtue of a capias issued from the office of the Clerk of the United States District Court of the Second Judicial district of the Territory of Kansas and setting sitting for the county of Bourbon on a charge of keeping an open grocery of which he the said John S Mitchell stands charged with as by reason of a certain Indictment preferred by the Grand Jury at the May Term AD 1856 of said Court — Now if the said Mitchell shall be and appear before said Court on the first day of the next term thereof to be holden in the Town of Fort Scott in said County on the first day of the term Monday after the first tuesday in the month of October AD 1856 and not depart the Court without leave then

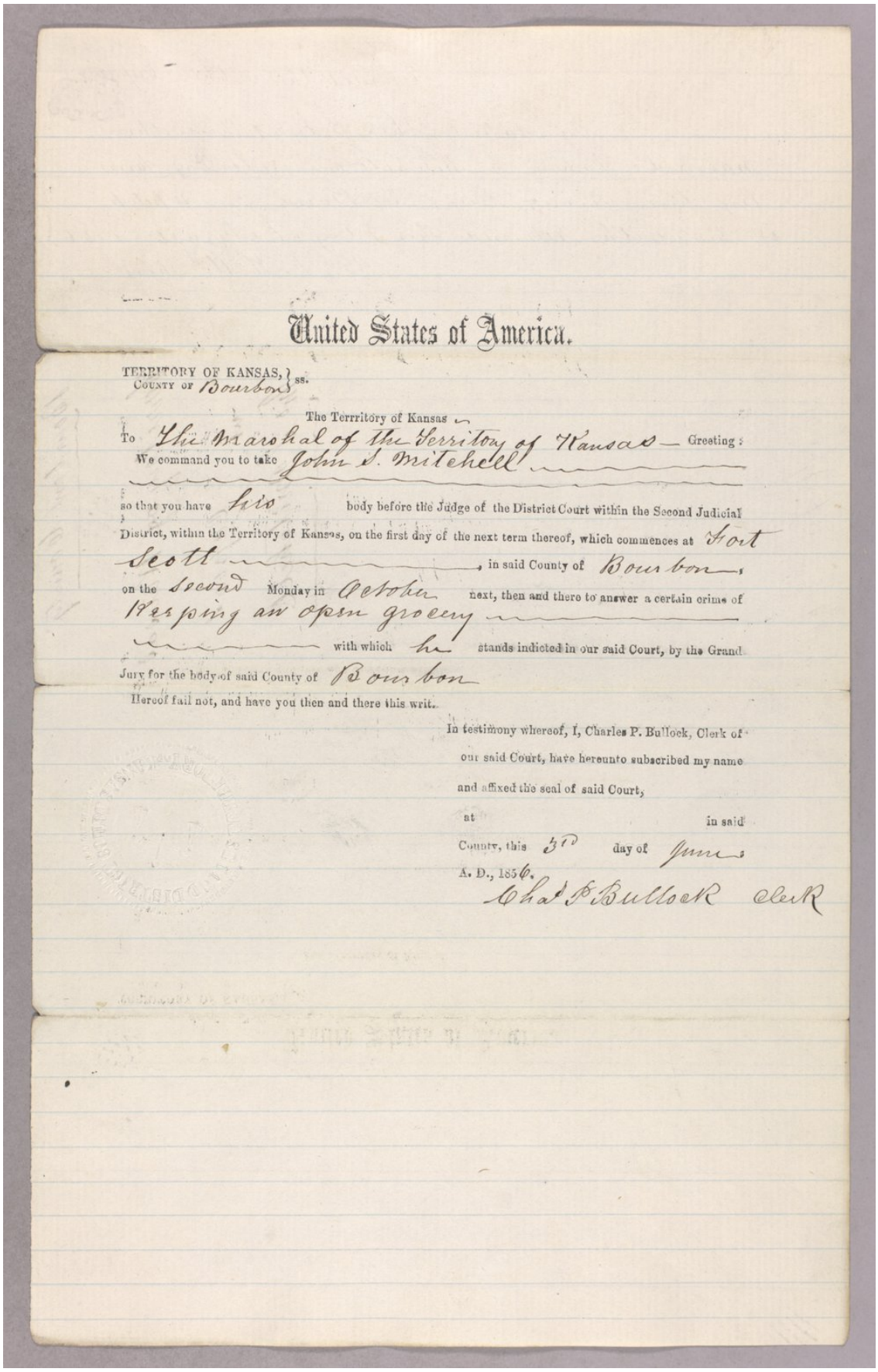
Kansas Territory versus Jesse Mitchner for gambling


This obligation to be of none effect
otherwise to remain in full
force and effect in Law
Attest
B. F. Hull Sheriff
John S. Mitchell Seal
P. J. Babcock Seal
October Term 1856
Territory of Kansas
vs
John S. Mitchell
Recognizance
Bond
Sheriff's fee $1.00
1856

Kansas Territory versus Jesse Mitchner for gambling



Kansas Territory versus Jesse Mitchner for gambling



United States of America.

TERRITORY OF KANSAS, } ss.
COUNTY OF Bourbon }

The Terrritory of Kansas —

To The Marshal of the Territory of Kansas — Greeting:

We command you to take John S. Mitchell

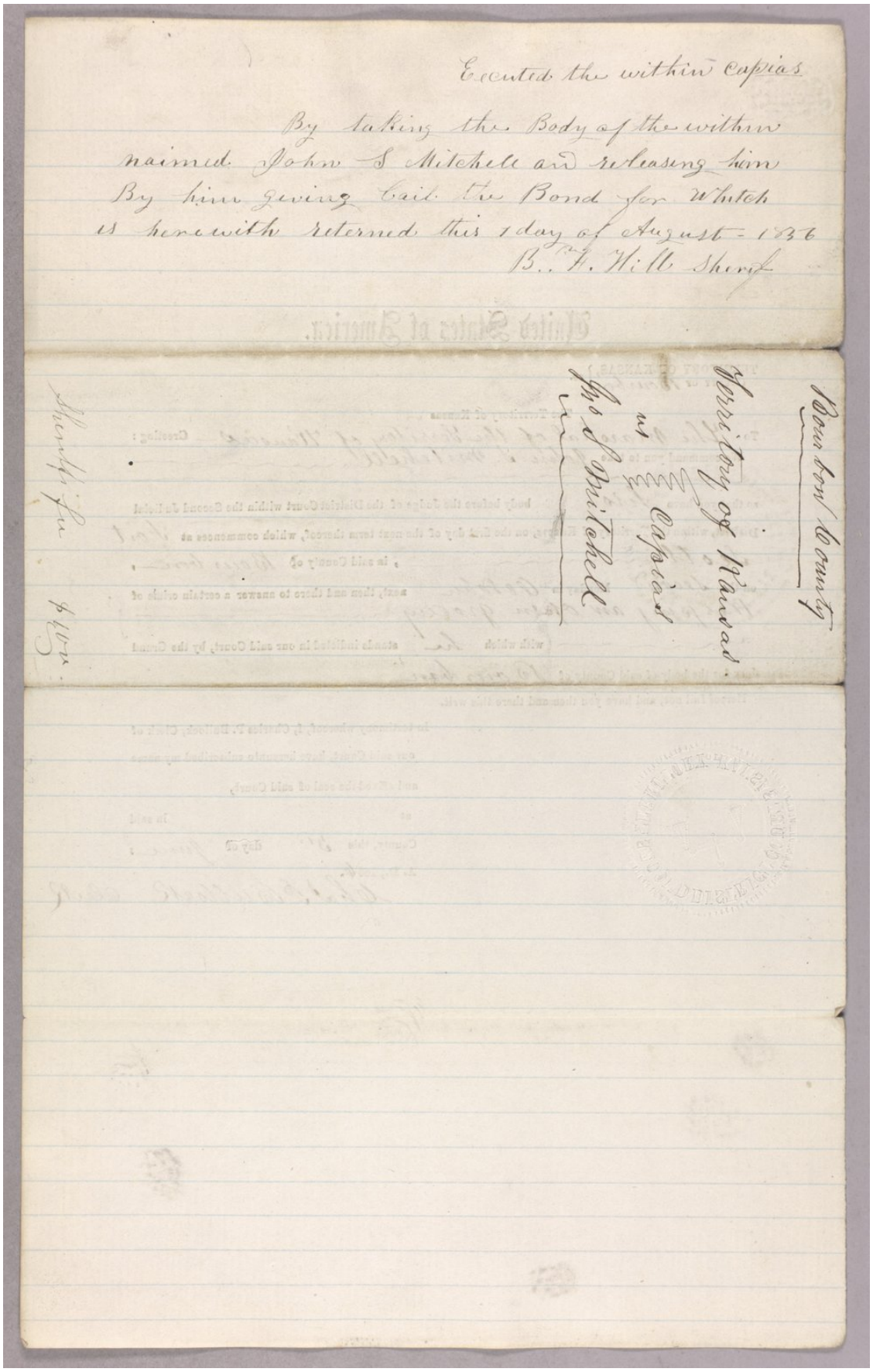
so that you have his body before the Judge of the District Court within the Second Judicial District, within the Territory of Kansas, on the first day of the next term thereof, which commences at Fort Scott, in said County of Bourbon, on the Second Monday in October next, then and there to answer a certain crime of Keeping an open groceery with which he stands indicted in our said Court, by the Grand Jury for the body of said County of Bourbon

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 in said County, this 3rd day of June, A. D., 1856.

Chas P Bullock clerk

Kansas Territory versus Jesse Mitchner for gambling



Executed the within capias

By taking the Body of the within named John S Mitchell and releasing him By him giving Said the Bond for Which is herewith returned this 1 day of August - 1856

B. F. Hill Sheriff

Douglas County

Territory of Kansas

vs

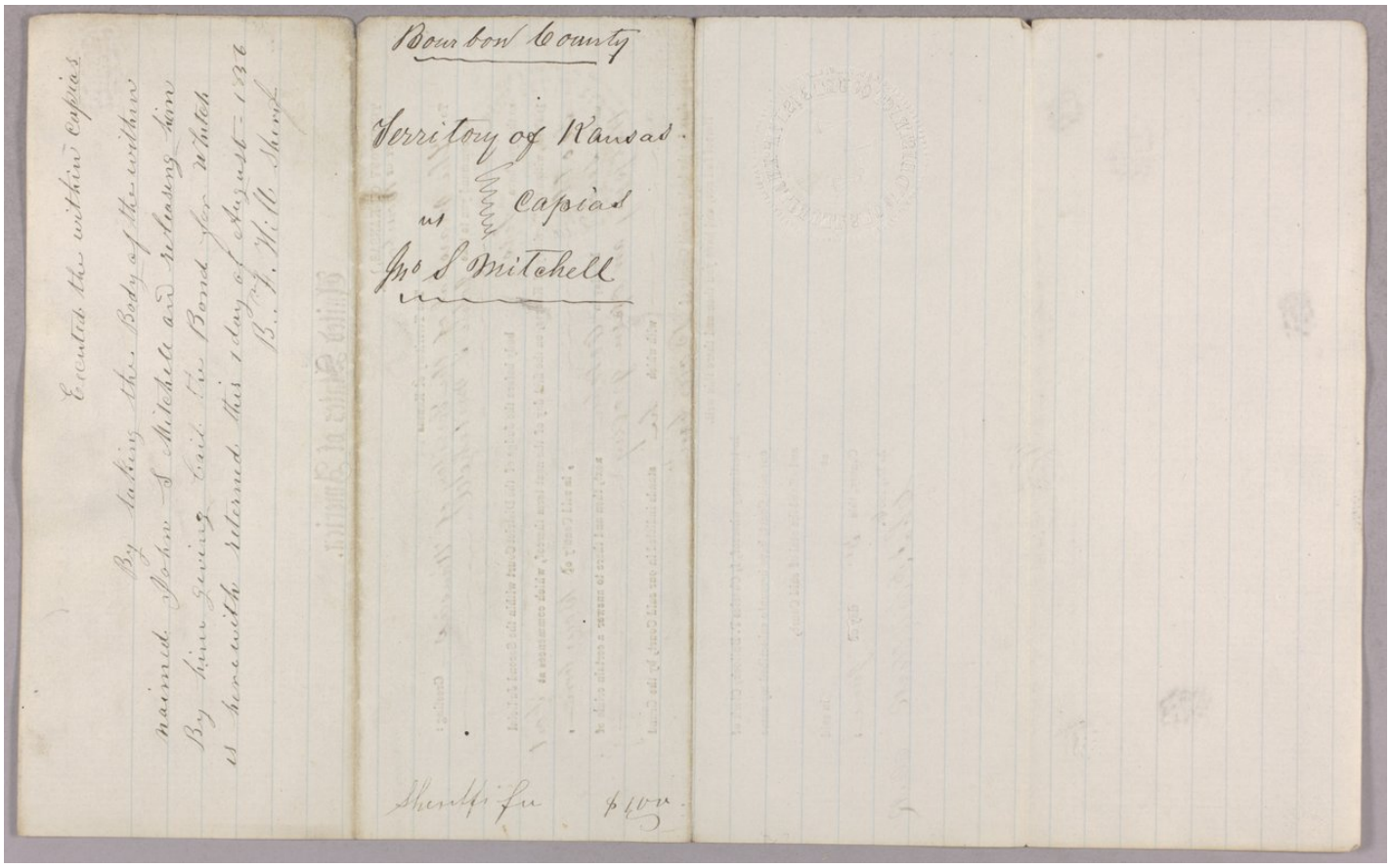
Capias

John S Mitchell

Sheriffs Fee

$1.75

Kansas Territory versus Jesse Mitchner for gambling



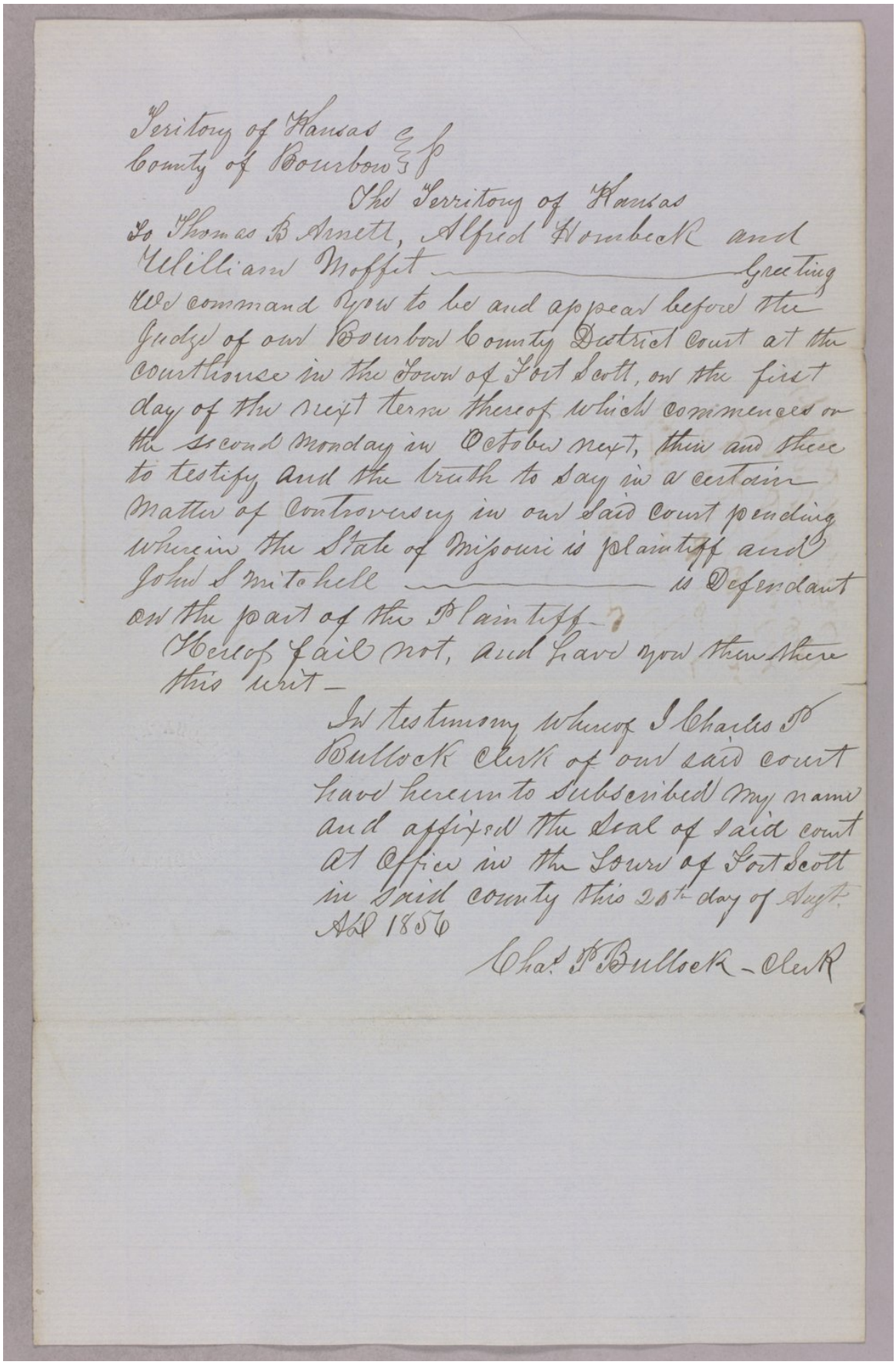
Executed the within capias
By taking the Body of the within
named John S Mitchell and releasing him
By him giving Said Ex Bond for his
appearance this 1 day of August 1856
B. F. Mills Sheriff

Bourbon County

Territory of Kansas
vs Capias
Jno S Mitchell

Sheriffs fee $1.00

Kansas Territory versus Jesse Mitchner for gambling



Territory of Kansas }
County of Bourbon } ss

The Territory of Kansas

To Thomas B Arnett, Alfred Hornbeck and William Moffit ——— Greeting

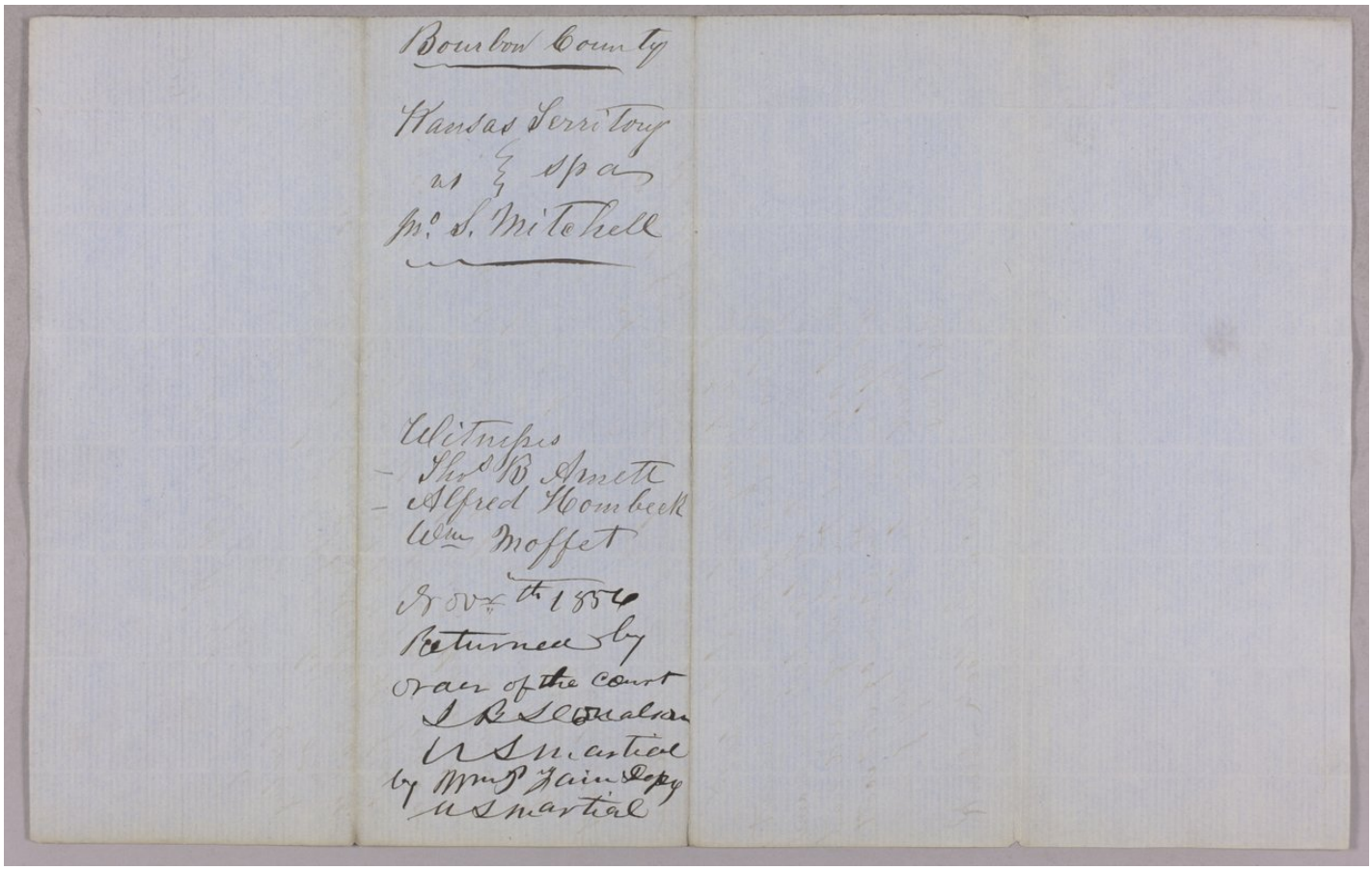
We command you to be and appear before the Judge of our Bourbon County District Court at the courthouse in the Town of Fort Scott, on the first day of the next term thereof which commences on the second Monday in October next, then and there to testify and the truth to say in a certain matter of controversy in our said Court pending wherein the State of Missouri is plaintiff and John L Mitchell ——— is Defendant on the part of the Plaintiff

Herein fail not, and have you then 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 Office in the Town of Fort Scott in said county this 28th day of Augt A.D 1856

Chas P Bullock - Clerk

Kansas Territory versus Jesse Mitchner for gambling



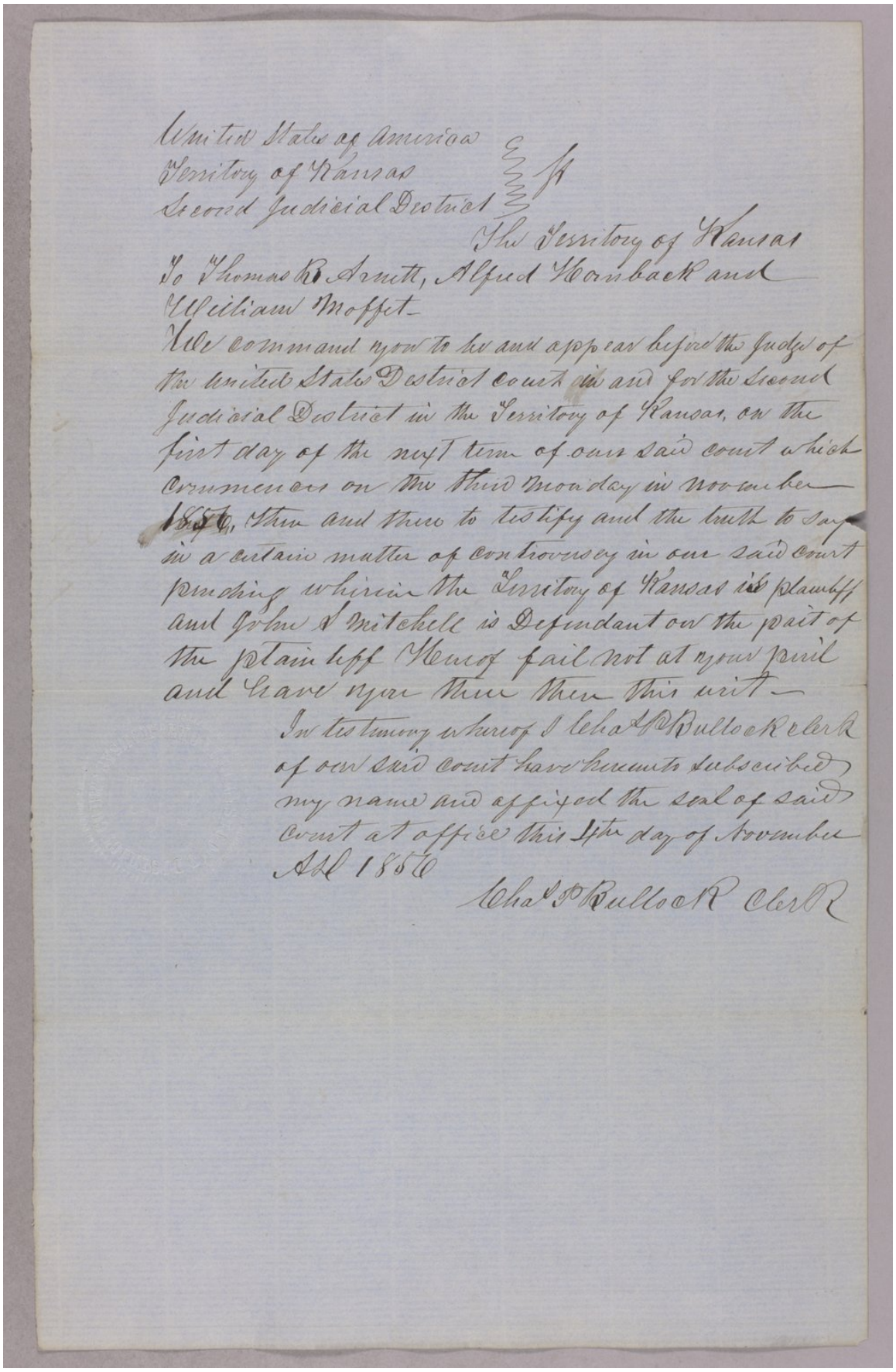
Bourbon County

Kansas Territory
vs
Jesse Mitchell

Witnesses
Thos B Smith
Alfred Hombeck
Wm Moffet

Nov 4th 1854
Returned by
order of the court
L Reese Deadman
U S Marshal
by Wm P Fain Dep
U S Marshal

Kansas Territory versus Jesse Mitchner for gambling



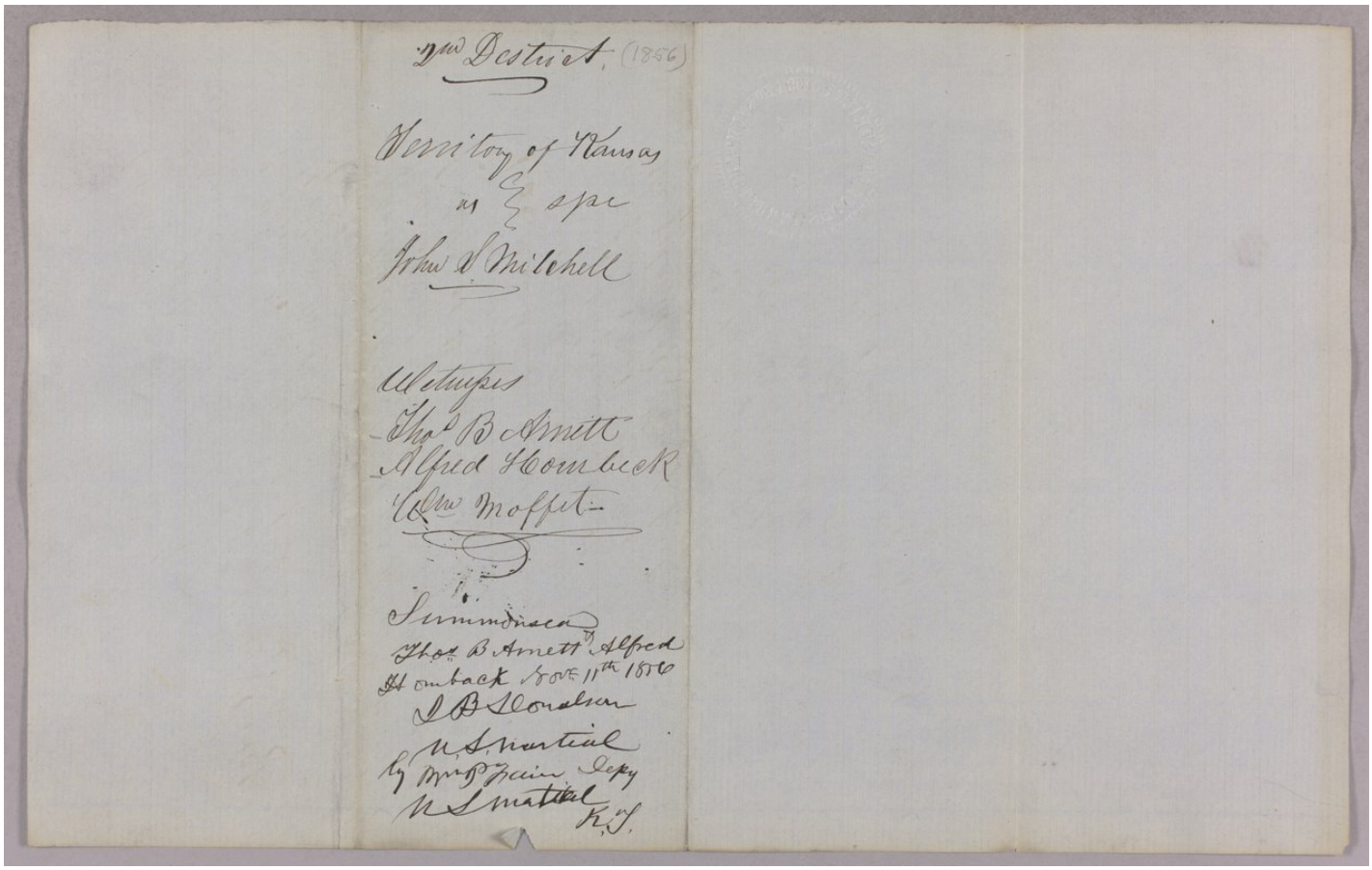
United States of America
Territory of Kansas
Second Judicial District } ss

The Territory of Kansas
To Thomas R Smith, Alfred Hornback and
Williams Moffet
We command you to be and appear before the Judge of the United States District Court in and for the Second Judicial District in the Territory of Kansas, on the first day of the next term of our said court which commences on the third Monday in November 1856, then and there to testify and the truth to say in a certain matter of controversy in our said court pending wherein the Territory of Kansas is plaintiff and John A Mitchell is Defendant on the part of the plaintiff Herein fail not at your peril and have you then there this writ

In testimony whereof I Chas L Bullock Clerk of our said court have hereunto subscribed my name and affixed the seal of said court at office this 4th day of November A.D. 1856

Chas L Bullock Clerk

Kansas Territory versus Jesse Mitchner for gambling



2nd District (1856)

Territory of Kansas
vs
John S Mitchell

Witnesses
Thos B Amett
Alfred Hornbeck
Wm Moffet

Summoned
Thos B Amett & Alfred
Hornback Nov 11th 1856
L B Donalson
U S Marshal
by Wm Phair Depy
U S Marshal
K T