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Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance

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Date: date January 15, 1858

Callnumber: Kansas Territory Criminal Case Files, Box 11, Folder 29

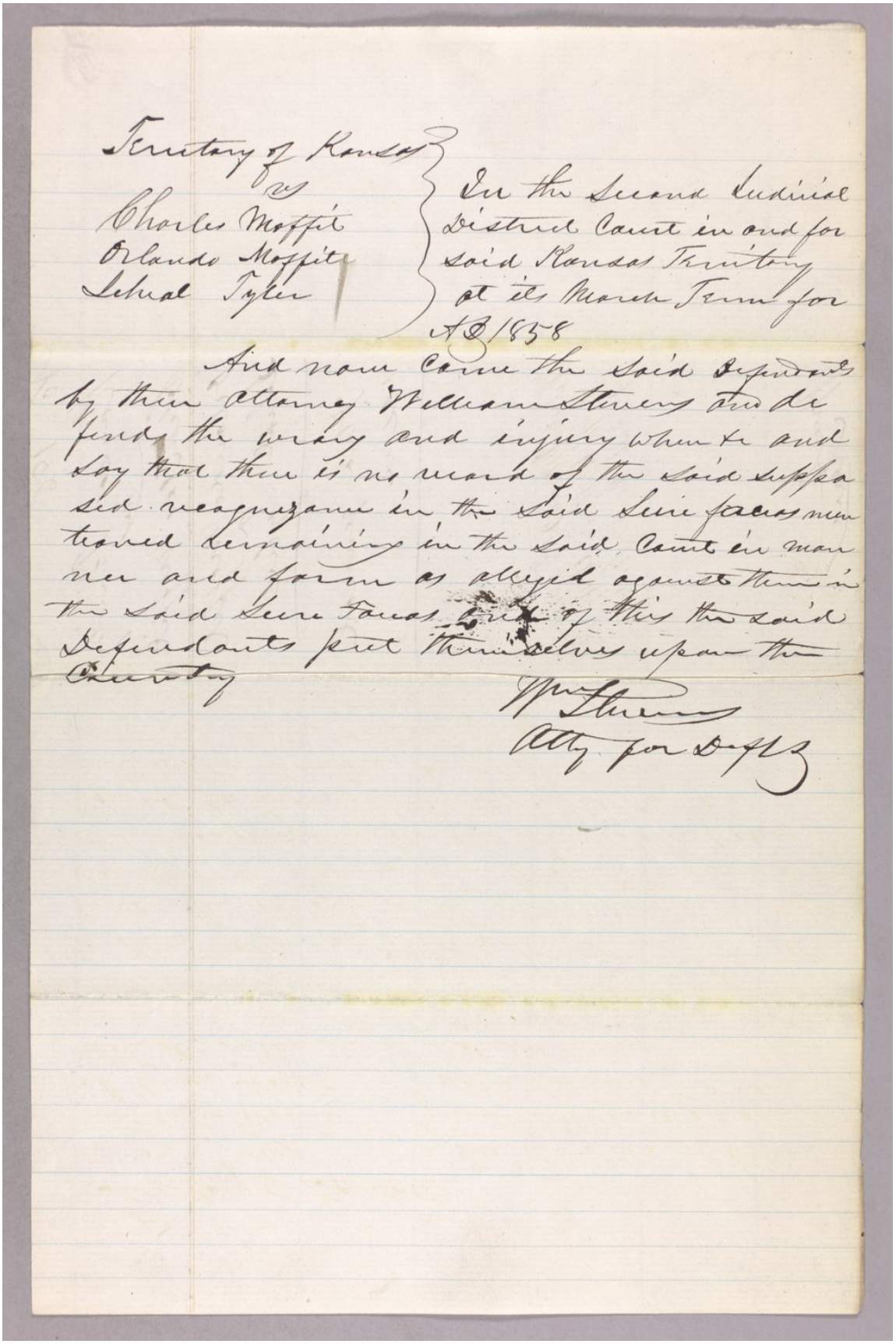
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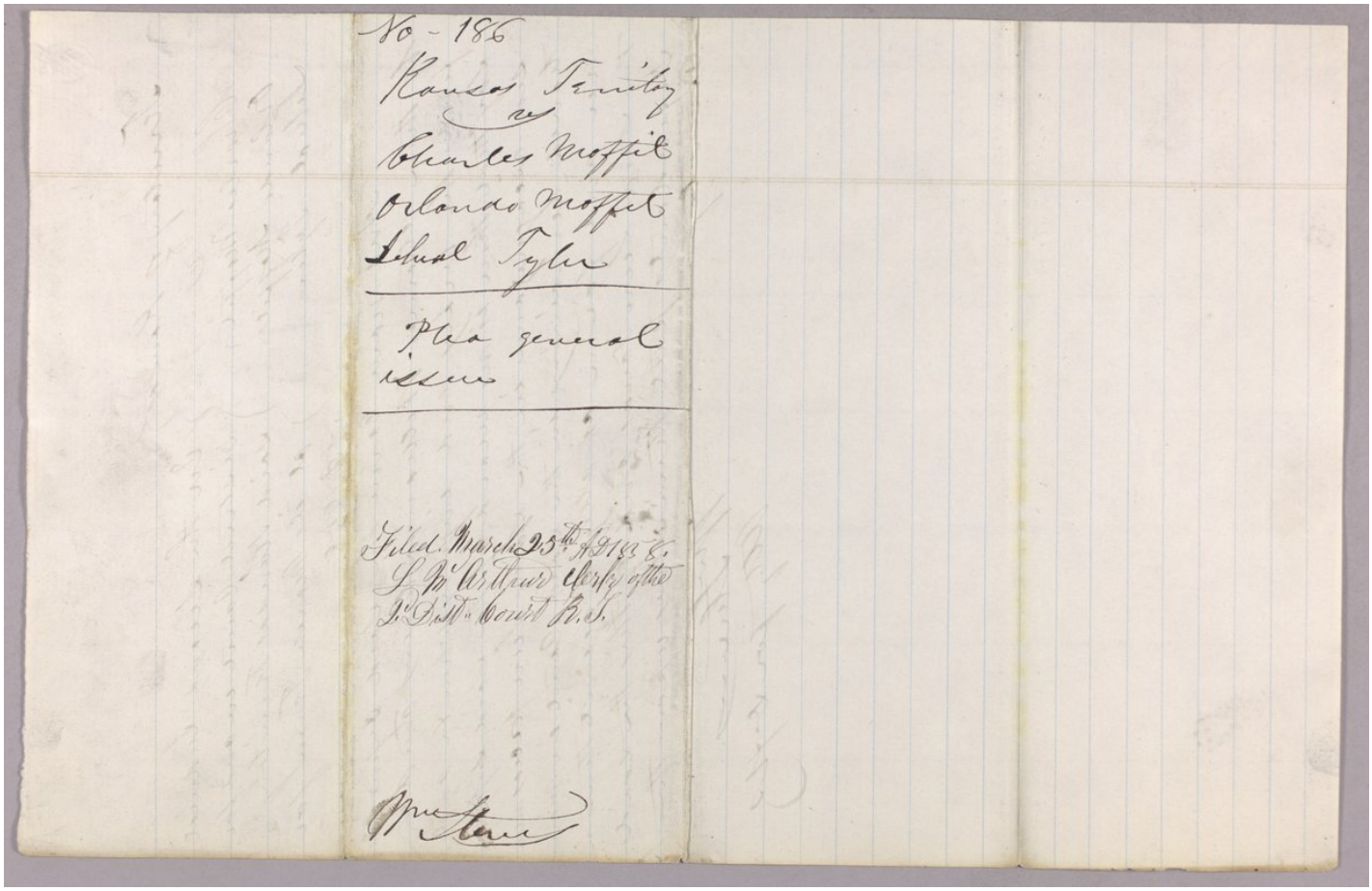
Territory of Kansas
vs
Charles Moffit
Orlando Moffitt
Jehial Tyler

In the Second Judicial District Court in and for said Kansas Territory at its March Term for A.D. 1858

And now come the said Defendants by their attorney William Stevens and defends the wrong and injury when &c and say that there is no record of the said supposed recognizance in the said Secretaries removed remaining in the said Court in manner and form as alleged against them in the said Secretaries Bill of this the said Defendants put themselves upon the Country

Wm Stevens
Atty for Defts

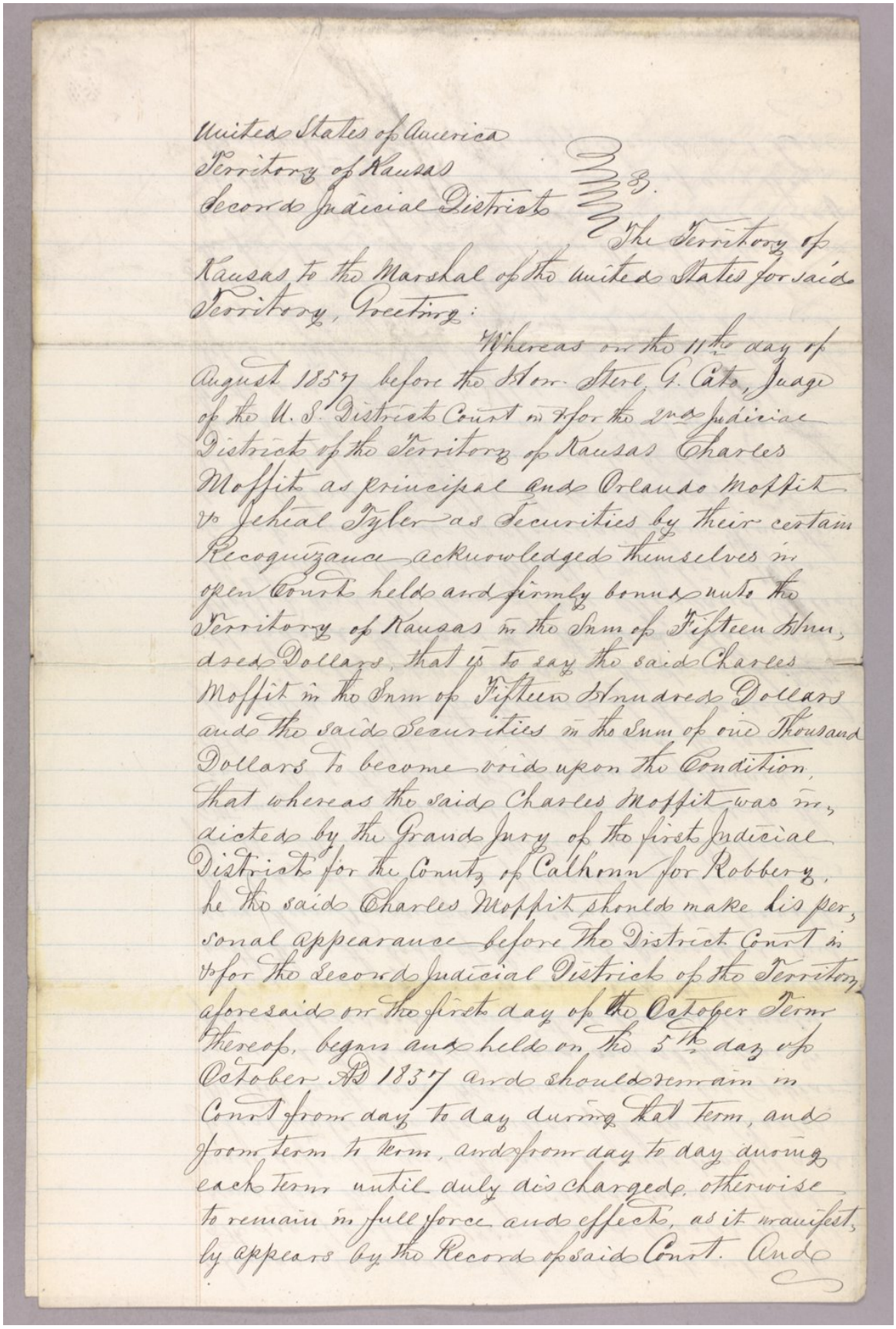
Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance


No - 186
Kansas Territory
vs
Charles Moffit
Orlando Moffet
Jehial Tyler

Plea general
issue

Filed March 25th A.D. 1858
S. Po Arthur Clerk of the
U. S. Dist. Court K. T.

Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance



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

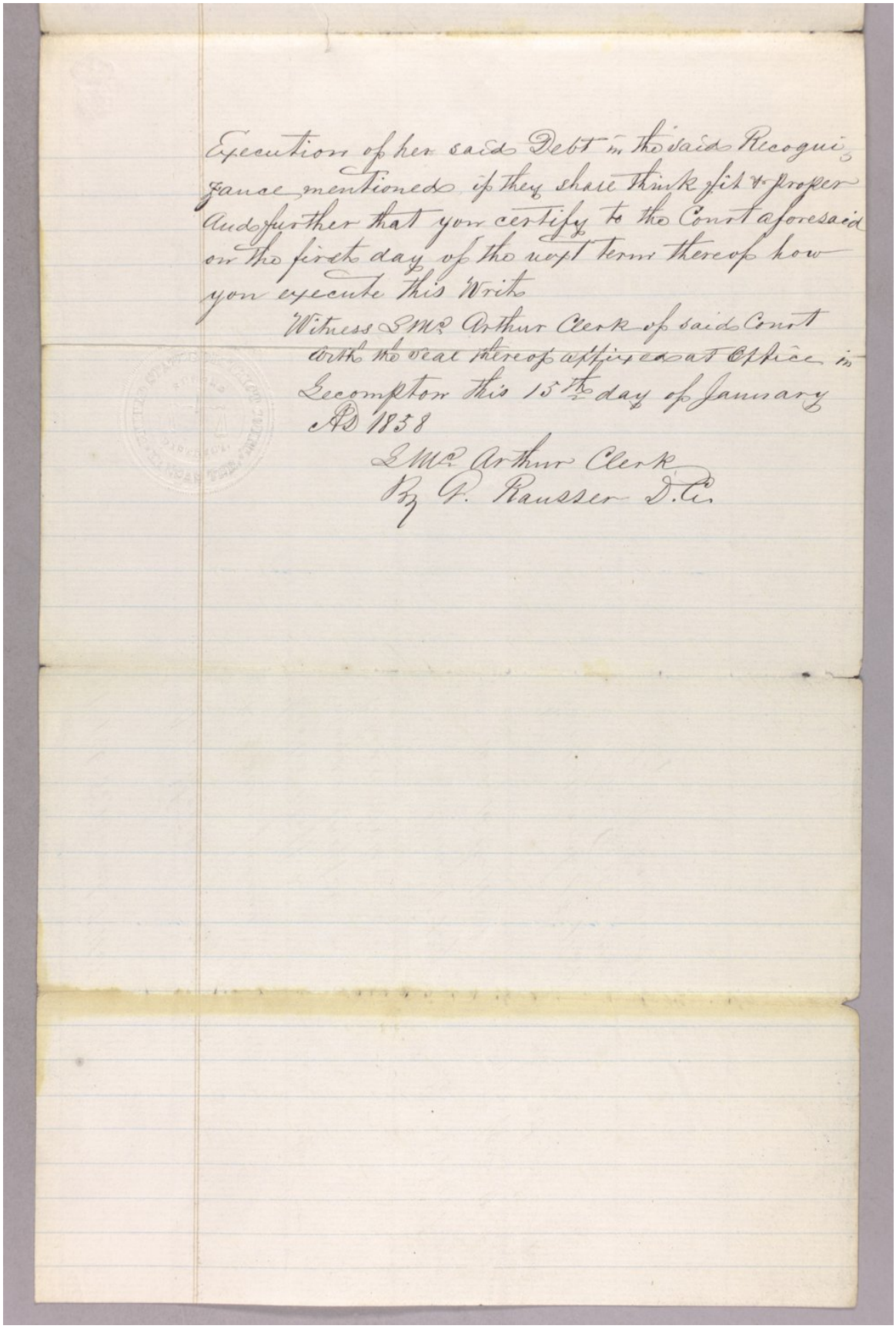
The Territory of Kansas to the Marshal of the United States for said Territory, Greeting:

Whereas on the 11th day of August 1857 before the Hon. Sterl. G. Cato, Judge of the U. S. District Court in & for the 2nd Judicial District of the Territory of Kansas Charles Moffit as principal and Orlando Moffit & Jehial Tyler as Securities by their certain Recognizance acknowledged themselves in open Court held and firmly bound unto the Territory of Kansas in the Sum of Fifteen Hundred Dollars, that is to say the said Charles Moffit in the Sum of Fifteen Hundred Dollars and the said Securities in the Sum of one Thousand Dollars to become void upon the Condition, that whereas the said Charles Moffit was indicted by the Grand Jury of the first Judicial District for the County of Calhoun for Robbery, he the said Charles Moffit should make his personal appearance before the District Court in & for the Second Judicial District of the Territory aforesaid on the first day of the October Term thereof, begun and held on the 5th day of October AD 1857 and should remain in Court from day to day during that term, and from term to term, and from day to day during each term until duly discharged, otherwise to remain in full force and effect, as it manifestly appears by the Record of said Court. And

Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance

whereas afterwards in the said Court, to wit on the 6th day of October 1857 the said Charles Moffit being three times solemnly called came not but made default, and the said Orlando Moffit and Jehial Tyler, the Securities of the said Charles Moffit in the said Recognizance for his appearance at the Court aforesaid and at the time & place aforesaid, being three times solemnly called and required to come into Court and bring with them the body of their said principal, and save their Recognizance came not nor brought the body of their said principal but made default. Thereupon on motion of the District Attorney it was ordered and considered by the Court that the said Recognizance of the said Charles Moffit be forfeited and the same was forfeited, as by the Record of the said Court manifestly appears, and the Sum of Fifteen Hundred Dollars by the said Charles Moffit and the Sum of one Thousand Dollars by the said Orlando Moffit & Jehial Tyler so acknowledged as aforesaid from them the said Charles Moffit Orlando Moffit & Jehial Tyler still remains to be levied. You are therefore commanded, that you give Notice to the said Charles Moffit, Orlando Moffit & Jehial Tyler, that they be and appear before the Judge of the U. S. District Court in & for the second Judicial District of the Territory of Kansas on the first day of the next Term thereof, to be begun and held at the City of Lecompton on the 1st day of March AD 1858 to show cause if any they have, why the said Plaintiff should not have

Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance

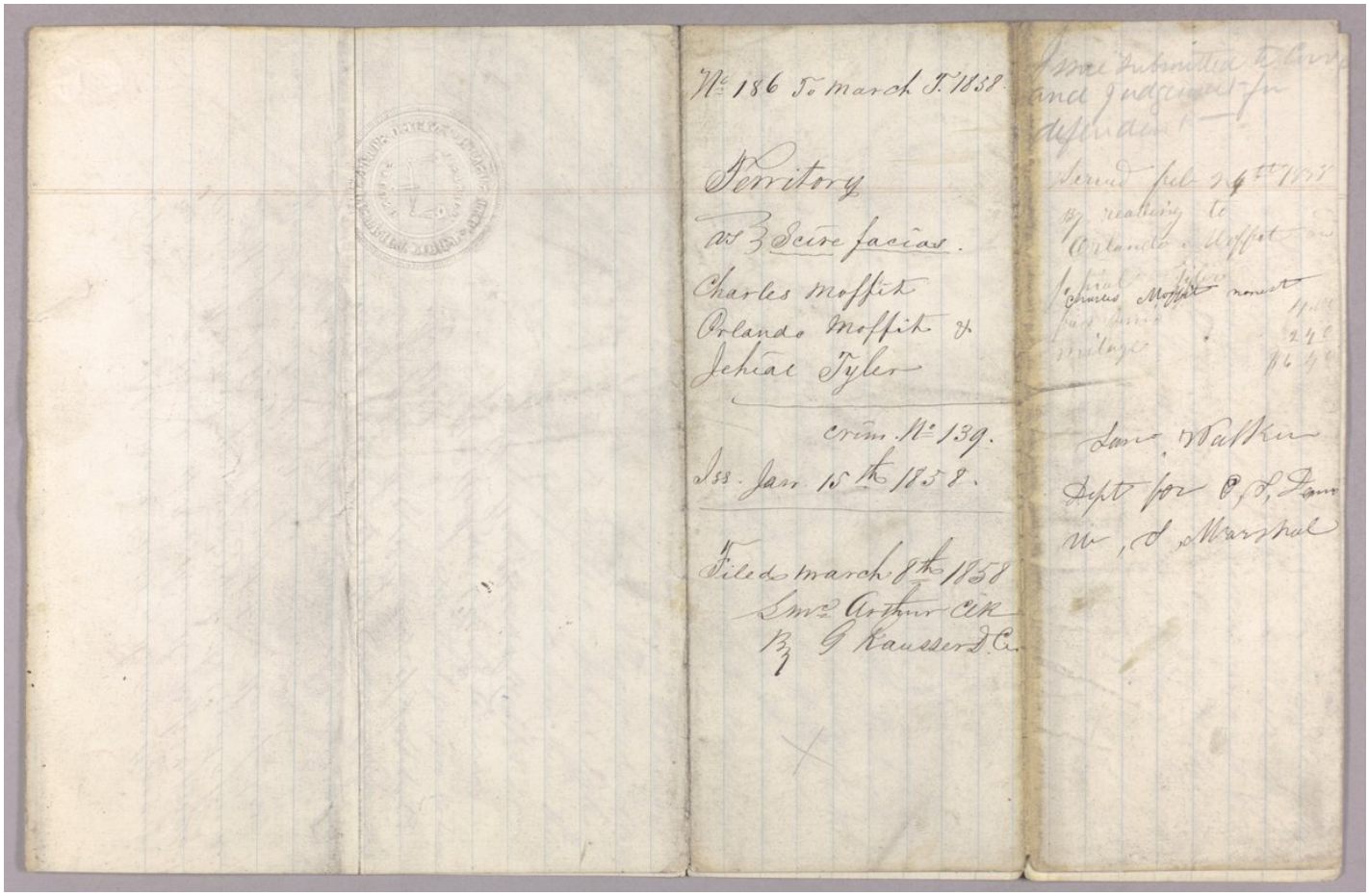


Execution of her said Debt in the said Recognizance mentioned if they shall think fit & proper And further that you certify to the Court aforesaid on the first day of the next term thereof how you execute this Writ

Witness D M^c Arthur Clerk of said Court with the seal thereof affixed at Office in Lecompton this 15^th day of January AD 1858

D M^c Arthur Clerk
By P. Rausser D.C.

Kansas Territory versus Charles Moffet, Orlando Moffet, Jehial Tyler for forfeited recognizance


No 186 To March T. 1858.

Territory
vs } Scire facias.
Charles Moffit
Orlando Moffit &
Jehial Tyler

crim. No 139.
Iss. Jan 15th 1858.

Filed March 8th 1858
Sml Arthur Clk
By G Kaussler D.C.

Issue submitted to Court and Judgment for defendant

Served Jul 24th 1858
By reading to
Orlando Moffet
Charles Moffet

Jno. Walker
Dept for B. F. Dawson
U. S. Marshal