

United States versus Samuel M. Wood for larceny

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United States versus Samuel M. Wood for larceny

United States
vs

Sam. Wood

vs

Witness

Edward Chapman

Filed May 9th

1857

I return the within
nonest the party
has left the country
May 9th 1857

E. Dennis
US Marshal

By W. P. Rain
Deputy

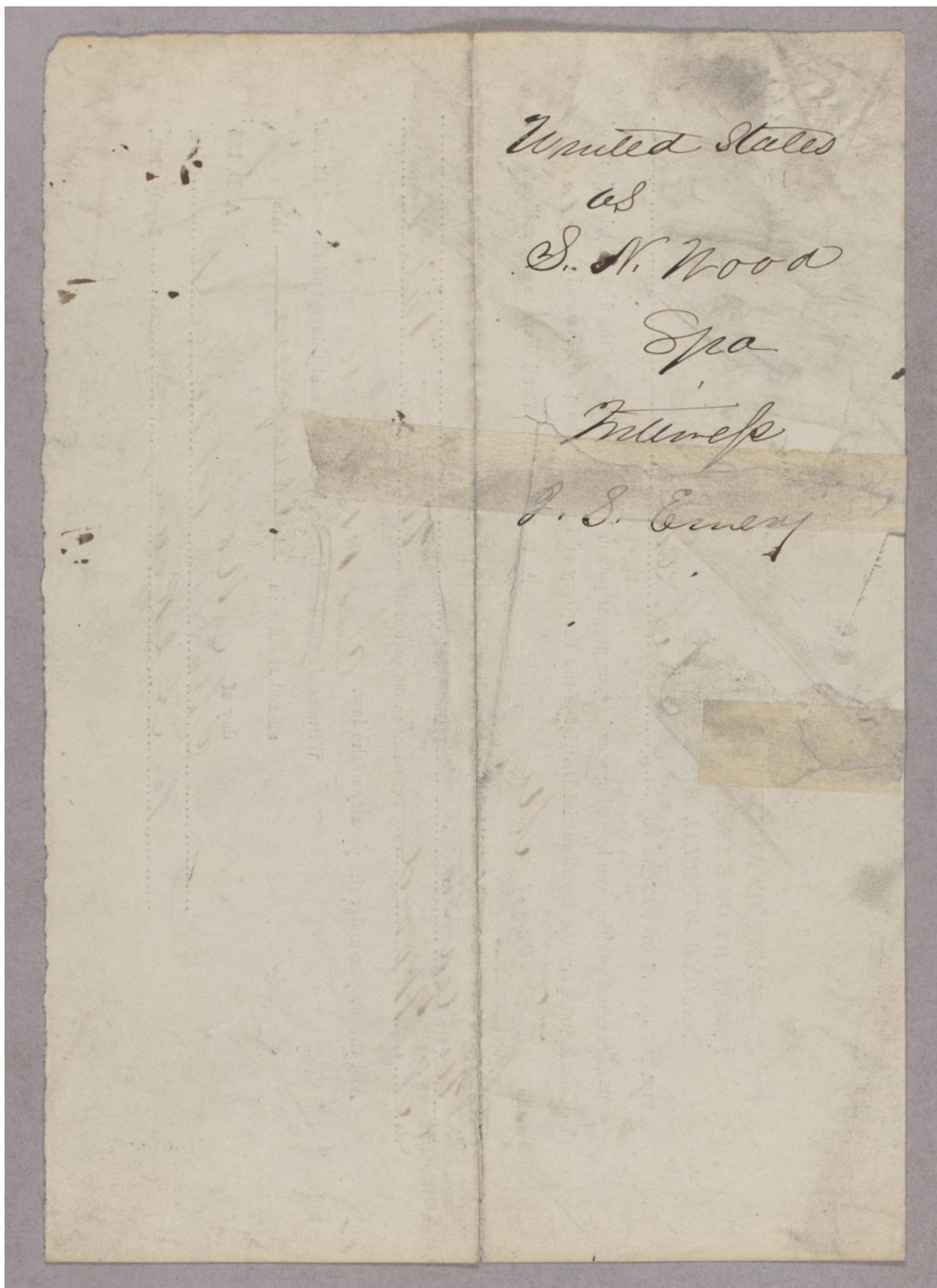
United States versus Samuel M. Wood for larceny

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS. } ss.
SECOND JUDICIAL DISTRICT
THE TERRITORY OF KANSAS TO *J. S. Emery*

We command you that you be and appear in your proper person before the Judge of the first District Court of the United States for the first Judicial District of the Territory of Kansas at the Court House in *Decatur* on the *7* day of *May* A. D. 185*7*, then and there to give evidence in a certain matter of controversy in said Court, depending between *United States* Plaintiff, and *Sam. Wood* Defendant on the part of the *United States*

And this do you under the penalty of the law. *Chas B Bullock*
Witness, *James H. Whitesad*, Clerk of said Court, and the seal thereof
affixed at office in *Decatur* this *7*
day of *May* A. D. 185
Charles B Bullock Clerk.
Wm A Roubure Deputy Clerk.

United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

37

NATIONAL DEMOCRAT PRINT, LECOMPTON, K. T.

United States of America, }
 TERRITORY OF KANSAS, } SCT.
 SECOND JUDICIAL DISTRICT. }
 Territory of Kansas, Greeting: TO ELIAS S. DENNIS, Marshal of the United States and

We command you to take *S. M. Wood*

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 Leocompton, and said District, on and from the ~~Monday~~ *Monday*, and ~~day~~ *day* of *forthwith*, A. D. 185 *7*, then and there to answer a certain crime of *Larceny*, 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. Lat* Judge of said District Court, this *8* day of *October* A. D. 185 *7*.

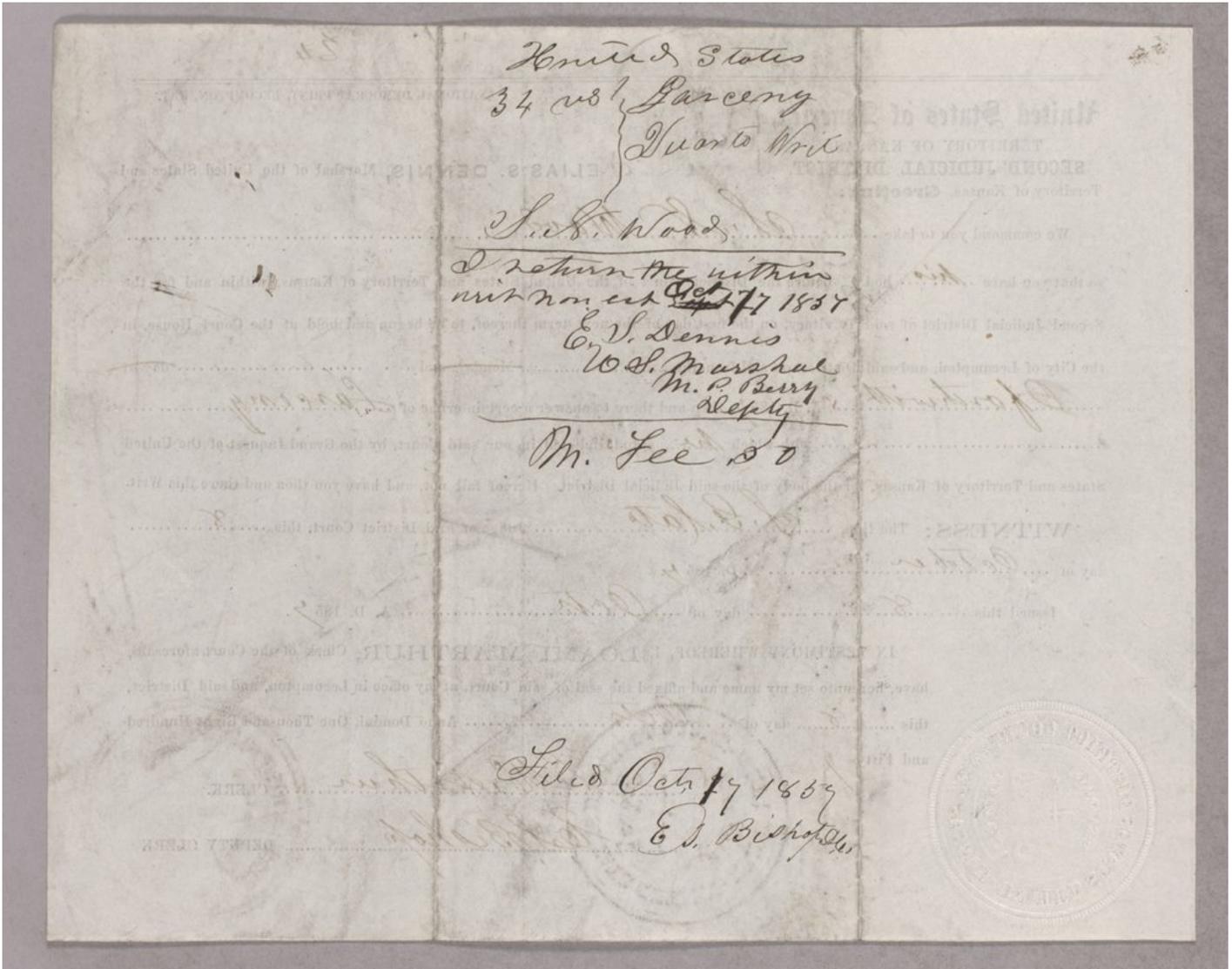
Issued this *8* day of *Octo* A. D. 185 *7*.

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 Leocompton, and said District, this *8* day of *Octo* Anno Domini, One Thousand Eight Hundred and Fifty-*7*

L. M. Arthur CLERK.
C. Bishop DEPUTY CLERK



United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

34

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

The United States of America and Territory of Kansas to *Edw & Chapman*
J. S. Emery, B. Newsome, J. A. Hallerman 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 Leecompton, on the *fourth* day of the ~~next~~ Term, on the *6th* day of *August* A. D. 1857, then and there to testify in a cause therein pending, wherein *the Territory of Kansas* is Plaintiff, and *Samuel M Wood* is Defendant, on the part of *the Puff*

And hereof fail not under penalty of the law.

Issued this *21st* day of *July* A. D. 1857

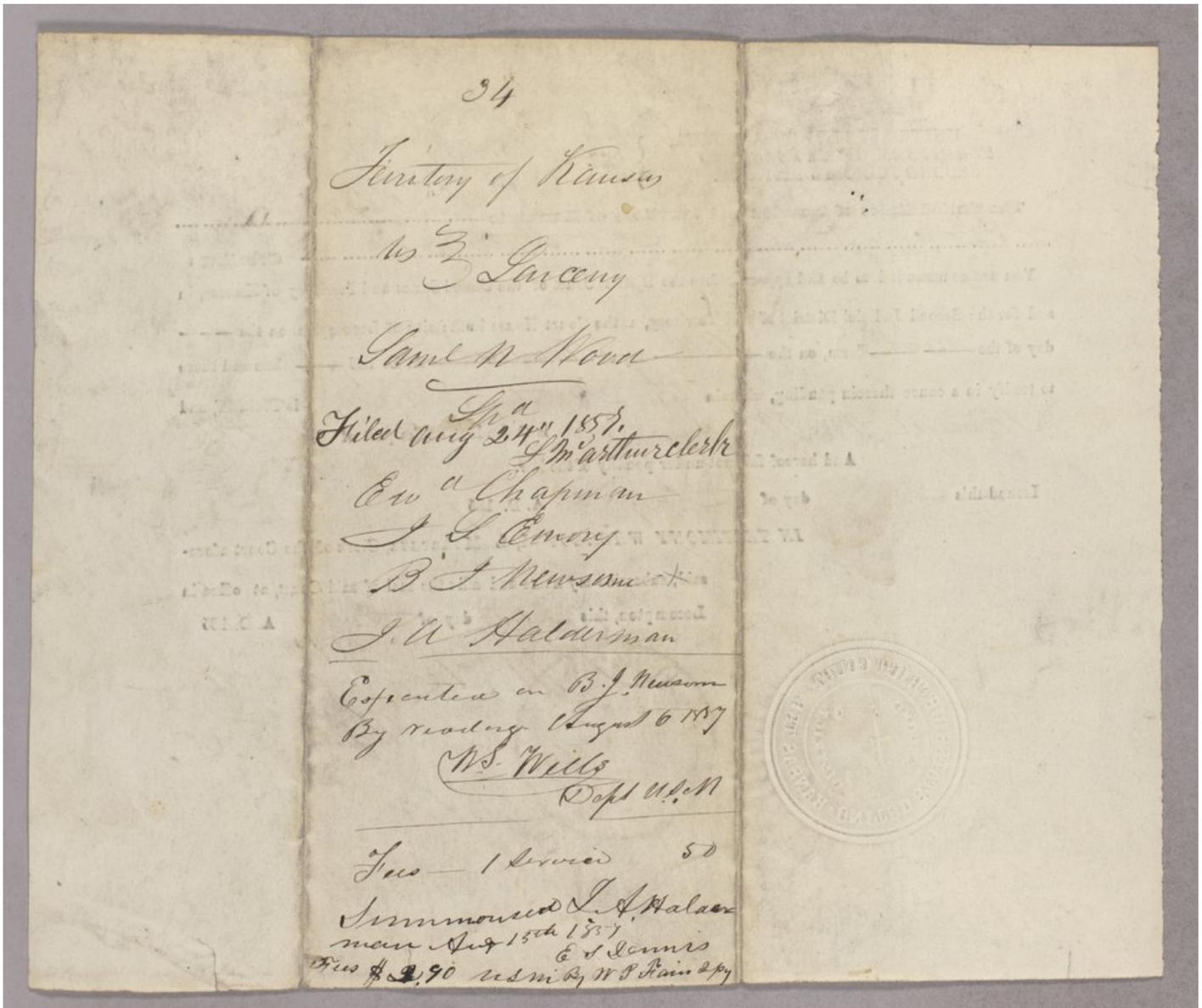
IN TESTIMONY WHEREOF—I, L. McARTHUR, Clerk of the Court afore-

said, subscribe my name and affix the seal of said Court, at office in Leecompton, this *21st* day of *July* A. D. 1857

L McArthur Clerk
per B Hogan S.C.



United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

United States of America, Territory of Kansas,
IN THE SECOND JUDICIAL DISTRICT. } SS.

And County of

The President of the

United States : To the United States Marshal for
Kansas Territory

GREETING:

Whereas, On the 10th day of October, A. D. 1859, at the October
Term of the District Court of United States within and for
the Second Judicial District of the said Territory,

The United States of America
obtained a Judgment against Samuel M. Wood

for the sum of \$..... Debt, \$..... Damages, and
\$ 25.07 for their costs in said suit expended unto \$4.91. etc.
Additional costs on this & previous writs.

These presents are therefore, to command you to levy and make of the goods and chattels
of the said Judgment Debtor the sum of \$ 29.98 / 100, the said debt, damages and costs,
with your fees hereon, and for want of goods and chattels, that you levy and make the same of
lands and tenements and real estate of the said Judgment Debtor, and that you have the
same before our said Court without delay, to satisfy the Judgment and costs aforesaid, and that
you return this writ within sixty days after this date; and also that you certify how you execute
this writ.

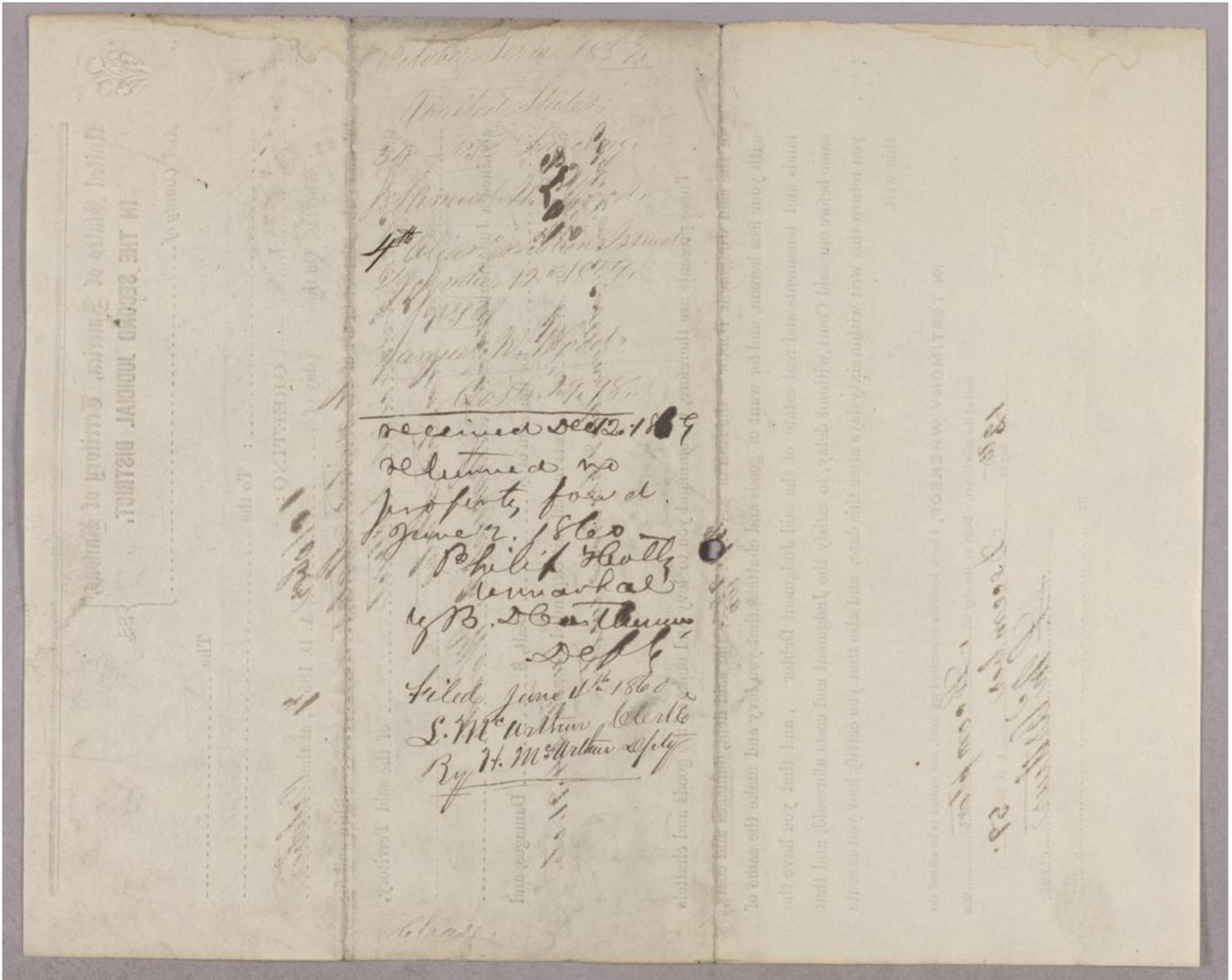
IN TESTIMONY WHEREOF, I have hereunto subscribed my hand, and caused to be affixed the

Seal of the said Court. Done at the city of Leecompton, this
12th day of December, A. D. 1859.

J. M. Arthur CLERK.

By D. C.

United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

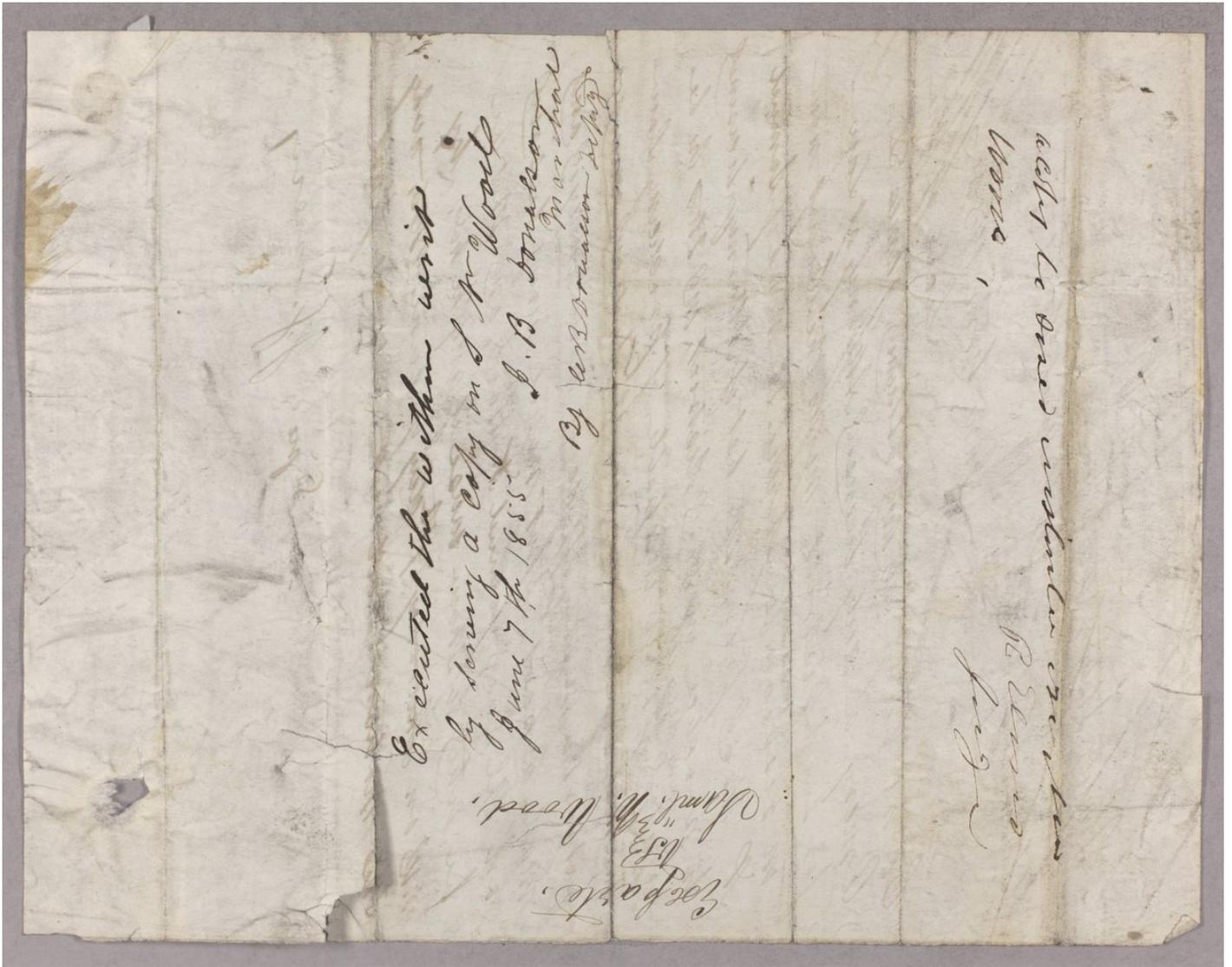
United States of America
District Judicial District Court
Territory of Kansas.

June term 1855

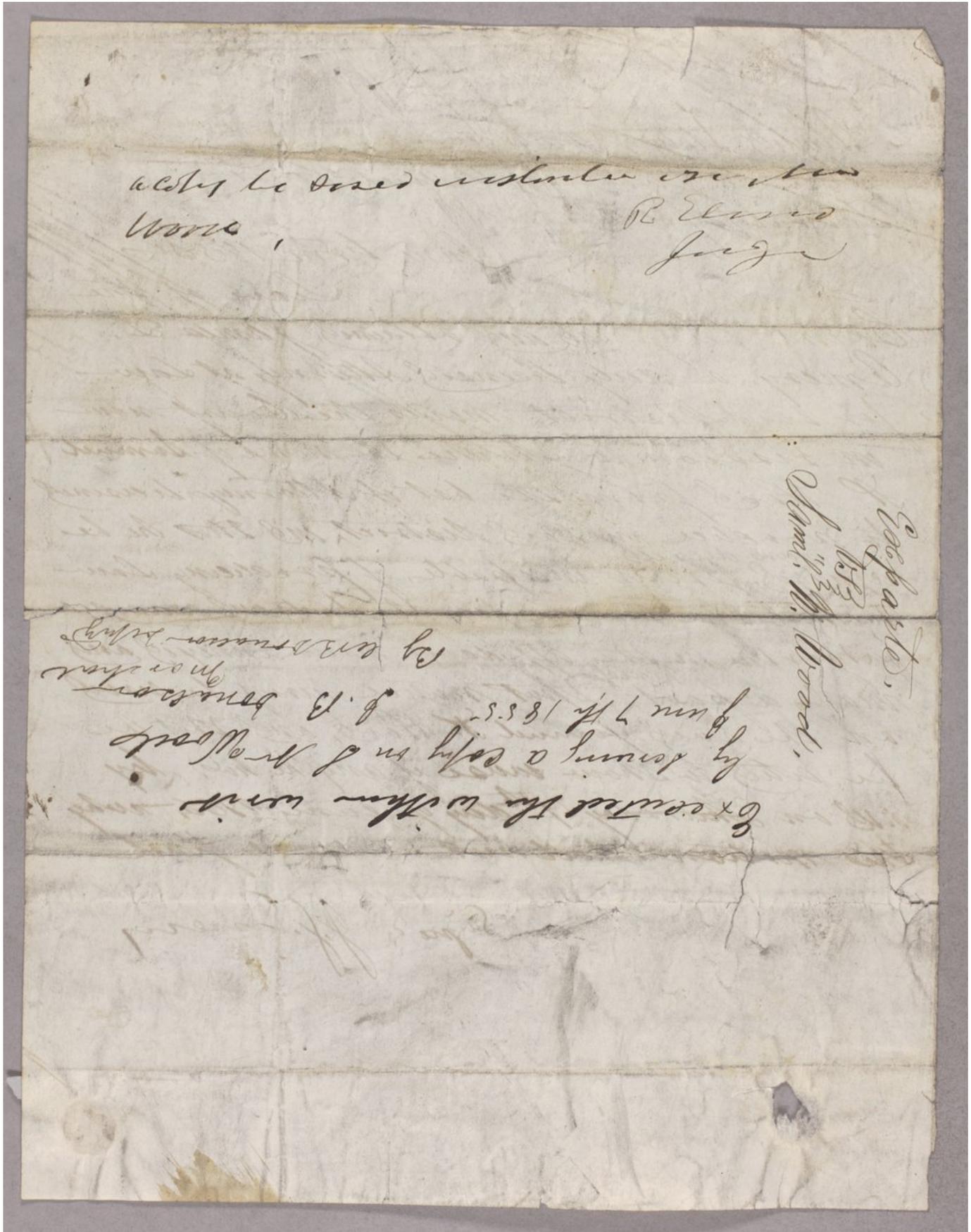
Leave of the
Court being had and obtained, James L.
Emery, a duly licensed Attorney at Law
for said District, moves the Court now
in session to strike the name of Samuel
M Wood from the list of Attorneys licensed
to practice in said District, and that he be
adjudged ^{and deemed} forever incapable of practicing Law
without the same, for the ~~following~~ causes
set forth in the Affidavit hereto annexed and
made a part ^{hereof}. That notice hereof be served
on the said Samuel M Wood, and that he
be cited to show cause if any he has, by
and on ~~Thursday~~ ^{the} day of June 1855, why
this motion shall not be made final

Signed J. J. Emery

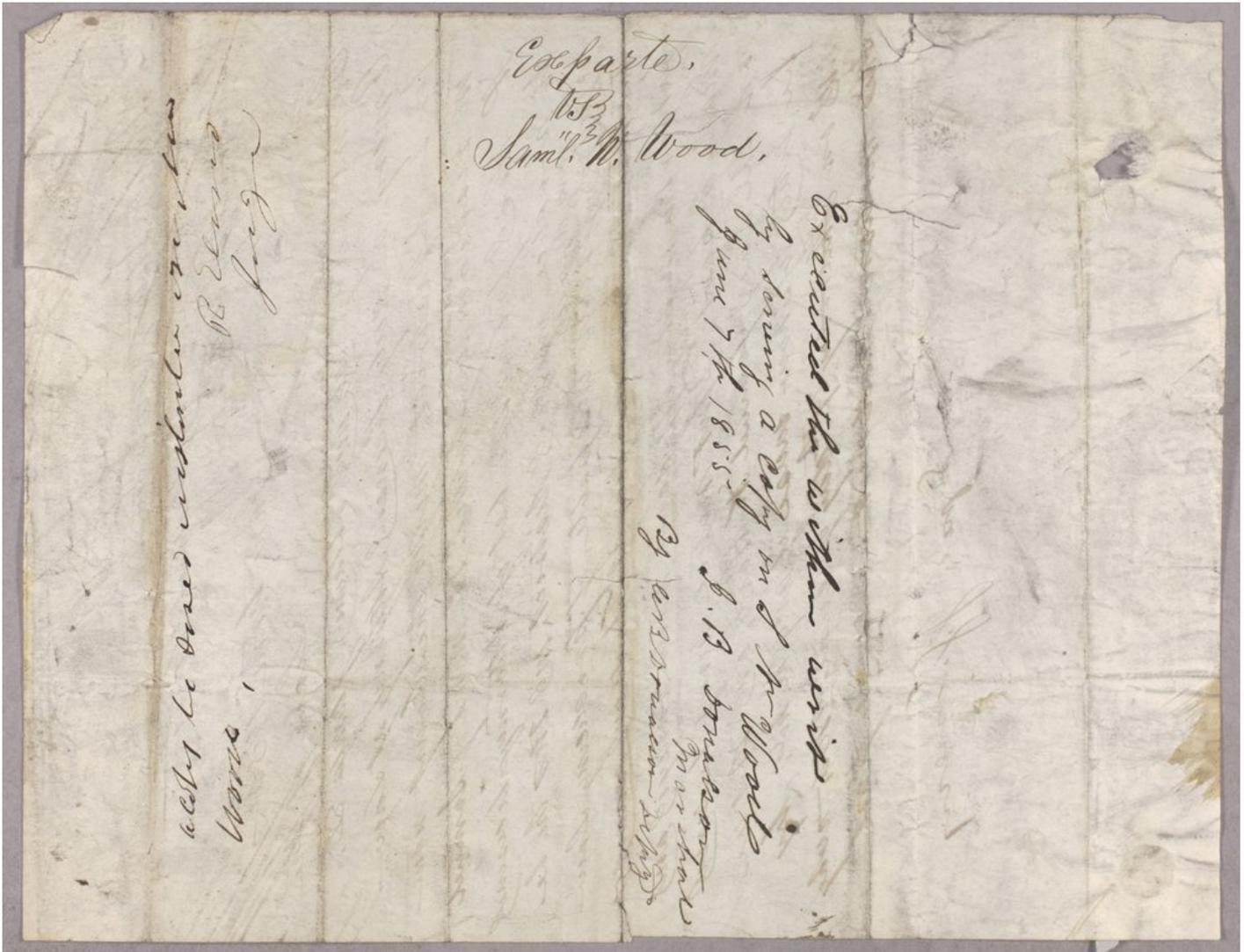
United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny





United States versus Samuel M. Wood for larceny

the same into his pocket and left the table.
 And deponent further says that while in the
 way from Lawrence to Topeka as he rode
 in the same carriage with said Wood, he
 was asked by said Wood to let him see the
 papers that the said Emery had delivered to
 him and that the said Wood remarked
 that those were the papers in the case of
 the Territory vs John Jay and also further
 remarked if there was not some way by
 which he the said Wood could get
 possession of the said papers or package.
 Subscribed and sworn this
 seventh day of June 1855 } E. Chapman
 J. S. Emery, J.P. }
 in and to the first
 District in said Territory
 before me
 sworn to and subscribed in open Court
 this the 7th day of June 1855
 Ben J. Newsum Clerk

J. S. Emery being duly sworn deposes
 that the above package of papers were the return
 papers from deponent as Justice of the Peace in
 the case of the Territory vs John Jay and that
 deponent has made diligent inquiry for
 said papers of this Hon Court and has
 been informed that no such papers
 ever came to the hands or possession of
 the Court for the Second Judicial District
 sworn to and subscribed before me in open
 Court this the 7th day of June 1855
 Ben J. Newsum Clerk



United States versus Samuel M. Wood for larceny

United States of America
 Second Judicial District Court
 Territory of Kansas

Edward Chapman
 of the town of Lawrence being duly sworn
 deposes and says that on the thirtieth day
 of April A.D. 1835 he received ^{from James Brumby Esq} a package of
 papers ~~here up~~ and put into a sealed envelope
 and was requested to deliver the same to
 A. J. Isaacs Atty General of said Territory or
 to the Clerk of the Court of said district
 on said day to sit in the town of Tecumseh.
 That the superscription on said package
 of papers or sealed letter was "A. J. Isaacs
 Esq Atty General of Kansas Territory or Clerk
 of the Court Tecumseh Dist." That deponent
 carried said package or letter to Tecumseh
 and as the said Court was opened at
 the dwelling house of Mr. Johnson and while
 the Deputy Marshal was at the door cry-
 ing open court deponent laid said
 package of papers or letter on directed paper
 the table of the court as the Court was
 opening ^{arrangement of the Court} papers and laying them on
 the same table. And deponent further
 says that after he so laid said package
 of papers on the said table and as the
 Hon the Judge Elmore turned his back to
 step into an adjoining room, ^{that he saw} one Samuel
 M. Wood who has since been licensed
 to practice at the bar of said Court hastily
 stepped up and took said package of
 papers or letter from said table or possession
 of the Court and concealed it by putting

United States versus Samuel M. Wood for larceny

United States of America }
" } Indictment for Larceny -
S. M. Wood - }

The Dept by his attorneys Shannond & Tarrins
comes and moves the court here to
quash the Indictment in this case
for the following reasons -

1. Because the Indictment does
not describe any offense against
the laws of the United States -

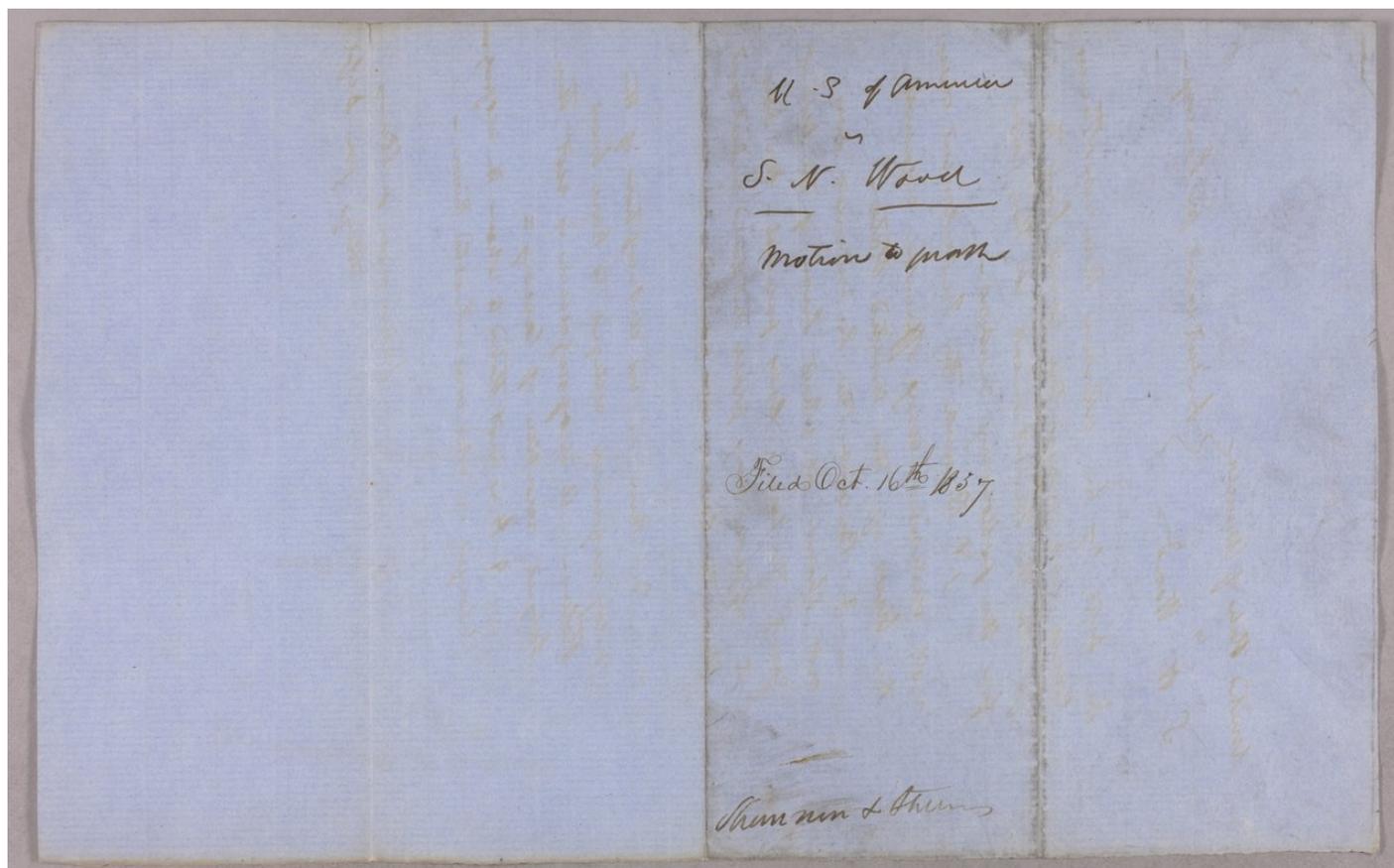
2. Because the Indictment does
not show out what Term of the District
Court the same was found - Nor does
it appear any place or said indictment
when the same was found -

3. There is no description of the
negotiable alleged to have been
stolen - A negotiable is not the
subject matter of larceny -

4. It is not stated to whom the negotiable
belonged or who was interested therein -

Shannond & Tarrins
Attys for Dept

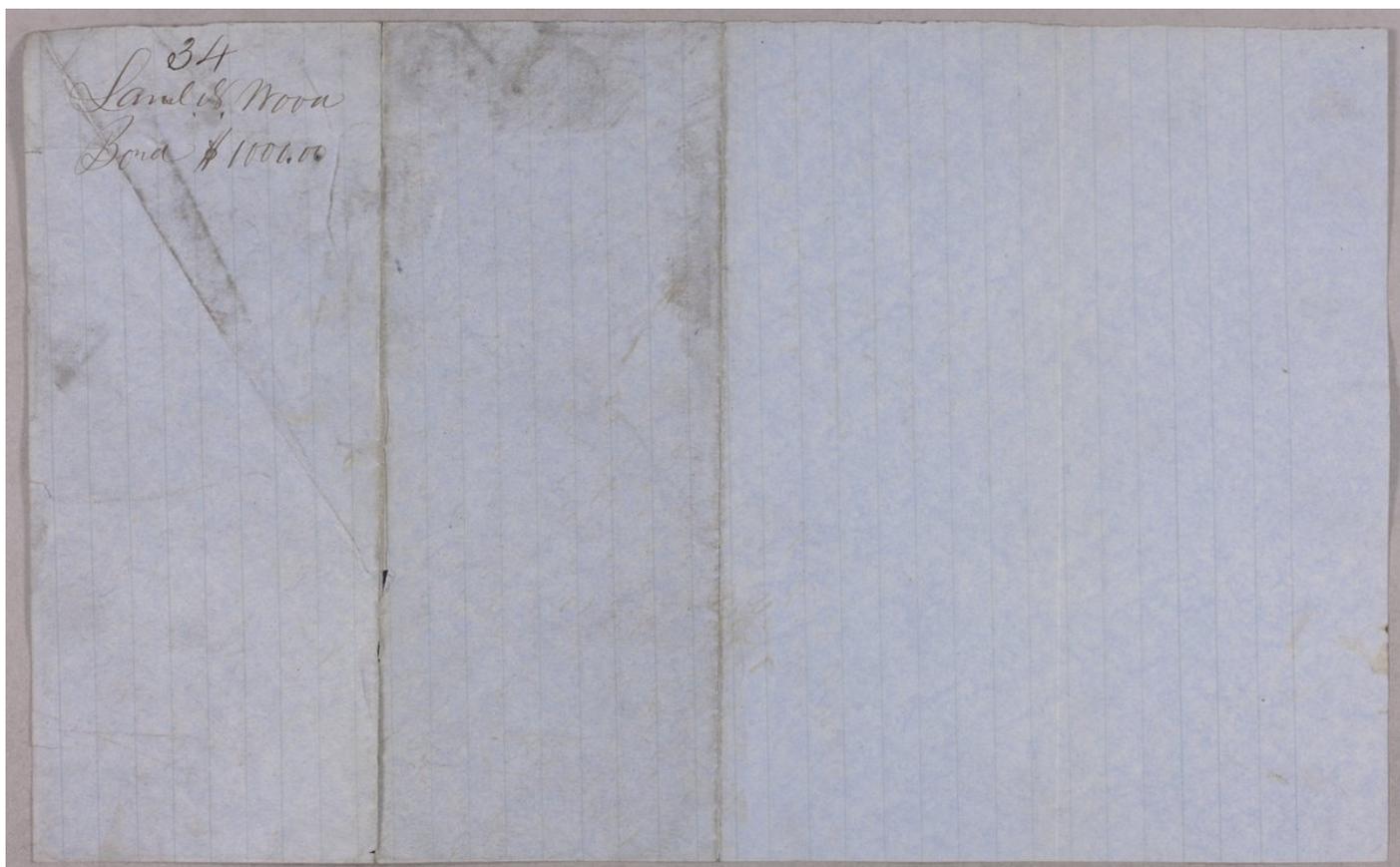
United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

United States of America } I know all men by
Territory of Kansas } these presents that
Second Judicial District } the said S. M. Wood as
} principal and
as Security are held and firmly bound
unto the Territory of Kansas in the just and
full sum of one thousand Dollars for which
we bind our selves to pay up on the following
condition, Now if the said S. M. Wood shall
well make his appearance in Leecompton on the
fifth day of May and remain in court
from day to day untill duly discharged
by said court for the crime of Larceny
then the above obligation to be null and
void otherwise to remain in full
force and virtue. *May 4th 1857*
S. M. Wood
M. S. Conway
W. J. Phillips
Apprend. this 4th May
A. D. 1857 - and being
justified in the sum
of one thousand dollars
cash. S. J. G. also
Judge

United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

The President of the United States
To the Marshall of the District of
Kansas I W. Bonalson Greeting
You are hereby commanded
that you take Samuel M. Wood
if he shall be found in your
District and him safely keep that
you may have his body before
the District Court of the United States
of America for the Second Judicial
District of the Territory of Kansas
to be held at the town of Tecumseh
in said District on the Second Mon-
-day after the third Monday of Octo-
ber next before the Judge of said
Court to answer to a charge of
Larceny preferred against him by
a bill of indictment of the Grand
Jury of said Court. And have
you then and there this Warran-
-t. Witness Honorable Rush Elmore
Judge of said Court. Given
under my hand and the Seal
of said Court this the sixth day
of July 1855.

Ben J. Newson. C. M.

United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

United States of America.

TERRITORY OF KANSAS, }
County of Douglas } ss.
Second Judicial District

The Territory of Kansas

To *The Marshal of the United States in said Territory* Greeting:

We command you to take *Samuel W Wood, and him safely keep*

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 *the court house in the City of Leecompton*, in said County of *Douglas* on the *first* Monday in *May* - next, then and there to answer a certain crime of *Larceny* with which *he* stands indicted in our said Court, by the Grand Jury for the body of *the* said County of *Said District* -

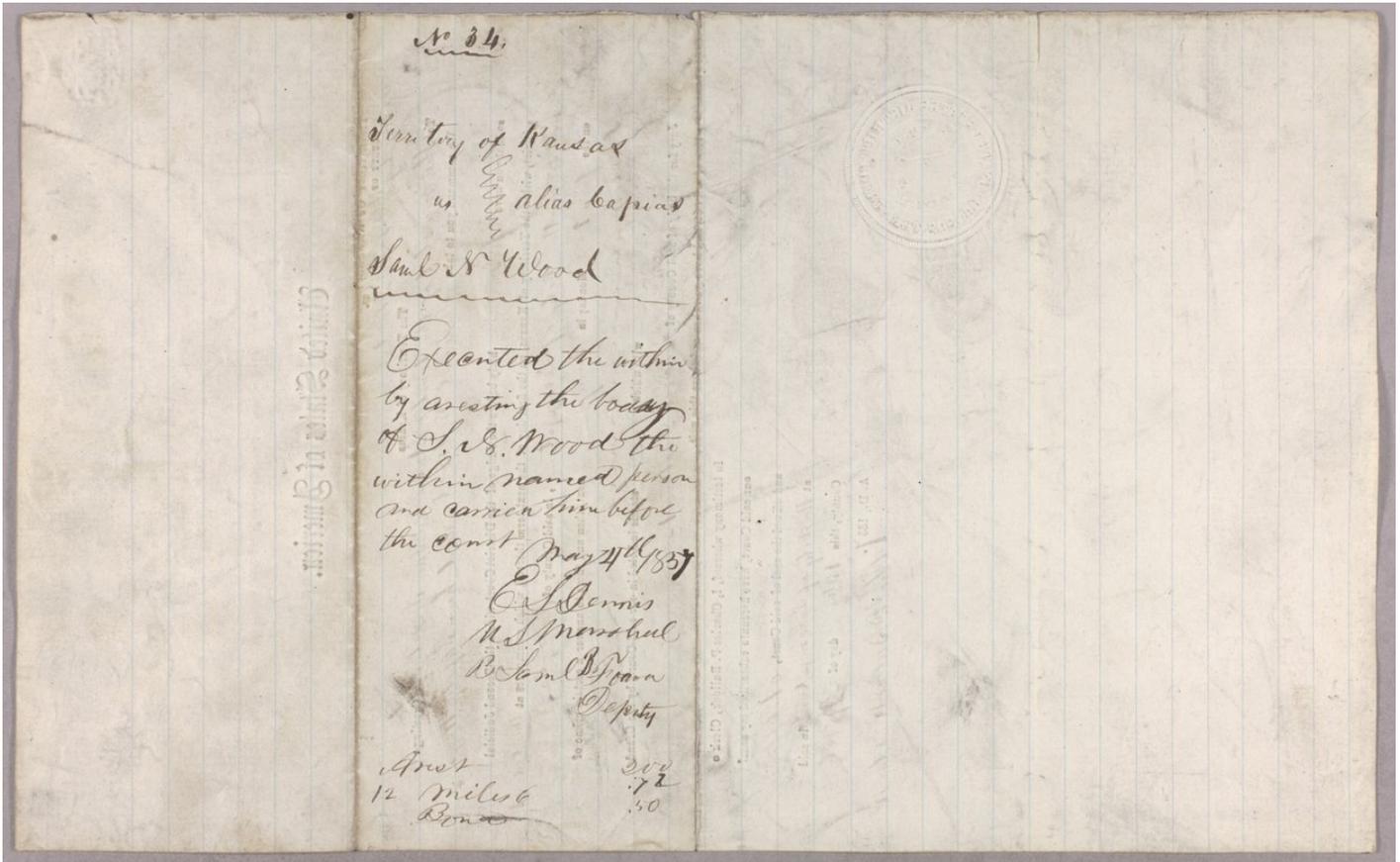
Hereof fail not, and have you then and there this writ.

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 office at *the City of Leecompton* in said County, this *13th* day of *April* A. D., 1857.

Chas. P. Bullock - Clerk



United States versus Samuel M. Wood for larceny





United States versus Samuel M. Wood for larceny

34.

United States of America
Territory of Kansas
Second Judicial District

The Territory of Kansas

To Edward Chapman, Jas J Emery
By E. Newson & F. A. Alderman Greeting

We Command you to be and appear before the Judge
of the United States District Court at the Court
house in the Town of Leominster in Douglas County
on the 6 day of the next term thereof which
Commences on the first day of Monday of Oct
next. Then and there to testify and the truth
to say in a certain matter of Controversy in
our said Court pending wherein

The United States is Plaintiff
and Saml M. Wood is Defendant
on the part of the Plaintiff

Hereof fail not at your peril and have you
then and there this writ sign

Witness that Bullock Clerk
of our said Court. And the seal
of said Court hereto affixed
at office in Leominster
this 22^d day of September
A. D. 1837



L. M. Arthur Clerk
By E. B. Bishop

for the United States

1837 - 11 - 20 - int

received of

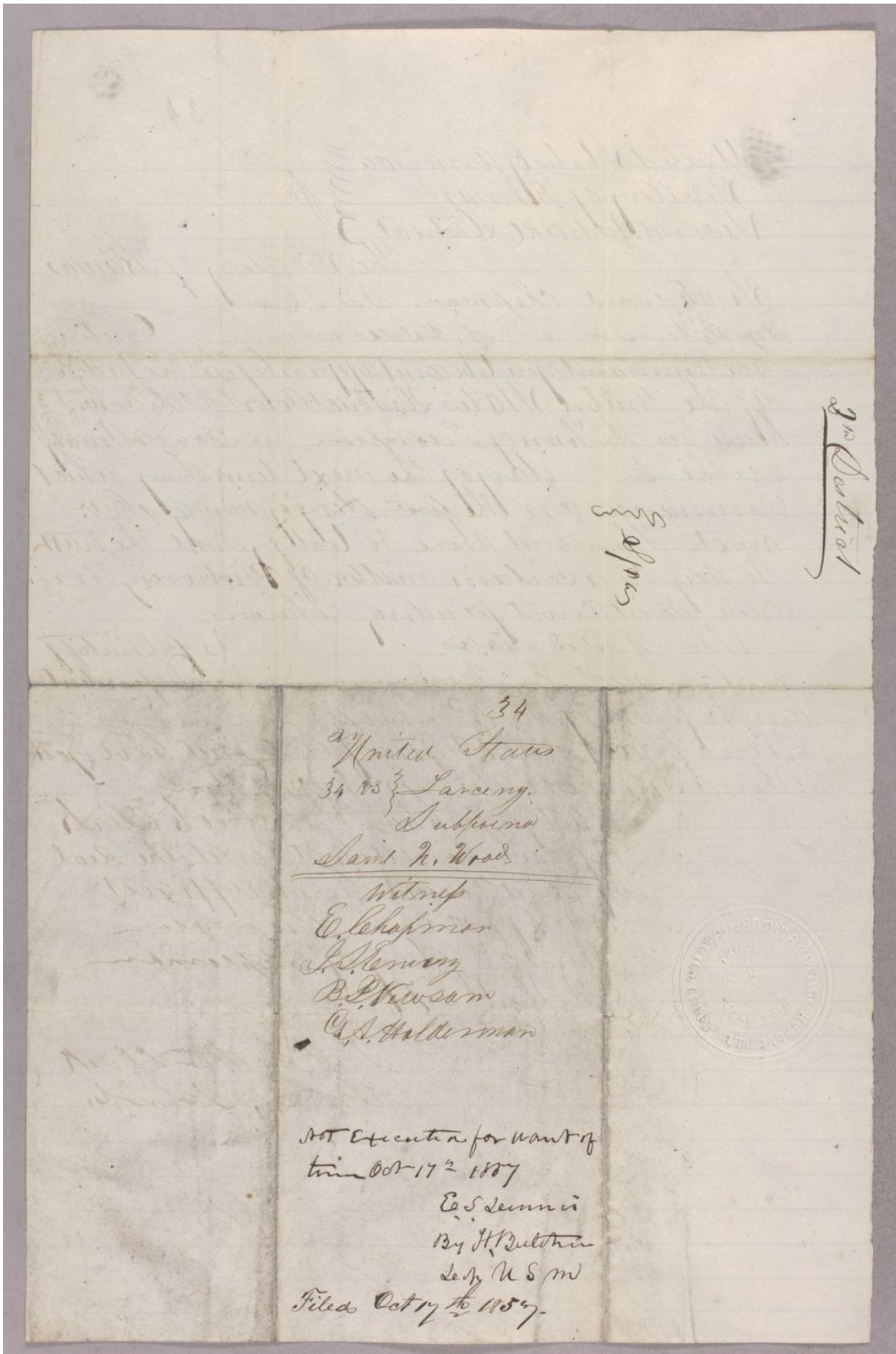
Edward Chapman

for the United States

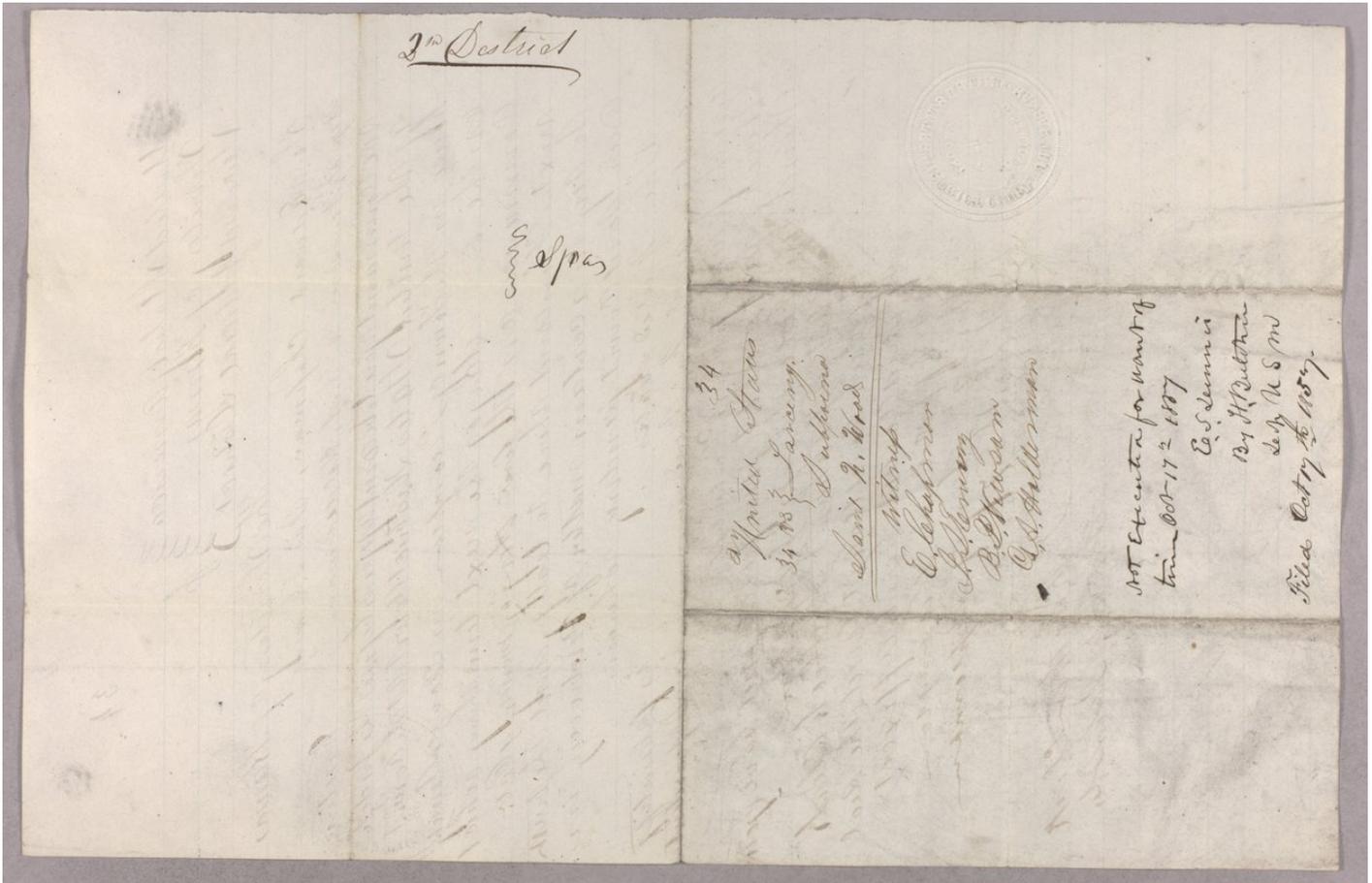
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United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

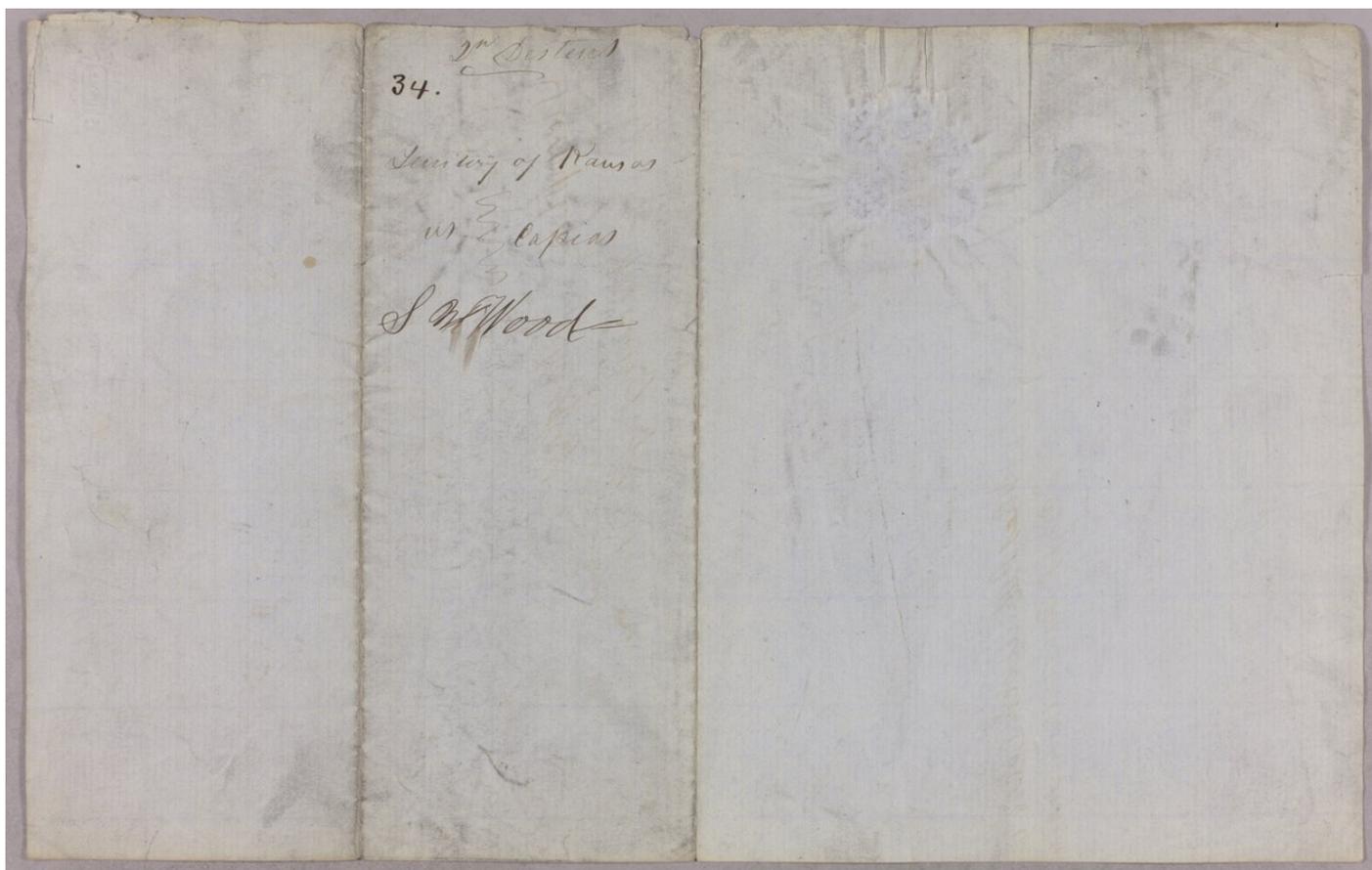


United States versus Samuel M. Wood for larceny

United States of America
Territory of Kansas }
Second Judicial District }
The Territory of Kansas
To the Marshal of said Territory Greeting
We again command you to take
S M Wood
and him safely so that you have his body
before the Judge of the United States District
Court within and not the second Judicial
District at the courthouse in the town of
Decompton in Douglas County forthwith there
and there to answer a certain crime of
Rescuing prisoner.
with which he stands indicted by the
grand jury for the Territory aforesaid -
thereof bail not at your peril and
have you then and there this writ,
In testimony whereof I the
Charles P Bullock clerk of
our said court have hereunto
set my name and affixed
the seal of said court at
office Chas P Bullock Clerk
By S M O Arthur Sept 20



United States versus Samuel M. Wood for larceny





United States versus Samuel M. Wood for larceny

United States of America }
 Territory of Kansas } June Term
 1855

Be it remembered that this day personally
 appeared in open Court S. M. Wood who
 being duly sworn deposes and says that in
 answer to the motion of St. J. Isaacs
 Atty. Gen. of said Territory for information
 of the property Money Credits or effects of
 one Lucy Kibbee in his possession deposes
 and says that he has not any money Credits
 property or effects of the said Kibbee in
 his possession and that he has not at any
 time received any thing of the said Kibbee
 except for services rendered as his Attorney.
 That after the said Kibbee left the
 Territory, ~~to~~ this affiant received one hun-
 dred dollars from ~~Mr. J. M. Kibbee~~
^{wife of the said Lucy Kibbee}
 that he accepted to her for that amount
 that he rendered services for the same
 to the amount of fifty dollars, that he
 sides he has a book account against
 the said Kibbee ~~to~~ to the amount
 of forty dollars as near as this affi-
 ant can now recollect his books be-
 ing at Lawrence the precise amount
 he cannot now positively state. ~~That~~
~~this affiant further states that he~~
~~has the money paid to him by Mr.~~
~~Kibbee as the money of the said~~
 and that he has ~~yet~~ ^{on his books} but ten dollars
 dollars in his hands of said money
 belonging to said Kibbee, which this
 affiant will pay into Court as this

United States versus Samuel M. Wood for larceny

as this Honorable Court may rule or
direct Samuel M. Wood
sworn to and subscribe in open Court this
the 8th day of June, 1855
Benjamin J. Howard Clerk

United States versus Samuel M. Wood for larceny

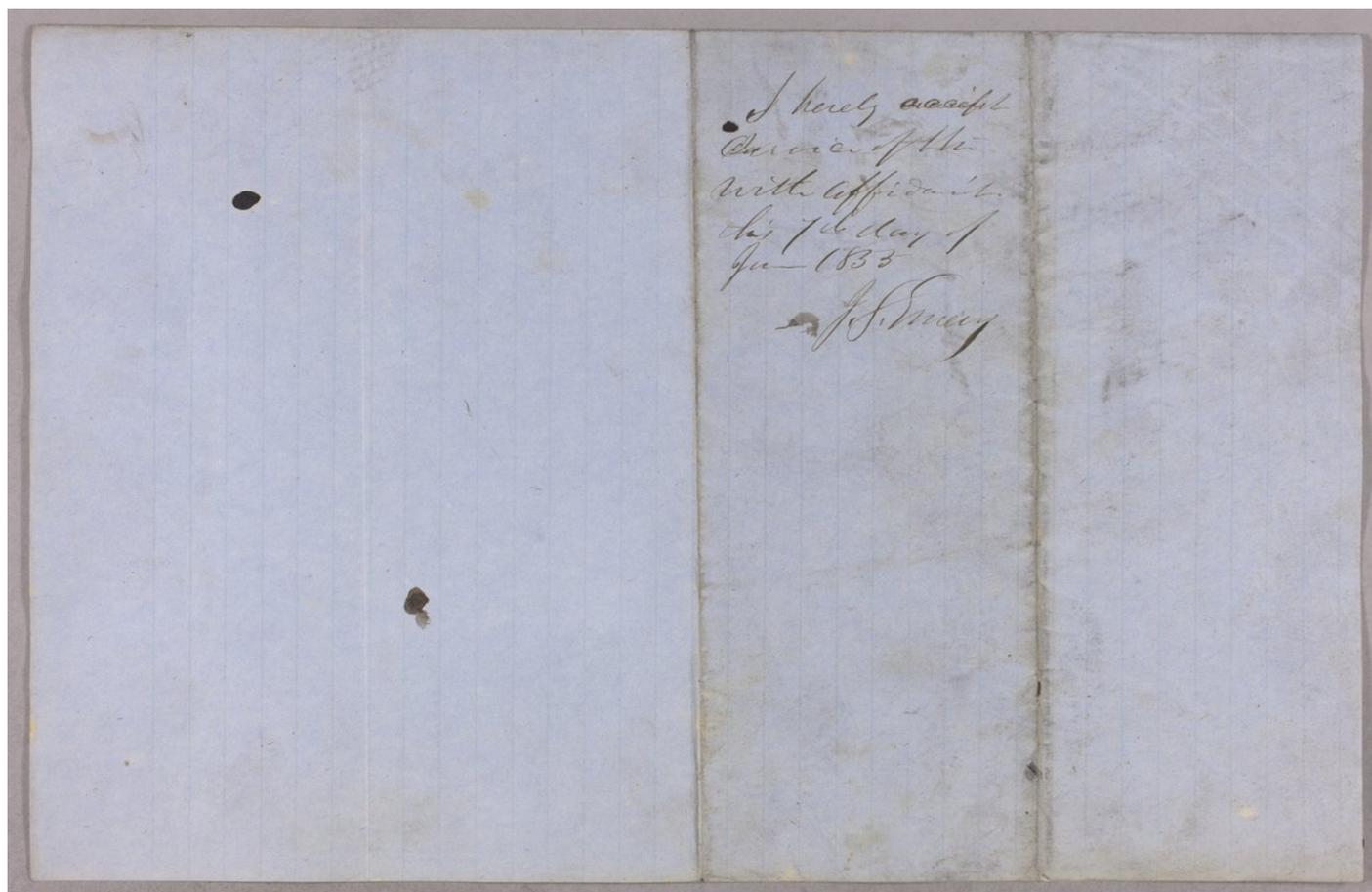
United States of America
 Second Judicial District Court
 Territory of Kansas
 Samuel N. Wood being duly sworn deposes and
 that he cannot safely in ^{his} opinion ~~be~~
 be ready to answer the Motion of J. S. Emery
 made to said Court this day to strike the
 name of S. N. Woods from the Roll of Attys.
 for charges contained in the Affidavits of
 E. Chapman and J. S. Emery, until Thursday
 of next week, that he believes he can
 show that the charges of said Emery &
 Chapman are entirely false, and made
 through personal feelings, of enmity to the
 said S. N. Woods. This affiant says
 that the said Chapman did ride with
 him in company to Tecumseh on the
 30th day of April last and that
 he frequently said he had packages
 of papers for Isaacs from Emery
 and that they were for nobody else
 he afterwards on his road home showed
 me said letter or package and told
 me he had saved one of \$2,000, in
 the case of Dr. Doy I remarked Doy
 would be ~~in~~ at court it would make
 no difference. - To substantiate this
 it is necessary to procure the testimony
 or attendance of N. D. Johnson who resides
 above on the Neosho in the southern part of
 this Territory who was present at the
 time alleged in said Motion
 There was other persons present at the same
 time whose names are not now recollected

United States versus Samuel M. Wood for larceny

B. This affiant further believes it to be necessary to procure testimony from Kansas city Mr. ~~and other places~~ to prove that Chapman (the ~~same~~ material witness to sustain said Motion); Character for truth and veracity is bad and that no credit should be given to it - This Affiant further states that by Thursday next he believes he can procure the ~~same~~ evidence or witness to prove the above facts, and that this affidavit is not made for delay merely but for the furtherance of Justice and further says not -

Samuel Wood
sworn to and subscribe in open Court
before me. This the 7th day of June 1855.
Ben J. Newsom. C. K.

United States versus Samuel M. Wood for larceny



United States versus Samuel M. Wood for larceny

United States of America
Territory of Kansas
Deans Judicial District 3 1855
June term

Deane of the
Court being and obtained Andrew
J. Isherwood United States Attorney
who prosecutes in said court
in behalf of the United States of America
would have the Court now in
session to understand and
be informed that one Lucius
Hibby charged with the murder
of Henry Smith in November last
was admitted to bail by the Hon-
orable Samuel H. LeCompt Chief
Justice of the Territory of Kansas in
the month of December last in the
penal sum of one thousand
dollars, containing among other
things that the said Hibby be
and appear at the present
Term of your Honorable Court
which said condition he has
failed to fulfil, and that there
is good reason to believe
that he has fled the jurisdiction
of this court, but has left a con-
siderable sum in money in
the hands of Samuel M. Wood of
Lawrence in the Territory of
Kansas, he therefore prays that
a rule be served on said Wood



United States versus Samuel M. Wood for larceny

to deposit in the hands of the
United States Marshal any and
all sums of the money so left in
his charge by said ^{libby} up to the
sum of \$100, ^{or other property & effects} being amount of
law & of probable amount
of costs, subject to other and
further orders and judgment of
this court

A. J. Isaacs
United States City District
of Kansas

I remain copy of the foregoing
Rule & accept service thereof
S. M. Wood

Rule granted. Mr Wood was
sent to the 8 day of June at 1/2 past
9 o'clock A.M. to file his answer
in writing under oath.

June 7. 1855.

New Orleans
A. J. Isaacs
June 7. 1855
U. S. of K.

United States versus Samuel M. Wood for larceny

