

Arkansas State Archives

## Arkansas Digital Archives

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United States Western District Court of  
Arkansas records, 1839-1908

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**1876 October 25: Bond for witnesses, Mary Yates and Dosey Caphart, witnesses, in U.S. v. Burgess Yates, tape; John B. Sarham, commissioner**

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**UNITED STATES OF AMERICA,**  
**Western District of Arkansas.**

KNOW ALL MEN BY THESE PRESENTS:

That we *Mary Gates and Dicy Leaphart*

acknowledge ourselves severally to owe and be indebted unto the United States of America, in the sum of *Two Hundred* dollars each, to be levied of our goods and chattels, lands and tenements, to the use and benefit of the said United States of America, if default shall be made in the condition following to wit:

WHEREAS, *Burgess Gates* has been brought before *Stephen Wheeler* a United States Commissioner for the Western District of Arkansas, to answer the charge of *Rape, in Indian Country* and upon examination had, it appearing to said Commissioner that the offense with which he was charged had been committed, and that there was probable cause to believe *Burgess Gates* guilty thereof, and whereas said *Mary Gates and Dicy Leaphart*

are material witnesses in said cause on the part of the United States of America, the said Commissioner ordered said witnesses *Mary Gates and Dicy Leaphart*

to give bond in the sum of *Two Hundred* dollars each for *their* appearance at a District Court of the United States for the Western District of Arkansas, to be holden on the *15th* day of *November* A. D. 1876 at the U. S. Court room at Fort Smith, in said district, to testify in said cause, and that in default of giving such bond *they* stand committed.

NOW THEREFORE, The condition of this bond is such, that if the said *Mary Gates and Dicy Leaphart* shall personally appear at the said Court on the first day of the next *November* term thereof, at the U. S. Court room at Fort Smith, in said district, at 10 o'clock, A. M., and then and there testify in said cause, and abide the orders of the Court, and not depart the said Court without leave, then this bond to be void, otherwise to be in full force and virtue.

*Dicy Leaphart*  
Jm

*Mary Gates*  
Jm

Acknowledged and subscribed before me, this *25th* day of *October* A. D. 1876

*Wm B. Latham*  
U. S. Commissioner

Y. D. L. S. *W. D. L. S.*  
U. S. COMMISSIONER

be said, otherwise to be in full force and effect

and upon the order of the Court and not before the said Court without leave then the bond to  
at the U. S. Court room at Fort Smith in said district at 10 o'clock A. M. and then and there testify in said  
said ten cent) appear at the said Court on the first day of the next term present

NOW THEREFORE the condition of this bond is such that if the said

and district, to testify in said cause and that in default of doing such bond stand committed  
day of *November* A. D. 1876 at the U. S. Court room at Fort Smith in  
appearance in a District Court of the United States for the Western District of Arkansas to be holden on the  
to this bond in the sum of *Twenty Dollars* dollars each for *Twenty Dollars*

United States

VERSUS

*Burgess Yates*

BOND FOR WITNESSES,

To *November* Term 1876

Filed *187* 187

Clerk,

FILED

OCT 25 1876

*A. Wheeler*  
CLERK.

KNOW ALL MEN BY THESE PRESENTS:

Western District of Arkansas

UNITED STATES OF AMERICA