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# Civil Law, Robbery: United States v. James D. Clarke

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• CRIMINAL LAW•

"embezzled . . . the money entrusted to him."

U.S. Commissioner's Complaint, July 15, 1864



U. S. G. D. NO.

UNITED STATES OF AMERICA,

B. S. G. D. NO. 8 6

UNITED STATES OF AMERICA,

U. S. G. D. NO. 8 G

CRIMINAL CAPIAS.

UNITED STATES OF AMERICA,

James & Clarke

The Marshal will hold the

M Clerk.

U. S. Marshal.

Defendant to bail in the sum of

I have duly served the within

as I am therein commanded.

Filed in said Court this

day of Sept 186 4

A. G. Hendrig Clerk.

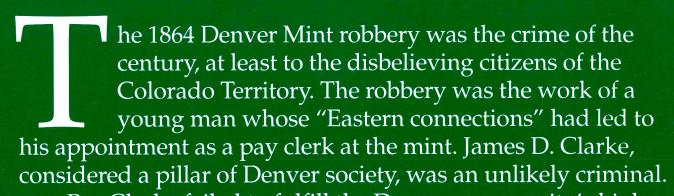
TERRITORY OF COLORADO, ) 1st Judicial District.

TERRITO

One Thausand Dollars REWARD. ON SATURDAY FIGHT, PHBRUARY 18th, 1864, about 9 o'clook, JAMES D. CLARKS, Pay Clerk in the United States Branch Mint, Denver, abscended on horseback, taking with him

Thirty-Seven Thomsand Dellars, mostly in Treasury Notes, ranging in value from five dollars to one thousand each. The above reward wiff be paid for the reservey of the thief and money. Description=21 years old, smooth face, light hair, cut pretty short, spare built, of gantest address, beyish lock, about 5 feet 6 inches high. Had on when he lef, a black beaver overcost, and light colored suit. Deperination of Horne-Surrel hors, about 8 years old, star in forebead, little white on one hind foot, a telerable long tail, nearly blind in his left eye, had some saddle marks on back, mans mediam length and inclined to part in the middle and lay both sides, branded "M" over U. S., new California middle, a double round bridle, pair new saddle-bags, mass blanket, new pair spurs and helster, two many platele, revolvers, seund barrels, new.

4 HOO, VV. L.A.N. 25, Amistant Treasurer, United States, Denver, Col. Denver City, Feb. 15, 1864.—d&wtf



But Clarke failed to fulfill the Denver community's high expectations. He began frequenting gambling saloons and other disreputable establishments. Personal vice soon led to crime. One winter Saturday night, Clarke bid his colleagues good evening as usual, and left the mint, but returned hours later. Gaining access to nearly \$38,000 in gold and notes through a window he had propped open with a pencil, he stuffed his saddlebags full and rode out of town on a half-blind horse.

Clarke became the main suspect in the crime when he failed to appear for work on Monday morning. He was apprehended several days later and tried in federal court for embezzling federal funds. The jury found him guilty as charged, and the court banished him from the Colorado Territory. Once a young man of promise, James D. Clarke faded into obscurity.

Unless credited otherwise, documents are from the National Archives,

Records of District Courts of the United States.

1. Bank and Mint Building, Denver, Colorado, ca. 1860. Colorado Historical Society

2. Notice of reward, Rocky Mountain News, February 15, 1864. Colorado Historical Society

3. "Indictment for Embezzlement," May 13, 1864.

4. U.S. Mint money bag, n.d. Private collection

5. Gold ingots, 1988.

J. Clauss/Tony Stone Worldwide, Chicago

6. Verdict, September 29, 1864.

7. Subpoenas to witnesses and criminal capias, September 1864.

Territory of Colorado, ss. First Judicial District. THE UNITED STATES OF AMERICA, one thousand eight hundred and sixty forces

At a Algulas term of the District Court of the United States of America, within and for Judicial District of Colorado Territory, begun and held at Central Ceity in said district, on the tenth day of May n the year of our Lord one thousand eight hundred and sixty four before the Honorable D. D. Marding one of the Justices of the Supreme Court of Colorado Cerritory and Judge of said District Court of the United States, according to the form of the aid, good and lawful men, duly empanneled, tried, sworn and charged to inquire of offenses for the

Do Present and Lind, That James St. Wlack goman on the thirteenth day of February in the dred and sich format in the Branch of the wind led States Munt in the leity of denver in the Country of arapahoe in said first paralyahoe in Servitory of Gol- rado, the wind the veing a serson en

played in said Branch of the mitty United States, with force and arms unlawfully and feloriously did trube agle certain gold coins which had been time k and coined at the mint of the united States, to wit: Fifty coins of gold of the demourination of one dollar each

