

United States versus John J. Baxter for selling liquor to Indians

Section 1, Pages 1 - 30

These legal documents, filed from 1858 to 1859, relate to the case of the United States vs. John J. Baxter for selling liquor to Indians. Baxter was accused of selling whiskey to members of the Cherokee tribe between June and October of 1857 in McGee County, Kansas Territory. Baxter was indicted in October of 1858 by the U. S. District Court for the Kansas Territory, Third District. The majority of the Cherokee Nation was forcibly relocated to Oklahoma from 1838-1839, resulting in thousands of deaths. They were given 800,000 acres in the southeast corner of Kansas, but few Cherokee settled there. (See item 444759 for related documents)

Date: crime June to October 1857; indictment October 1858

Callnumber: Kansas Territory Criminal Case Files, Box 4, Folder 52

KSHS Identifier: DaRT ID: 444760

Item Identifier: 444760

www.kansasmemory.org/item/444760

KANSAS
HISTORICAL
SOCIETY



United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA, }
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY. } ss.

The President of the United States.

TO *A. J. Green & Co. Harlow*

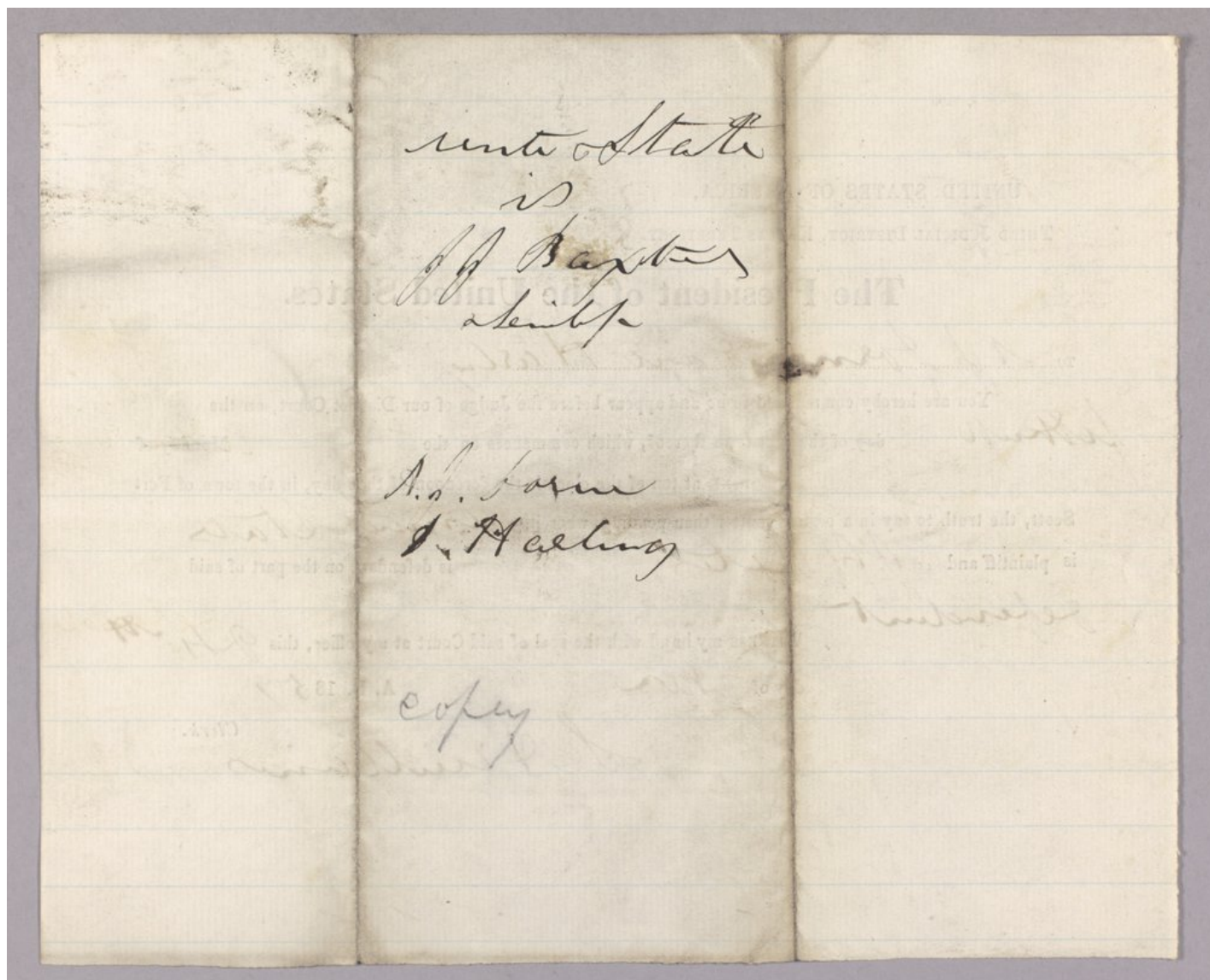
John J. Baxter You are hereby commanded to be and appear before the Judge of our District Court, on the
day of the next term thereof, which commences on the Monday of
next, at ten of the clock in the forenoon of that day, in the town of Fort

Scott, the truth to say in a certain matter then pending, wherein *United States*
is plaintiff and *J. J. Baxter* is defendant on the part of said
defendant

WITNESS my hand with the seal of said Court at my office, this *24th*
day of *Nov* A. D. 18 *59*

S. A. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians





United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA,
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY. } ss.

The President of the United States.

TO *A J Sam Smith Hauling*

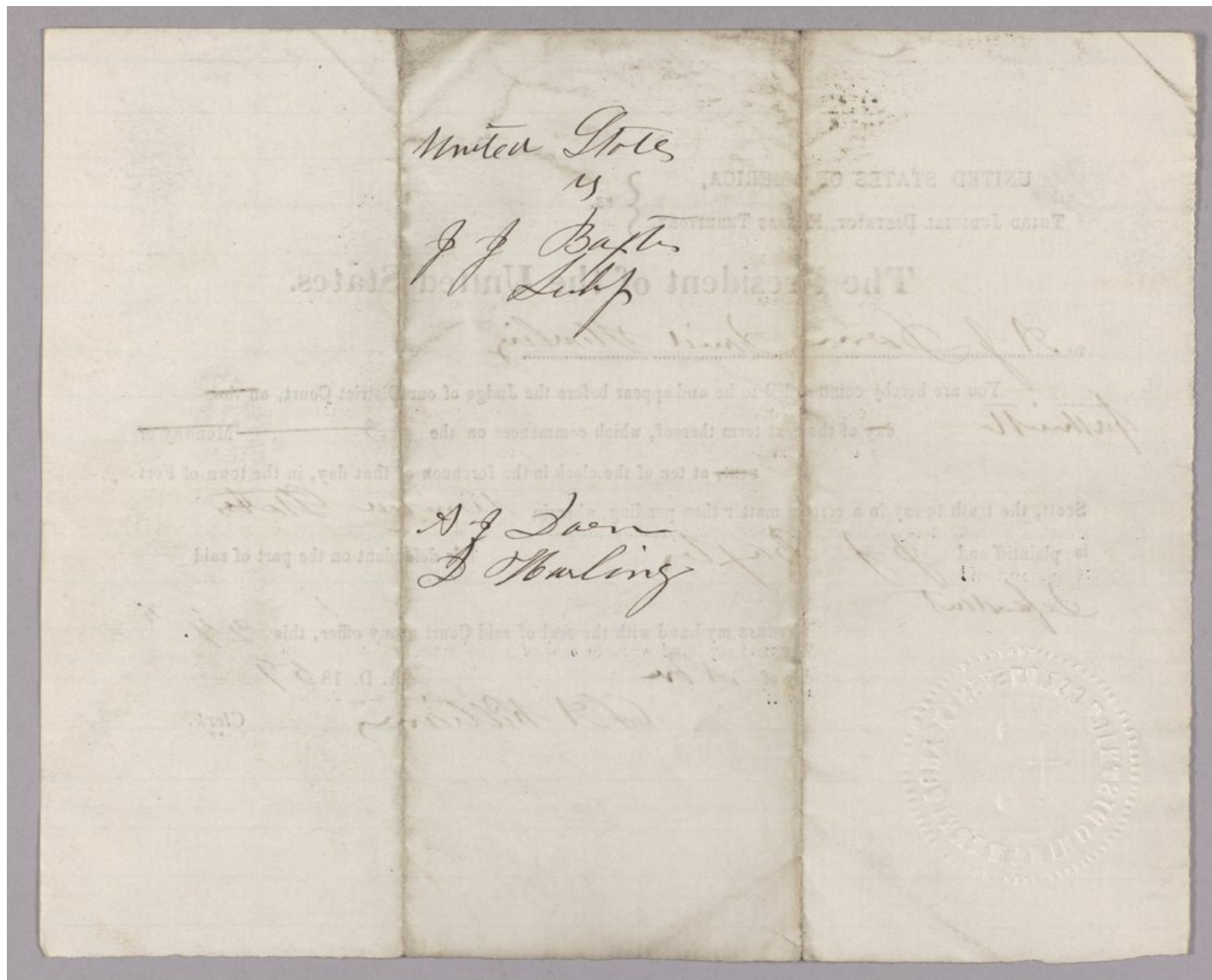
John J. Baxter You are hereby commanded to be and appear before the Judge of our District Court, on the ~~day~~ of the next term thereof, which commences on the 3 Monday of ~~next~~ at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pending, wherein *United States* is plaintiff and *J J Baxter* is defendant on the part of said *Defendant*

WITNESS my hand with the seal of said Court at my office, this 24 day of *Nov* A. D. 18 59

SA Williams

Clerk.

United States versus John J. Baxter for selling liquor to Indians





United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA, }
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY. } ss.

The President of the United States.

To *Mr R Gaymore*

for with You are hereby commanded to be and appear before the Judge of our District Court, on the *5* day of the next term thereof, which commences on the *3rd* Monday of

Nov 1859 next, at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pending, wherein *United States*

is plaintiff and *J J Baxter* is defendant on the part of said

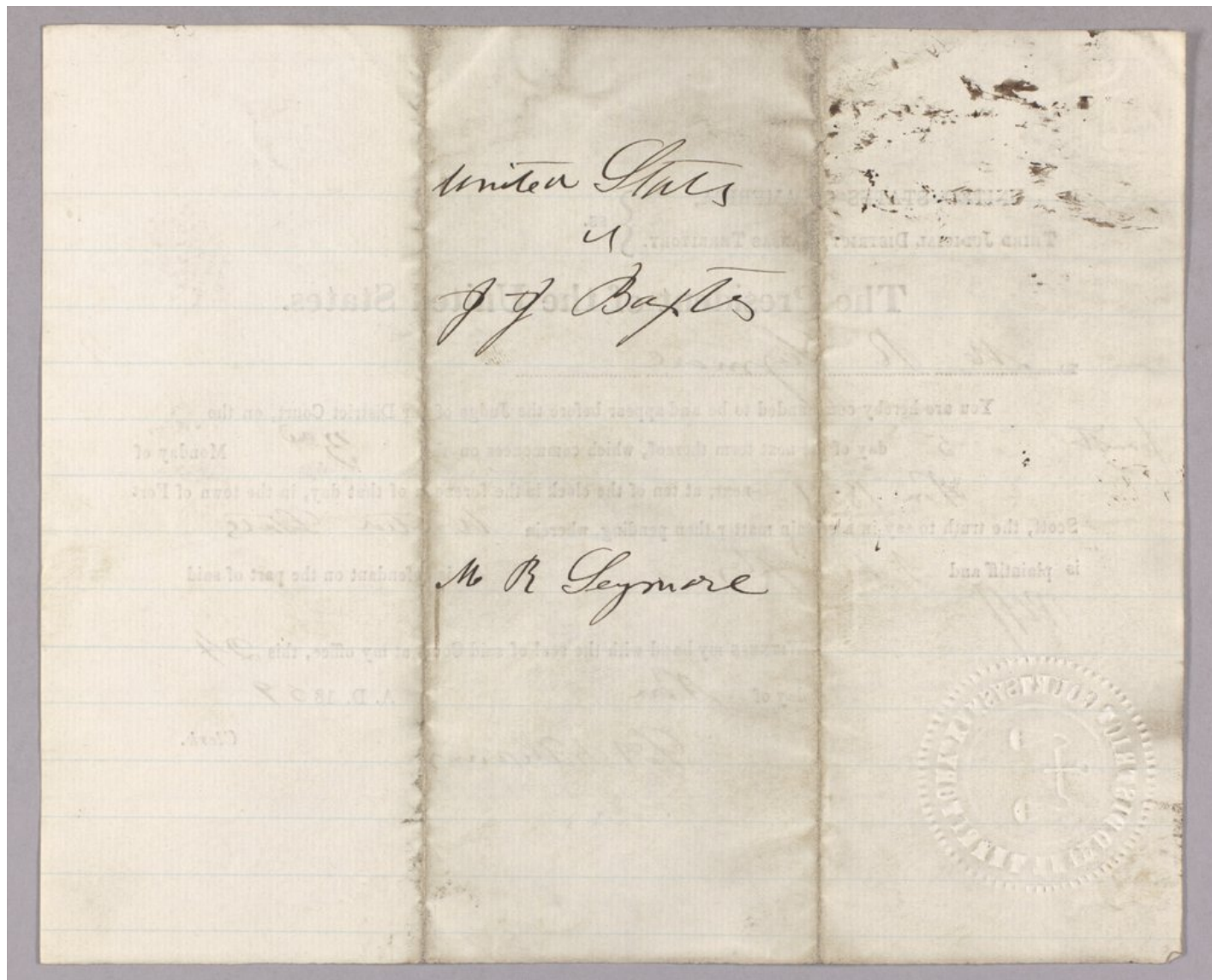
Plff.

WITNESS my hand with the seal of said Court at my office, this *24*
day of *Nov* A. D. 18 *59*

J A Williams

Clerk.

United States versus John J. Baxter for selling liquor to Indians





United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA, }
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY, } ss.

The President of the United States.

TO A. J. San

You are hereby commanded to be and appear before the Judge of our District Court, on the 4th day of the next term thereof, which commences on the 3rd Monday of June next, at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pending, wherein The United States is plaintiff and J. J. Baxter is defendant on the part of said Defendant

WITNESS my hand with the seal of said Court at my office, this 23rd day of June A. D. 1859

J. A. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians

I Certify that I served this Subpoena
by reading the same in the presence of
A. J. Dorn in Swasey Indian County - Mo

June 27th 1839

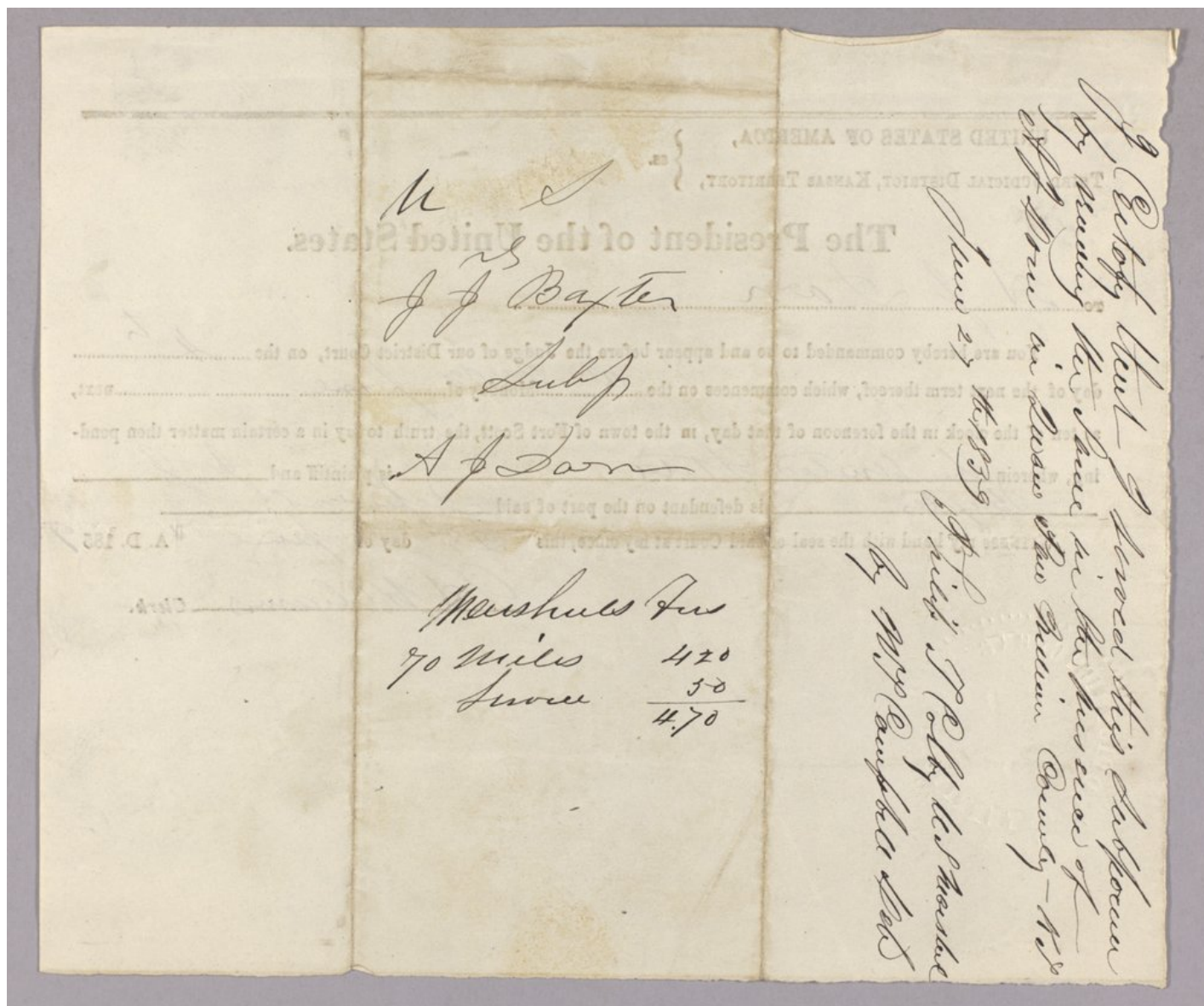
Philip T. Colby U.S. Marshal
by W. P. Campbell Deft

UNITED STATES OF AMERICA
The President of the United States

U. S. J. J. Baxter
A. J. Dorn

Marshals Fee
40 miles 4.00
Fees 50
4.50

United States versus John J. Baxter for selling liquor to Indians





United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA,
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY, } ss.

The President of the United States.

TO Daniel Harlan

You are hereby commanded to be and appear before the Judge of our District Court, on the 3rd
day of the next term thereof, which commences on the 3rd Tuesday of June 21st next,
at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pend-
ing, wherein the United States is plaintiff and J. J. Baxter
is defendant on the part of said Defendant

WITNESS my hand with the seal of said Court at my office, this 22 day of June A. D. 1857

D. J. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians

I Profely that I saved the within
Subpoena by sending the same in the
presence of H. H. Beebe in Amherst
Neutral County

Philip H. S. Marshall
by W. S. Campbell. Feb

Mrs. J. P. Baxter

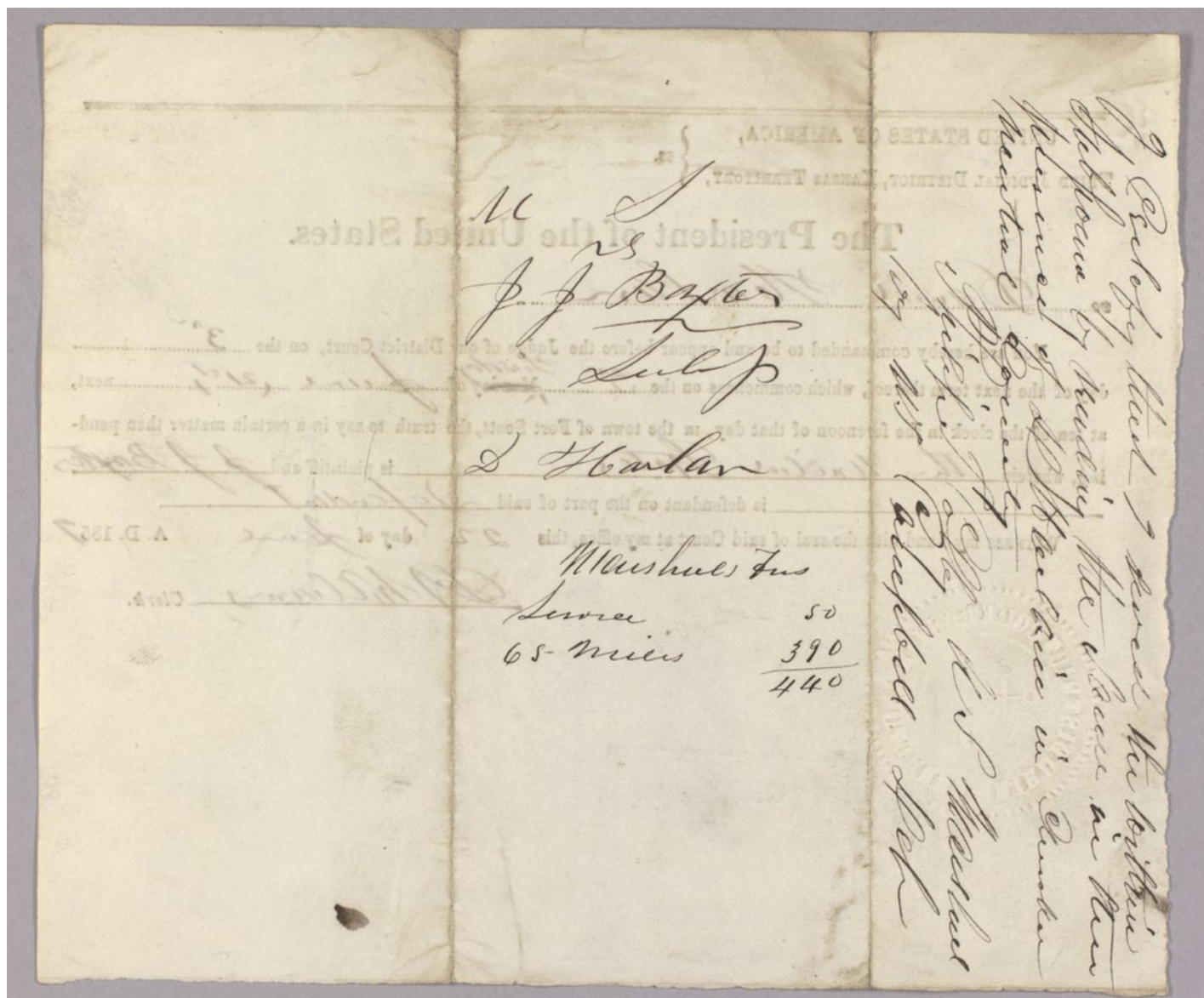
Harlan

Marshfield, Ind

$$\begin{array}{r} 25 \\ 390 \\ \hline 440 \end{array}$$

Source:
6 S-Miles

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA, }
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY, } ss.

The President of the United States.

TO, *This Hon. Mr. R. Lyman, W. Hamilton*

You are hereby commanded to be and appear before the Judge of our District Court, on the *15th* day of the next term thereof, which commences on the *3rd Monday June* next, at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pending, wherein *the U S* is plaintiff and *J. J. Baxter* is defendant on the part of said *U S*.

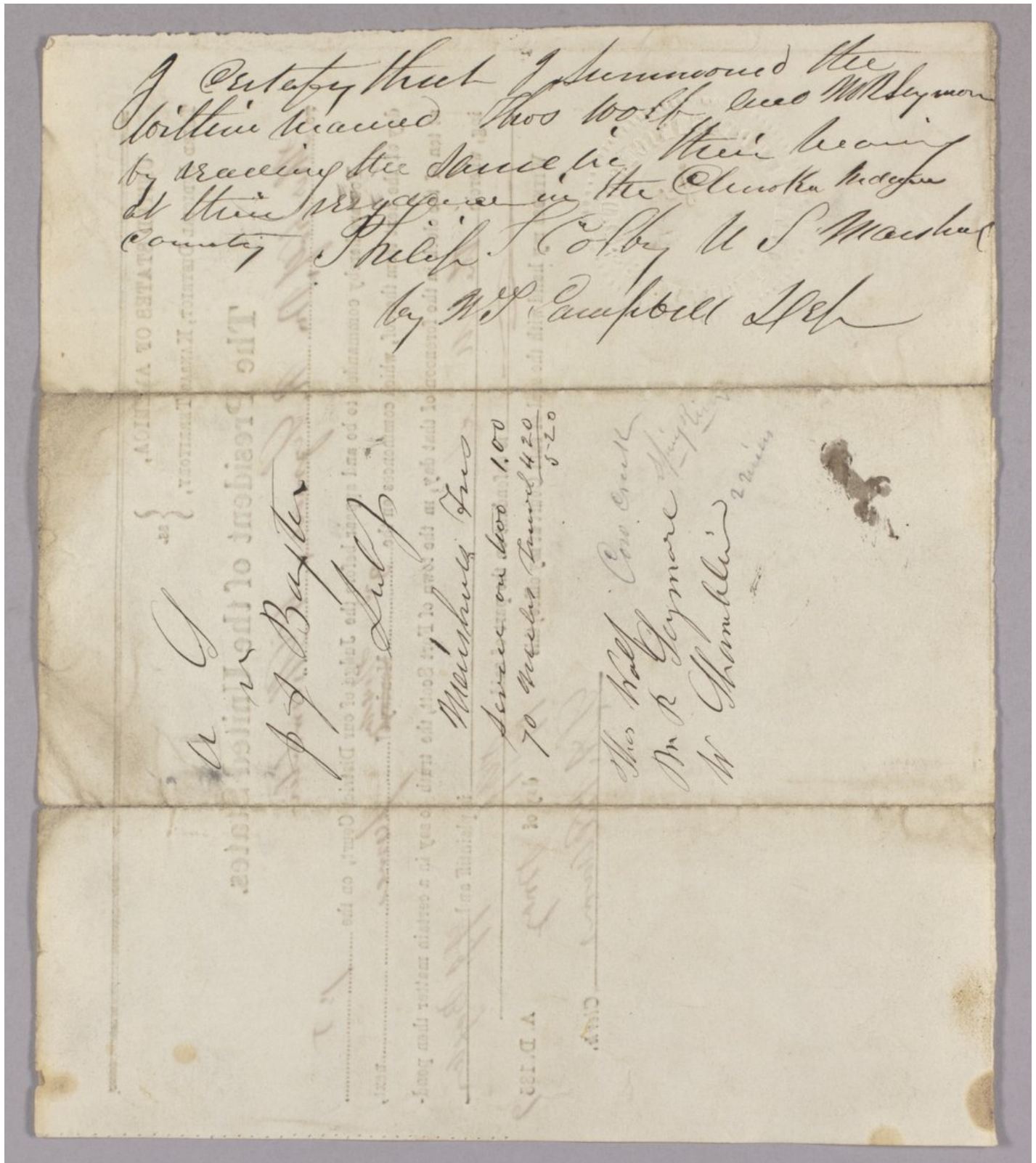
WITNES my hand with the seal of said Court at my office; this

17 day of *May*

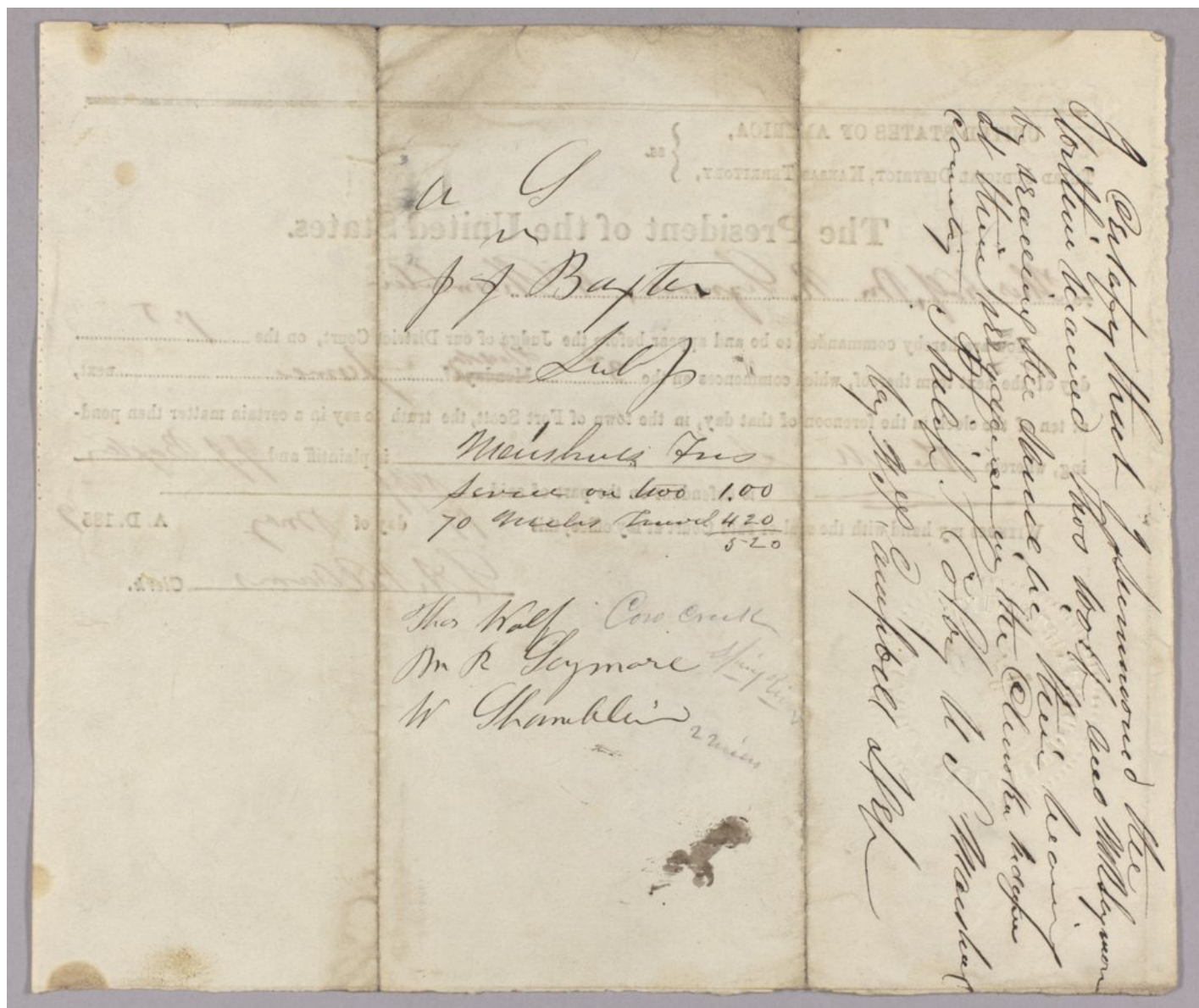
A. D. 185*9*

J. A. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians





United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA, }
THIRD JUDICIAL DISTRICT, KANSAS TERRITORY, } ss.

The President of the United States.

to *M. B. Chynore* of *Killaburo*

You are hereby commanded to be and appear before the Judge of our District Court, on the *25*
day of the next term thereof, which commences on the *25* day of *May* next,

at ten of the clock in the forenoon of that day, in the town of Fort Scott, the truth to say in a certain matter then pend-
ing, wherein *The U. S.* is plaintiff and *J. J. Baxter*

is defendant on the part of said *peff*

WITNESS my hand with the seal of said Court at my office, this *2* day of *June* A. D. 185*8*

J. J. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians

I Certify that I subpoenaed
W R Seymour & J Roberts by calling
the same in their presence
in Mc County

Philip T. Coley N. S. Number
by W. T. Canfield Sd

Mr. J. J. Baxter

200

Marshalls Is.

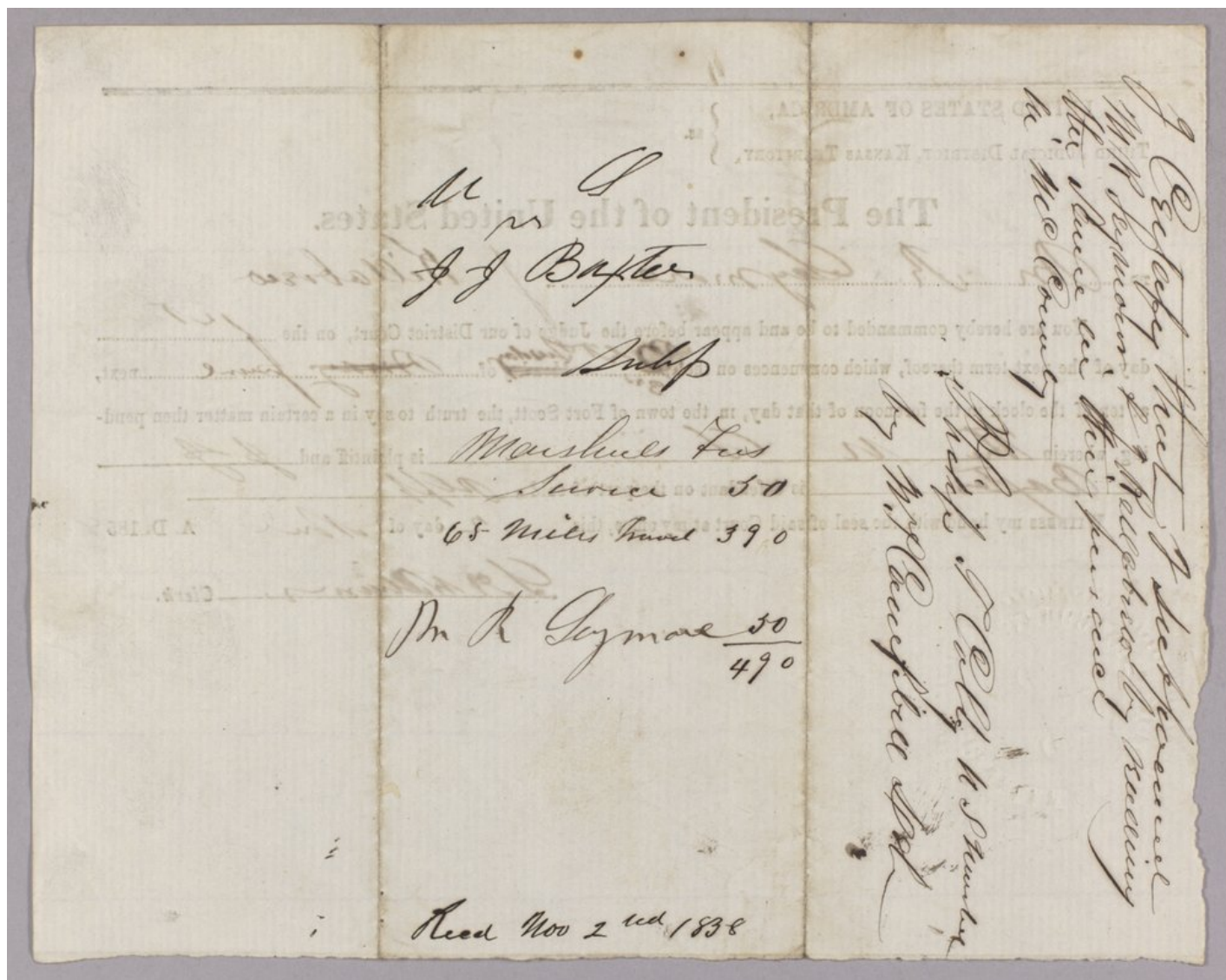
George Washington

65-Miles Travel 390

Dr R. Dymond 50
490

Reed Nov 2nd 1838

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

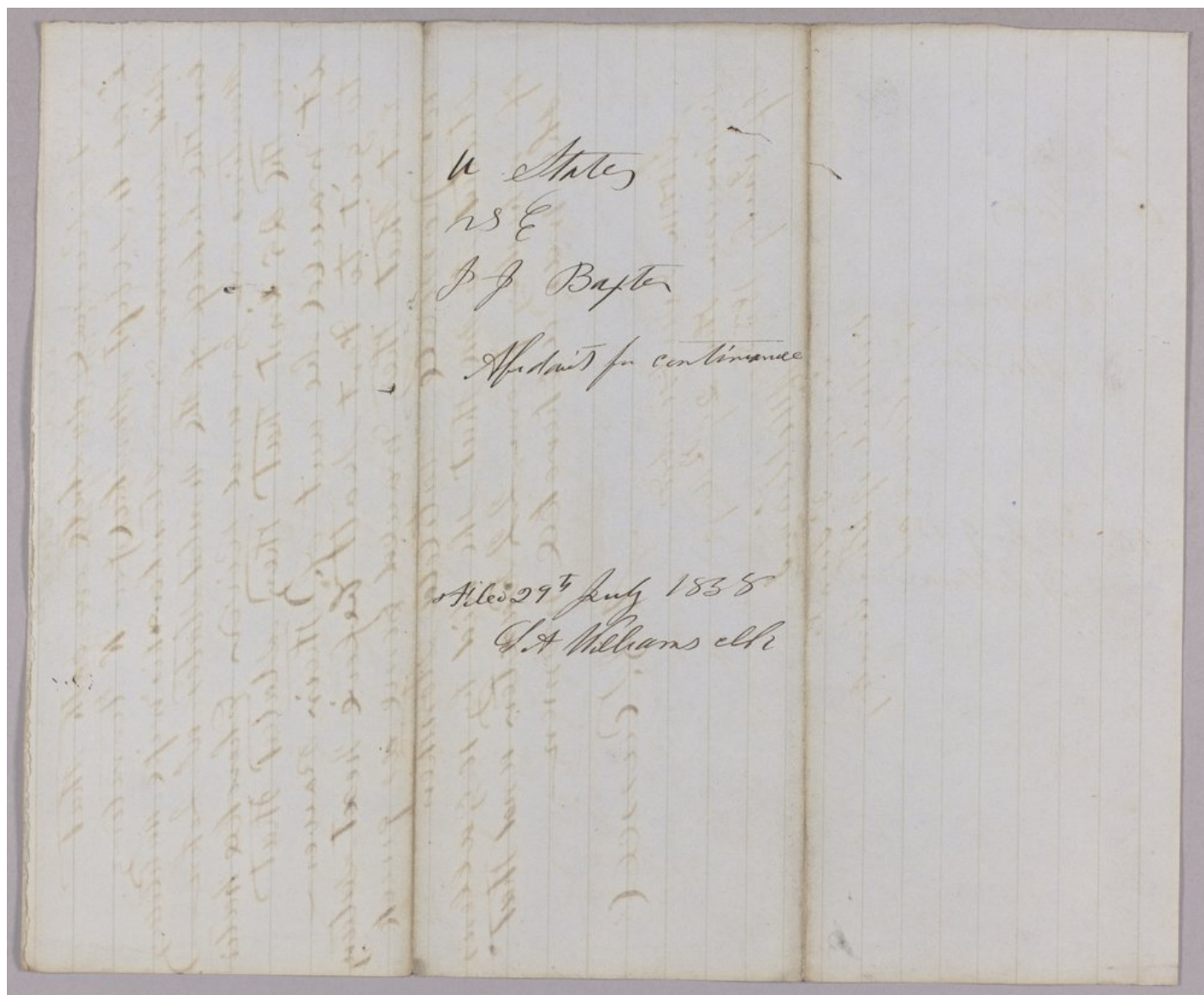
I A J Russell do state on oath that
I as U. S. Dept Marshal for K Territory
did summon Wm Stoniken & his wife Matilda
in the behalf of the United States at John
Martins on Grand River Cherokee Nation
on the 25 Inst that they stated that
it would be out of their power
to get to Fort Scott before next sitting
but that they would come as quick
as possible Matilda Stoniken
stated to me that she did buy 10 Gallons
of whiskey from J J Baxter and that
she was a Cherokee woman

Sworn & Subscribed
before me this 29th day
of July 1858,

A. J. Russell

William D
Judge 3rd Dist
District of the Territory
of Kansas.

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

United States of America
Territory of Kansas }
Third Judicial District }

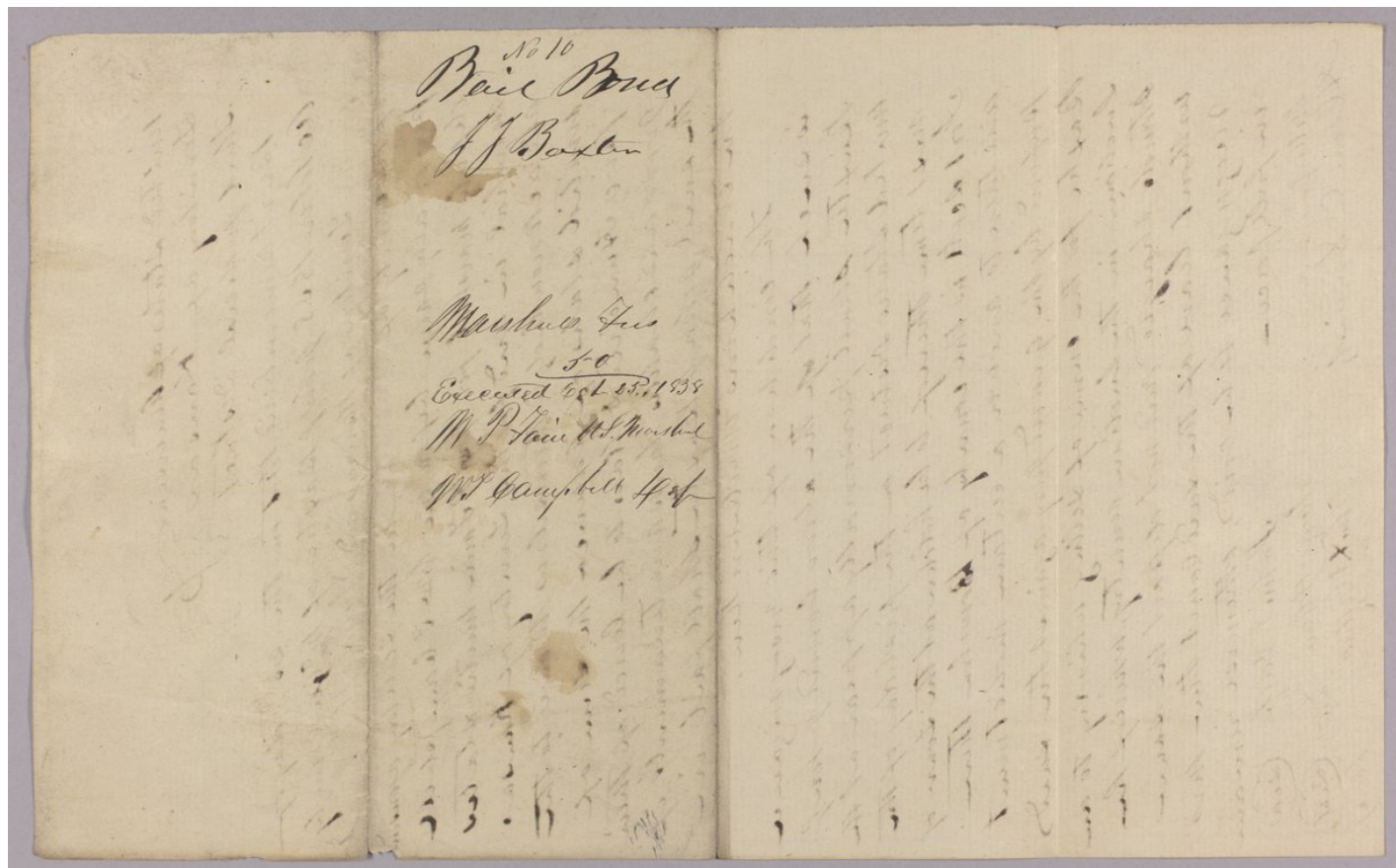
Be it remembered that on the 23rd day of
October 1868 John J. Baxter of McGehee County
in the Territory of Kansas and James H. Carr
and John A. Coltrane of the County of Bourbon in the Territory aforesaid
personally came before me Wm. S. Campbell
deputy marshal for the United States
marshal in and for the Territory of Kansas
and acknowledged themselves to owe to the
United States of America the sum of
five hundred dollars to be paid of their
goods and chattels lands and tenements if
the said John J. Baxter shall fail in
the conditions underwritten.

The condition of this recognizance
is such that of the above bound John J.
Baxter shall personally appear at the
United States District on the first day of the
next term thereof to be holden at the town of
Fort Scott in the county of Bourbon then
and there to answer a certain indictment
returned by the grand jury against the said
Baxter for the crime of selling whiskey to an
Indian in the Indian country, whereof he
stands charged and not depart the same
without leave of the said Court then this
recognizance to be void, otherwise remain
in full force -

Witness
Alon C. Davis

John J. Baxter (Seal)
James H. Carr (Seal)
John A. Coltrane (Seal)

United States versus John J. Baxter for selling liquor to Indians



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United States of America
 Territory of Kansas
 Third Judicial District

United States }
 John J. Baxter }

In the United States
 Court in and for the
 Third Judicial District
 in Kansas Territory
 October Term A.D. 1838.

The Grand Jurors of the United States
 of America within and for the Third Judicial
 District in Kansas Territory summoned
 empanelled and charged and sworn to
 inquire in and for the body of the said
 District, upon their oaths present, that
 John J. Baxter, late of the District aforesaid,
 did on the first day of June
 in the year of our Lord one thousand
 eight hundred and fifty seven, and
 on divers other days and times, between
 the first day of June as aforesaid,
 and the first day of October in the
 year of our Lord one thousand eight
 hundred and fifty eight, introduce
 spirituous liquors, to wit: whiskey
 into the Indian Country, ~~to wit~~ into
 into the County of McFee, and within
 the jurisdiction of this Court; at, to wit,
 within the Third Judicial District aforesaid
 contrary to the form of the Act of Congress
 in such case made and provided
 and against the peace and dignity
 of the United States

(over)

United States versus John J. Baxter for selling liquor to Indians

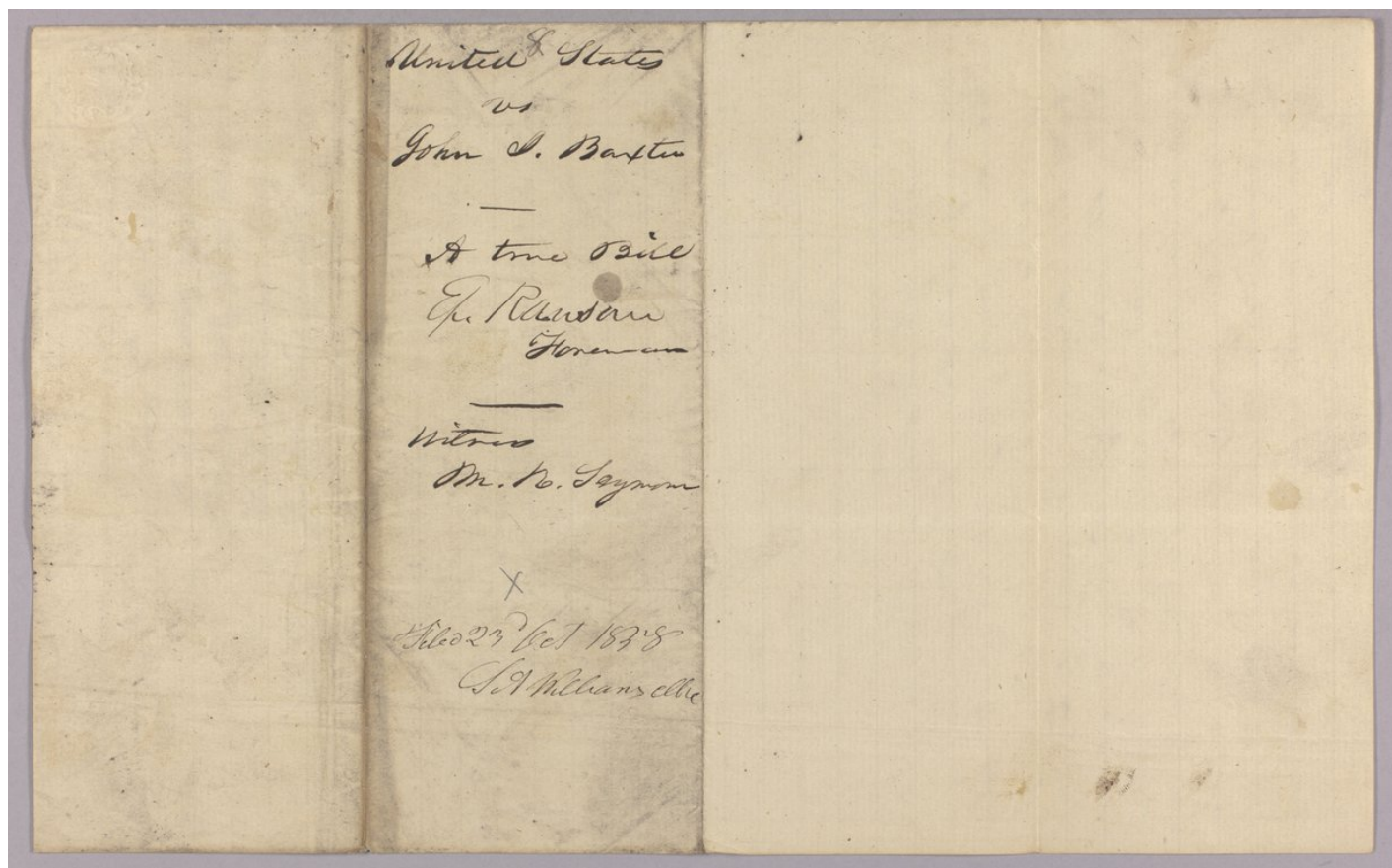
Alson C. Davis
U. S. Dist. Atty of Kansas
Territory By Thos M. Williams
U. S. Dep't Dist Atty on and
for the Third Judicial District
of Kansas Territory -

The undersigned, Alson C. Davis, U. S. District Attorney for the Territory of Kansas, do hereby certify that the within and foregoing is a true and correct copy of the original of the within and foregoing as the same appears in the files of the undersigned.

Witness my hand and seal of office this 1st day of March, 1881.

Alson C. Davis
U. S. District Attorney
Territory of Kansas

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA.

Territory of Kansas,
THIRD JUDICIAL DISTRICT.

THE UNITED STATES OF AMERICA, To

the Marshal of the Territory of Kansas, GREETING: You are hereby commanded to take nothing

\$ \$ Bapt, to appear so that you have _____ body before the

Judge of the District Court, within and for the Third Judicial District Court, within the Territory of Kansas.

on the first day of the next term thereof ; which commences at Fort Scott, in the County of Bourbon, on the

3rd Monday in May next, then and there to answer a

certain crime of *to show cause why* *judgment should be* *with which*

Wm. A. R. stands indicted, in our said Court, by the Grand Jury, for the body of

~~said District.~~

In Testimony Whereof, I, SAMUEL A. WILLIAMS' Clerk of our said

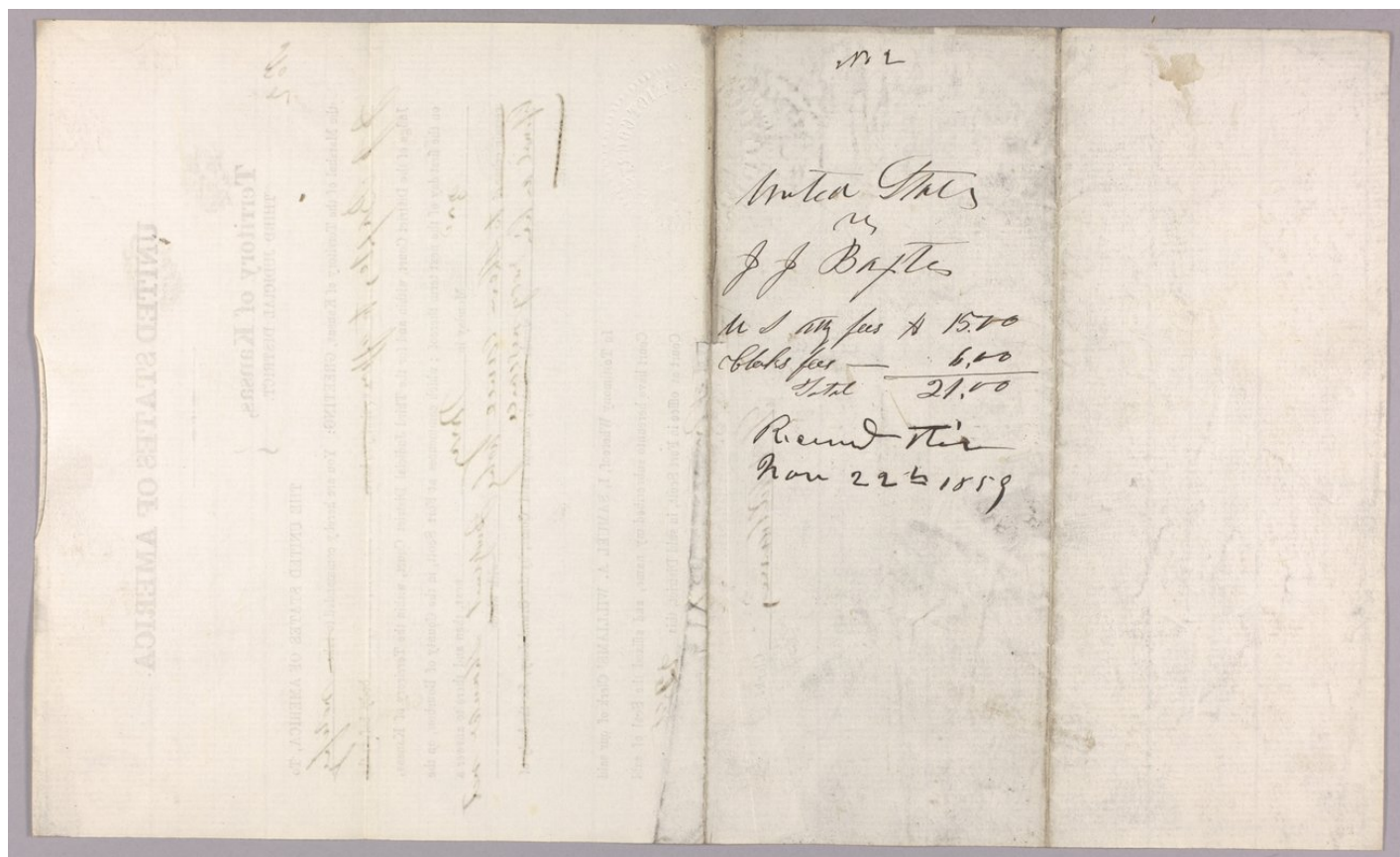
Court have hereunto subscribed my name, and affixed the Seal of said

Court at office in Fort Scott, in said District, this 22nd

day of *Nov* 18 *59*

L. A. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA.

Territory of Kansas,
THIRD JUDICIAL DISTRICT.

THE UNITED STATES OF AMERICA, To

the Marshal of the Territory of Kansas, GREETING: You are hereby commanded to ~~take~~ *Notify*

John Caldwell so that you have *to appear* before the

Judge of the District Court, within and for the Third Judicial District Court, within the Territory of Kansas,

on the first day of the next term thereof; which commences at Fort Scott, in the County of Bourbon, on the

31st Monday in *May* next, then and there to answer *to show cause why judgment should not be final in the*

recognition of J. J. Baxter of which you are the Bail with which

stands indicted, in our said Court, by the Grand Jury, for the body of
said District.

In Testimony Whereof, I, SAMUEL A. WILLIAMS' Clerk of our said

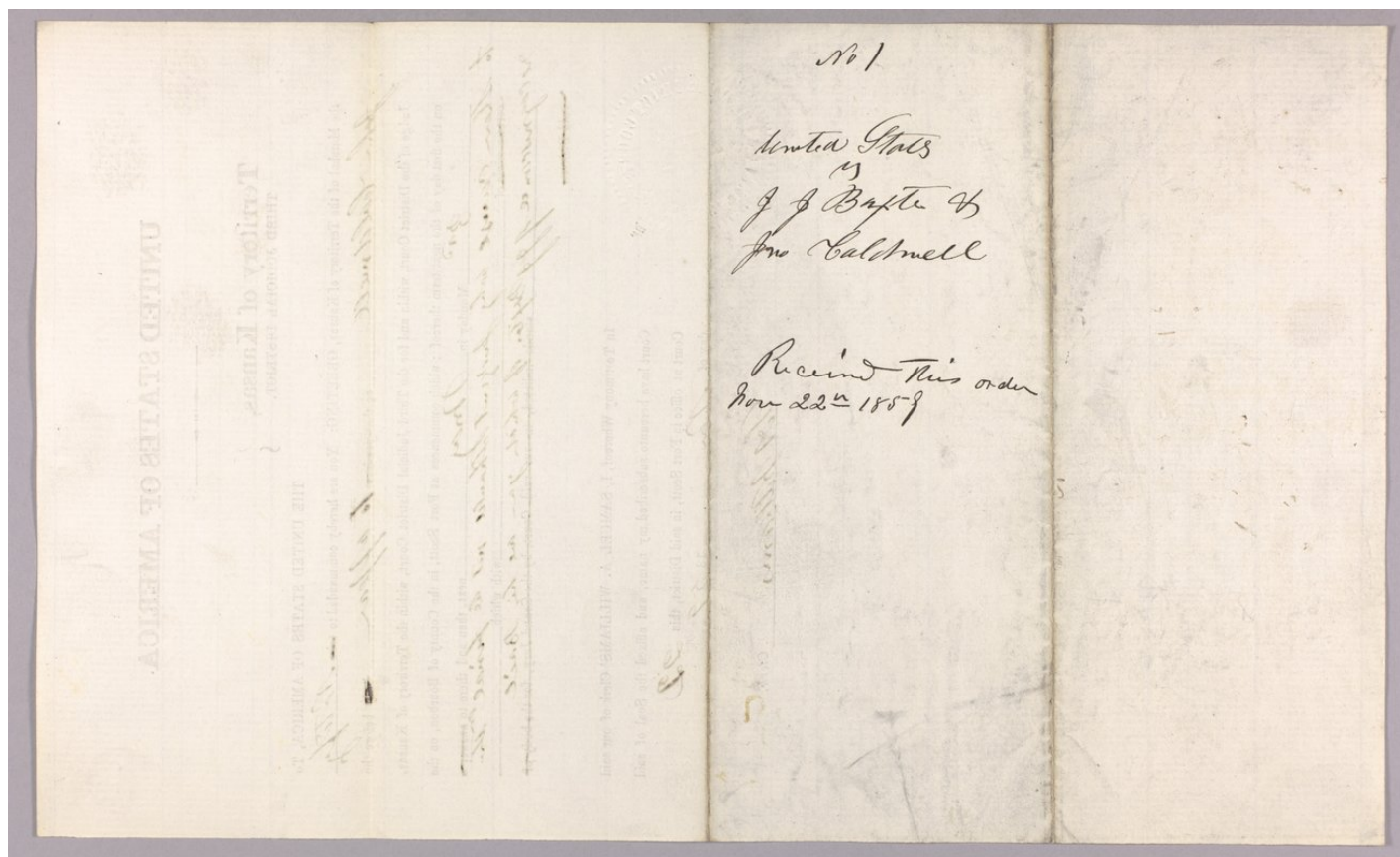
Court have hereunto subscribed my name, and affixed the Seal of said

Court at office in Fort Scott, in said District, this *22*

day of *May* 18 *59*

S. A. Williams Clerk.

United States versus John J. Baxter for selling liquor to Indians



United States versus John J. Baxter for selling liquor to Indians

UNITED STATES OF AMERICA.

Territory of Kansas,
THIRD JUDICIAL DISTRICT.

THE UNITED STATES OF AMERICA, To

the Marshal of the Territory of Kansas, GREETING: You are hereby commanded to take *notice*
John Caldwell to *be* so that you have *and appear* body before the

Judge of the District Court, within and for the Third Judicial District Court, within the Territory of Kansas,
on the first day of the next term thereof ; which commences at Fort Scott, in the County of Bourbon, on the

30 Monday in *May* next, then and there to answer a
to *them* *cause why judgment should not be found*
certain crime of *with which*

be had given by J. J. Baxter, and he is *sworn*
stands indicted, in our said Court, by the Grand Jury, for the body of
said District.

In Testimony Whereof, I, SAMUEL A. WILLIAMS' Clerk of our said
Court have hereunto subscribed my name, and affixed the Seal of said
Court at office in Fort Scott, in said District, this *22nd*
day of *Nov* 18 *59*

S. A. Williams Clerk.

Handwritten notes and signatures in the bottom left corner, including names like 'John J. Baxter' and 'John Caldwell'.