

United States versus John Brookins for settling on Indian lands

These legal documents relate to the case of the United States vs. John Brookins. The documents, issued by the U. S. District Court, Kansas Territory, Third District, accuse Brookins of settling on Miami tribal land in Linn County, Kansas Territory on November 1, 1859. In the mid-19th century, the Miami tribe was relocated by the government from land east of the Mississippi river to land in Lykins (present-day Miami) and Linn counties.

Date: December 1, 1859; December 3, 1859

Callnumber: Kansas Territory Criminal Case Files, Box 5, Folder 37

KSHS Identifier: DaRT ID: 444817

Item Identifier: 444817

www.kansasmemory.org/item/444817

KANSAS
HISTORICAL
SOCIETY

United States versus John Brookins for settling on Indian lands

UNITED STATES OF AMERICA,

Territory of Kansas, }
THIRD JUDICIAL DISTRICT.

To the Marshal of the United States of America for the

Territory of Kansas,

GREETING :

You are hereby commanded to notify *John Brookins* that he has been sued in the United States District Court, of the United States, within and for the Third Judicial District, of the Territory of Kansas, by *the United States* and that unless he answer by the *4th* day of *January* 18*80* the petition filed against him in the Clerk's Office of the said Court, such petition will be taken as true, and judgement be rendered accordingly.

You will make due return of this summons on or before the

14th day of *December*

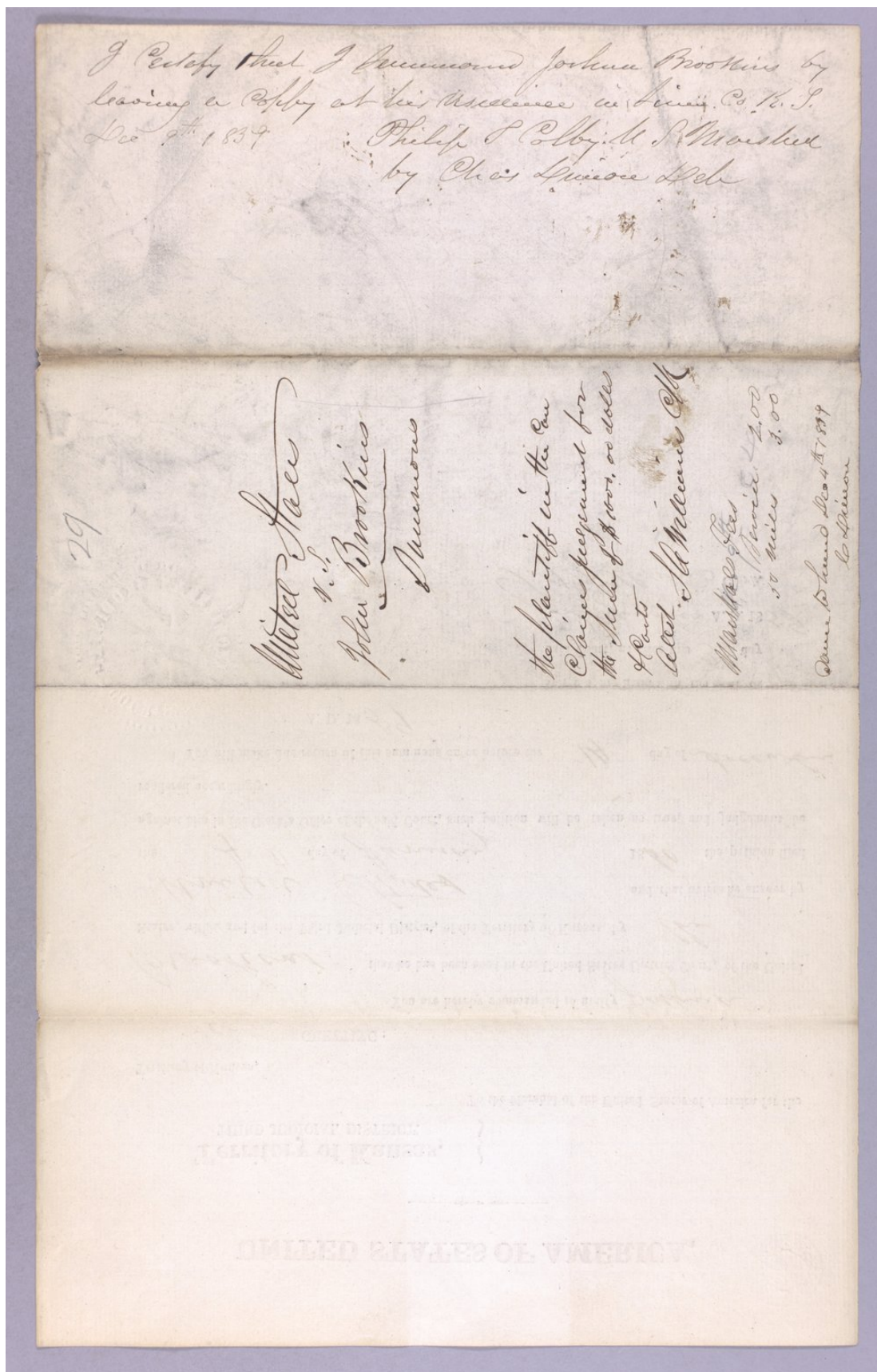
A. D. 18*89*

Witness my hand with the Seal of
said Court, at office this *3* day

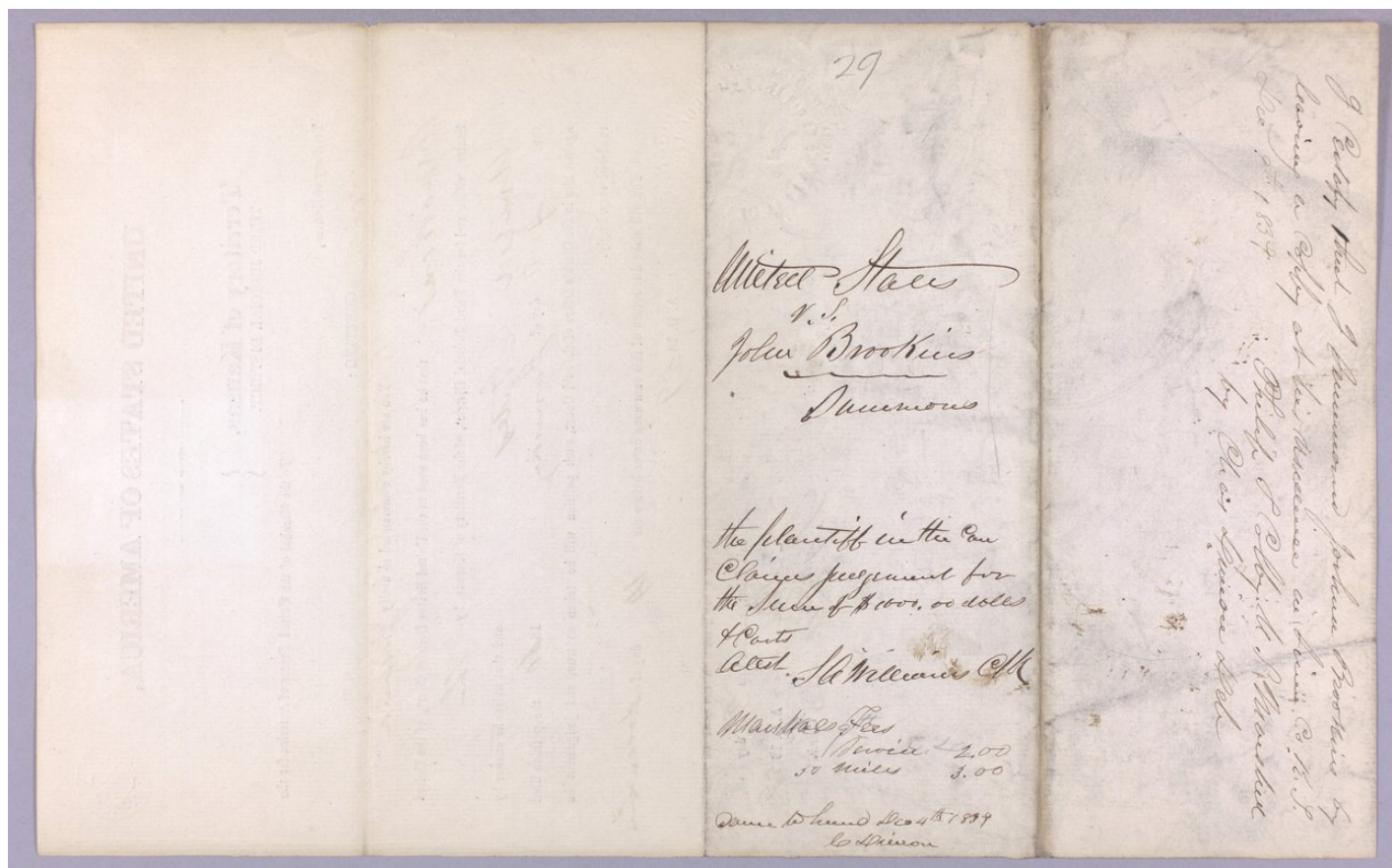
December A. D. 18*89*

Geo. Williams Clerk.

United States versus John Brookins for settling on Indian lands



United States versus John Brookins for settling on Indian lands



United States versus John Brookins for settling on Indian lands

UNITED STATES OF AMERICA, } In the District Court of the United States within and for the Judi-
TERRITORY OF KANSAS. } cial District of the Territory of Kansas.

THE UNITED STATES, **Plaintiff,** }
vs } **PETITION.**
John Brookins **Defendant.** }

Now comes the said United States, plaintiff, and complains of the said *John Brookins*
defendant, that whereas heretofore to wit: On or about the *first* day of
November A. D. 18*57* at the County of *Lincoln* in the District
aforesaid, the said defendant not regarding the act of the Congress of the said United States in such case
made and provided, nor fearing the penalties therein contained, made a settlement on the lands belonging to
the *Miami* tribe of Indians secured to the said tribe by treaty with the said United
States, in the county and District aforesaid, and then and there attempted to survey, and did survey the lands and
designate the boundaries thereof by marking the trees thereon contrary to the form of the act of the Congress of the
said United States in such case made and provided, entitled an act to regulate trade and intercourse with the In-
dian tribes, and to preserve peace on the frontiers, approved June 30th 1834, and thereby then and there for-
feited to the said United States the penalty of one Thousand Dollars, whereby and by force of said act of the
Congress of the United States in such case made and provided an action hath accrued to the said United States
to have and demand of and from the said defendant the sum of one Thousand Dollars so by him forfeited as
aforesaid under the provisions of the said act of Congress. Yet the said defendant, although often requested,
has not paid the said sum of one Thousand Dollars, or any part thereof to the said plaintiff, but to pay the
same or any part thereof hath hitherto wholly refused, and still doth refuse, and said one Thousand Dollars is
now due and owing from said Defendant to said Plaintiff. Wherefore the Plaintiff demands judgement against
the said Defendant for the sum of one Thousand Dollars, besides the costs of this action.

Alvan C Davis
United States Attorney for K. T.

TERRITORY OF KANSAS, }
Brookins COUNTY. }

Being duly sworn says that he is the United States Attorney, in and for the Territory aforesaid, and as
such Attorney, makes this affidavit in behalf of the said United States, that the matters and things contained
in the foregoing petition are true as he verily believes

A. C. Davis Subscribed and sworn to before me and in my presence,
this *1st* day of *November* 18*57*
W. A. Williams ckb

United States versus John Brookins for settling on Indian lands

