

United States versus George Cress for taking Indian property

This bench warrant and indictment relate to the case of the United States vs. George Cress. Cress was accused of cutting town and taking trees in November and December of 1859 from the land of the Ottawa Tribe in the Kansas Territory. Cress was indicted by the Third District Court at a special term in December 1859. After the Indian Removal Act of 1830, two branches of the Ottawa tribe were relocated to 72,000 acres centered around the present-day town of Ottawa, KS.

Date: December 1859

Callnumber: Kansas Territory Criminal Case Files, Box 7, Folder 32

KSHS Identifier: DaRT ID: 444922

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HISTORICAL
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United States versus George Cress for taking Indian property

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 George Cress so that you have his 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 1st Monday in May next, then and there to answer a certain crime of Taking Tenk off Indian land with which he 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 28 day of December 1859

S. A. Williams Clerk.



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I Certify that I arrested Geo Cress in Franklin Co. N.H. and took his bond of three hundred dollars for his appearance at the next term of the U.S. Dist Court

Philip J. Colby U.S. Marshal
by Chas. Simon Secy

No 13	United States		
294	Geo Cress		
	Taking bond of		
	John Simon		
	Filed May 28 th 1860		
	L. M. Colby		
	By my Secy		
	to City Jan 26 th		
	Musshes Geo	5.70	
	95 Miles	2.00	
	Stewin	.50	
	Bond		3.50
	two days Ex		

THIRD JUDICIAL DISTRICT
Territory of Kansas

UNITED STATES OF AMERICA

For 8028, 1859-60



United States versus George Cress for taking Indian property

Fort Scott, 1859-60

UNITED STATES OF AMERICA

Territory of Kansas
THIRD JUDICIAL DISTRICT

THE UNITED STATES OF AMERICA, by
its Marshal of the Territory of Kansas, GEORGE CRESS, do hereby certify that the
Judge of the District Court, and the Third Judicial District Court, within the Territory of Kansas,
on the day of the term now sitting; which occurred at Fort Scott, in the County of Bourbon, on the
day of the month of May, 1860, did and there to answer a
certain return of the Grand Jury, in the said Court, by the Grand Jury, for the body of
said District.

In Testimony Whereof, I, SAMUEL A. WILLIAMS, Clerk of said
Court, have hereunto subscribed my name, and affixed the Seal of said
Court at office in Fort Scott, in said District, this
day of May, 1860.

No 13
284

United States
Geo Cress
Taking Indian prop
Return of Grand
Jury May 28th 1860
S. Williams
By Mrs. Cress

(C. Cress) done 28th 5th
McWhorter &
Geo Cress
Geo Cress
Geo Cress
Geo Cress

3.50
2.00
3.50
3.50

I certify that I have been the true and correct
Clerk of the Court of the said District
and that the above is a true and correct
copy of the return of the Grand Jury, as
certified by the Clerk of the said District
Court.

Attest, I, Clerk of the said District
Court, do hereby certify that the above is a
true and correct copy of the return of the
Grand Jury, as certified by the Clerk of the
said District Court.

United States versus George Cress for taking Indian property

No 13
284

United States
vs
Geo Cress
Taking timber off
Indian Land
Filed May 28th 1860
L. McCarter
By Wm B. Burt

to City and Co.
Marshes Fee
95 Miles 5.70
River 2.00
Bond 5.00
two days 1.50

*I certify that I have been the true in making
to Mr. Cress the true bond of the land and the
Indian appearance of the May term of the U.S. Court*
at St. Louis, Mo. by John M. M. M. M.

UNITED STATES OF AMERICA
Territory of Kansas
THE UNITED STATES OF AMERICA

For 28th, 1860

United States versus George Cress for taking Indian property

United States }
vs }
George Cress }
Third Judicial District

In the United States District Court
holden in and for the Third Judicial
District of the Territory of Kansas
— Special Term December AD 1859 —

The Grand Jurors of the United States
of America, within and for the Third
Judicial District of the Territory of
Kansas, duly and legally selected, sum-
=moned, subpoenaed, sworn and charged
to enquire in and for the body of said
District aforesaid, at the Special Term
in Term of the United States District
Court in the year of our Lord one thousand
eight hundred and fifty nine, holden
in and for said District aforesaid
upon their oath to present, that, George
Cress, late of the District aforesaid did
on the first day of November in the
year of our Lord one thousand
eight hundred and fifty nine and
on divers other days and times between
the said first day of November aforesaid
and the day on which this indictment
is found and presented
by the Grand Jurors aforesaid,
at least — within the jurisdiction of
this Court, and within the Third
Judicial District of the Territory of

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Kansas, Enter in and upon the lands selected and set apart for the Ottawa tribe of Indians, by and under a treaty, made by and between the said Ottawa tribe of Indians, and the United States of America, into which said land the said George Cress had not the right of entry, said Ottawa tribe of Indians being friendly Indians, and said lands aforesaid being Indian country, and then and there did cut, and take, and carry away divers trees, then and there growing and standing, and timber and logs then and there lying and being upon said lands, to wit, ten oak trees, ten walnut trees, ten Hackberry trees, ten elm trees, ten Hickory trees, and ten oak logs, ten walnut logs, ten Hackberry logs, ten elm logs, ten Hickory logs, said trees ^{timber} and logs being of great value to wit, of the value of five hundred dollars, & said trees ^{timber} and logs being the property of the said Ottawa Indian tribe. 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 of America

Alphon C. Davis
United States District Attorney
for the Territory of Kansas

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