Kansas Territory versus Gustavus Deacon for selling liquor on Sunday

These legal documents relate to the case of the Kansas Territory vs. Gustavus Deacon. Deacon was accused of selling liquor in his grocery store on Sunday, April 25, 1858 in Leavenworth, Kansas Territory. Deacon was indicted by the First District Court in Leavenworth and was found not guilty in September of 1858.

Date: 1858

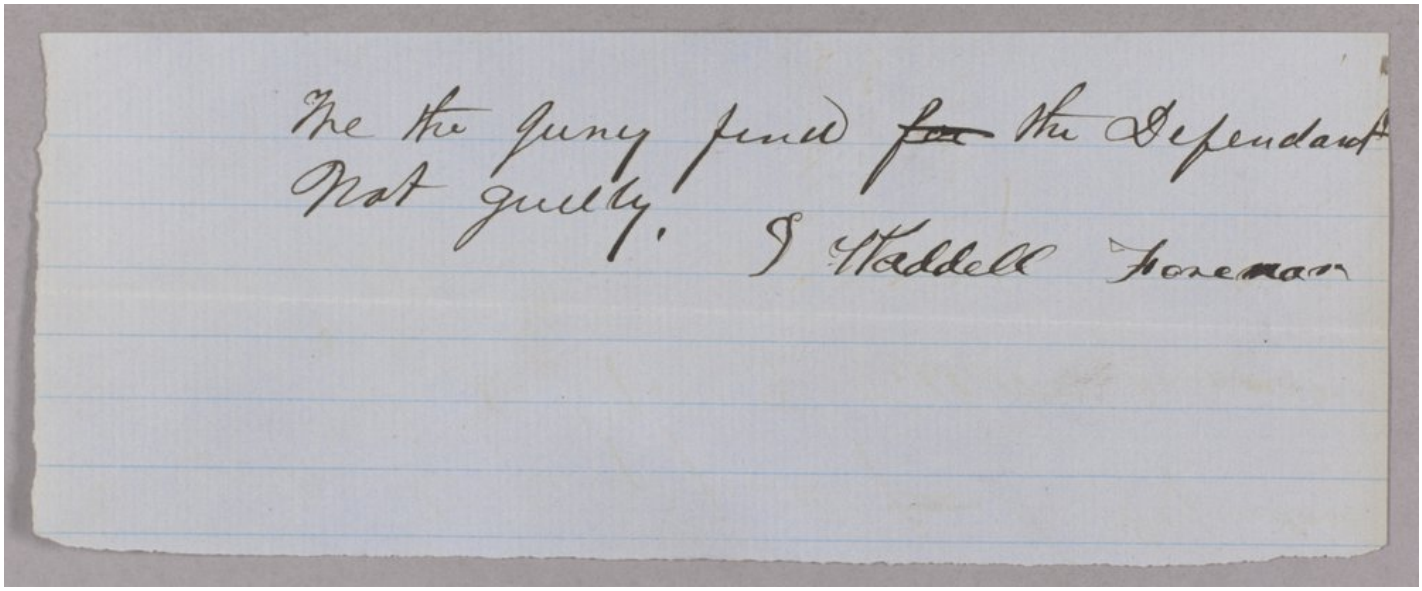
Callnumber: Kansas Territory Criminal Case Files, Box 8, Folder 19

KSHS Identifier: DaRT ID: 444955

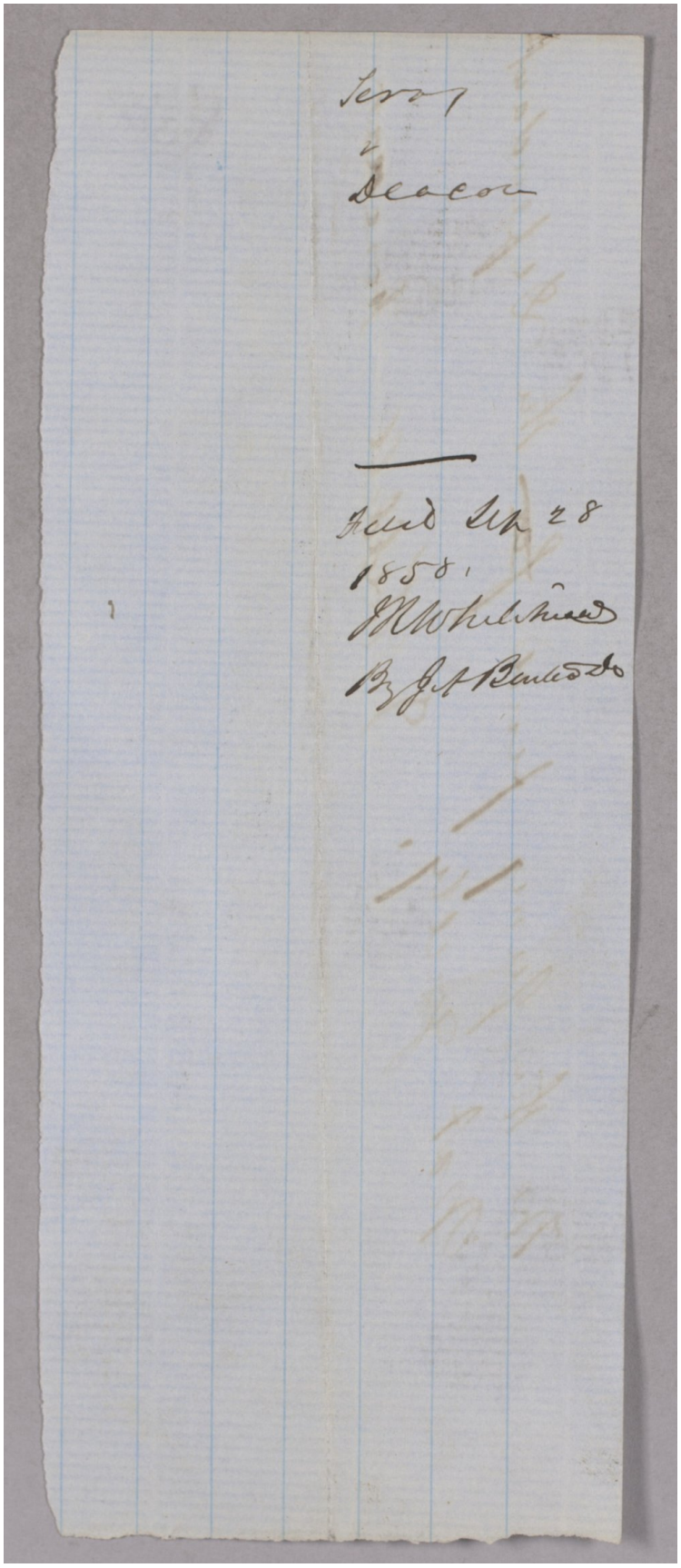
Item Identifier: 444955

www.kansasmemory.org/item/444955

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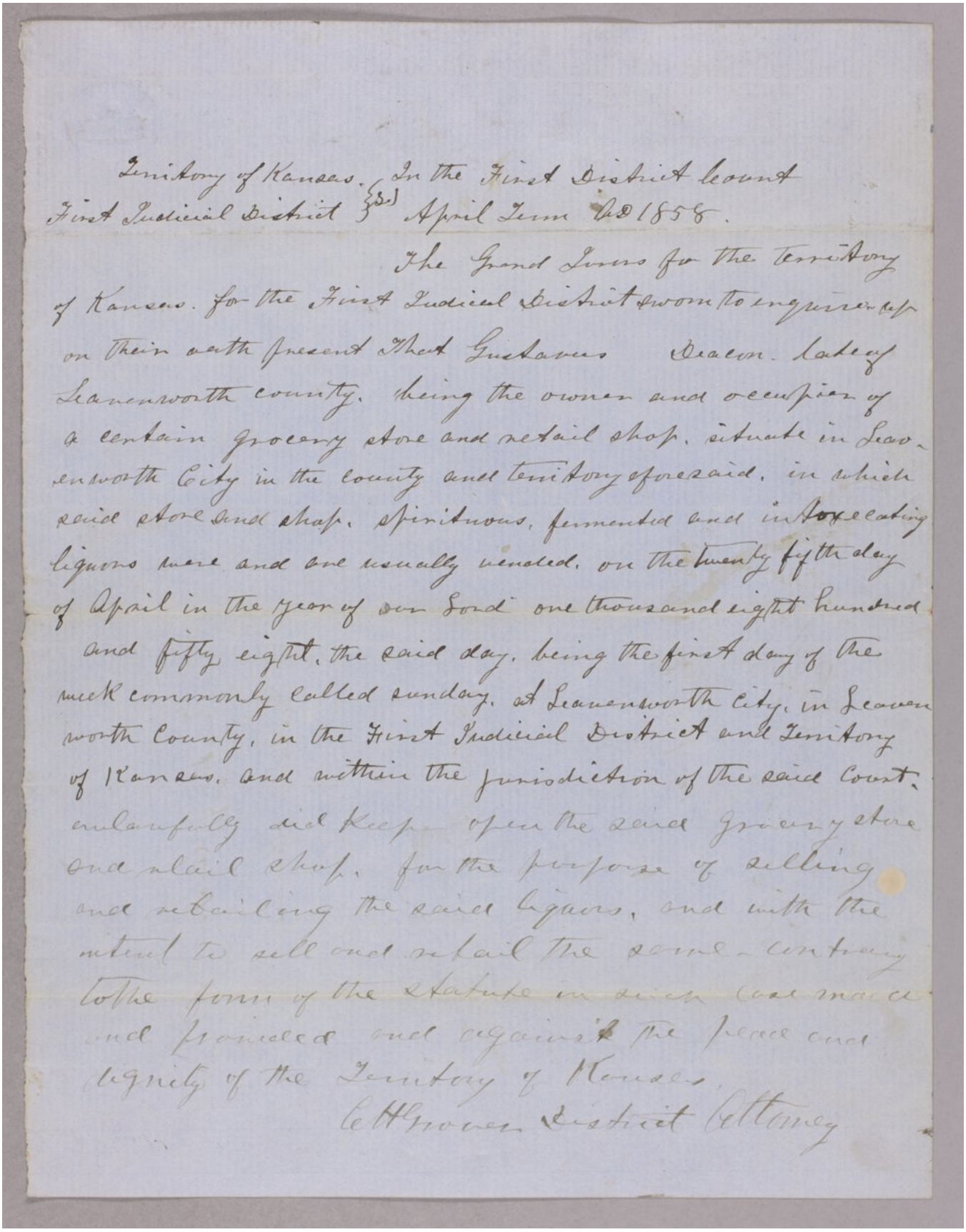

We the Jury find for the Defendant
Not guilty. J Waddell Foreman

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Ter
v
Deacon

Sund Sept 28
1858.
J W Whitfield
By J. P. Benton Do

Kansas Territory versus Gustavus Deacon for selling liquor on Sunday

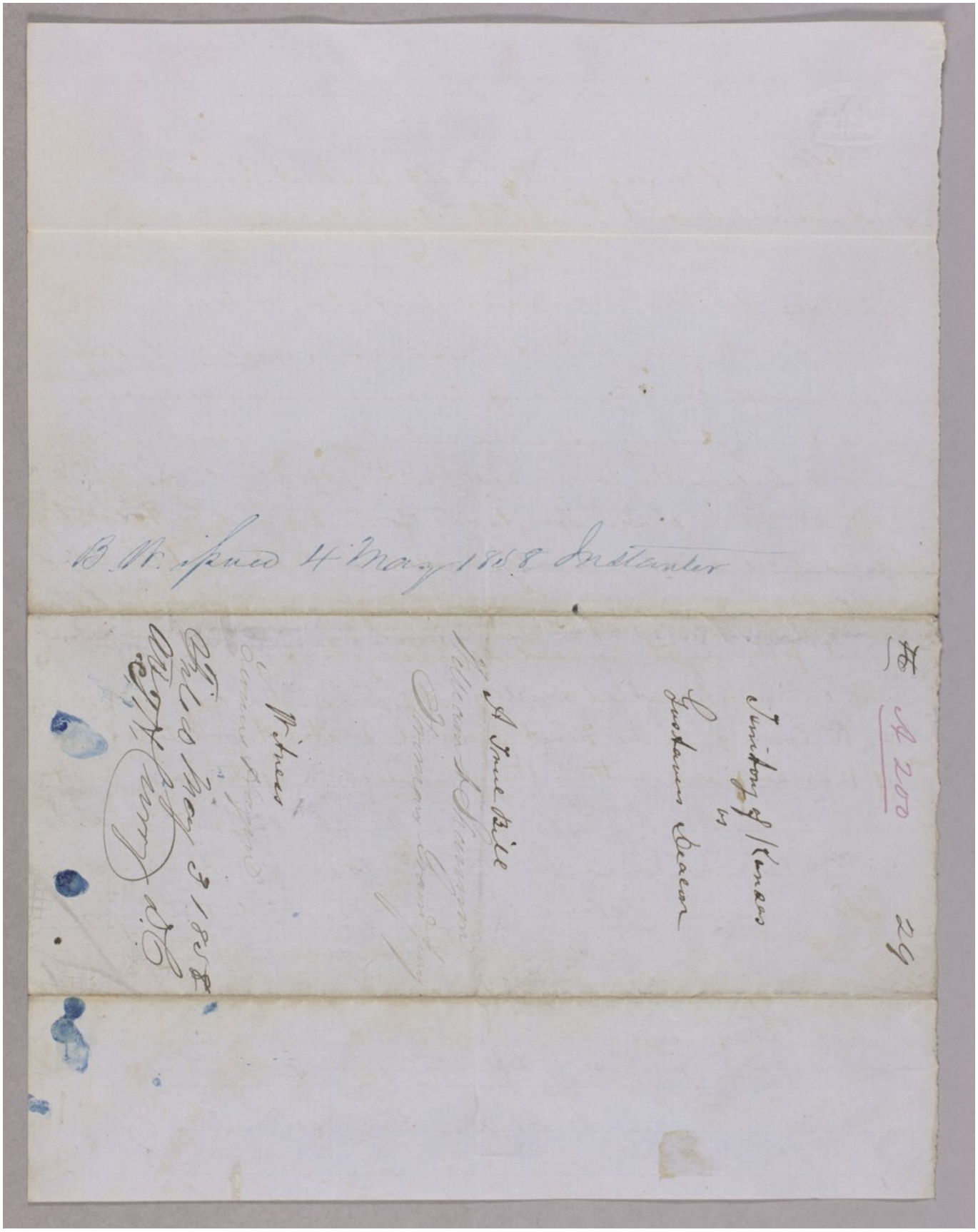


Territory of Kansas. } In the First District Court
First Judicial District } 2d April Term A.D. 1858.

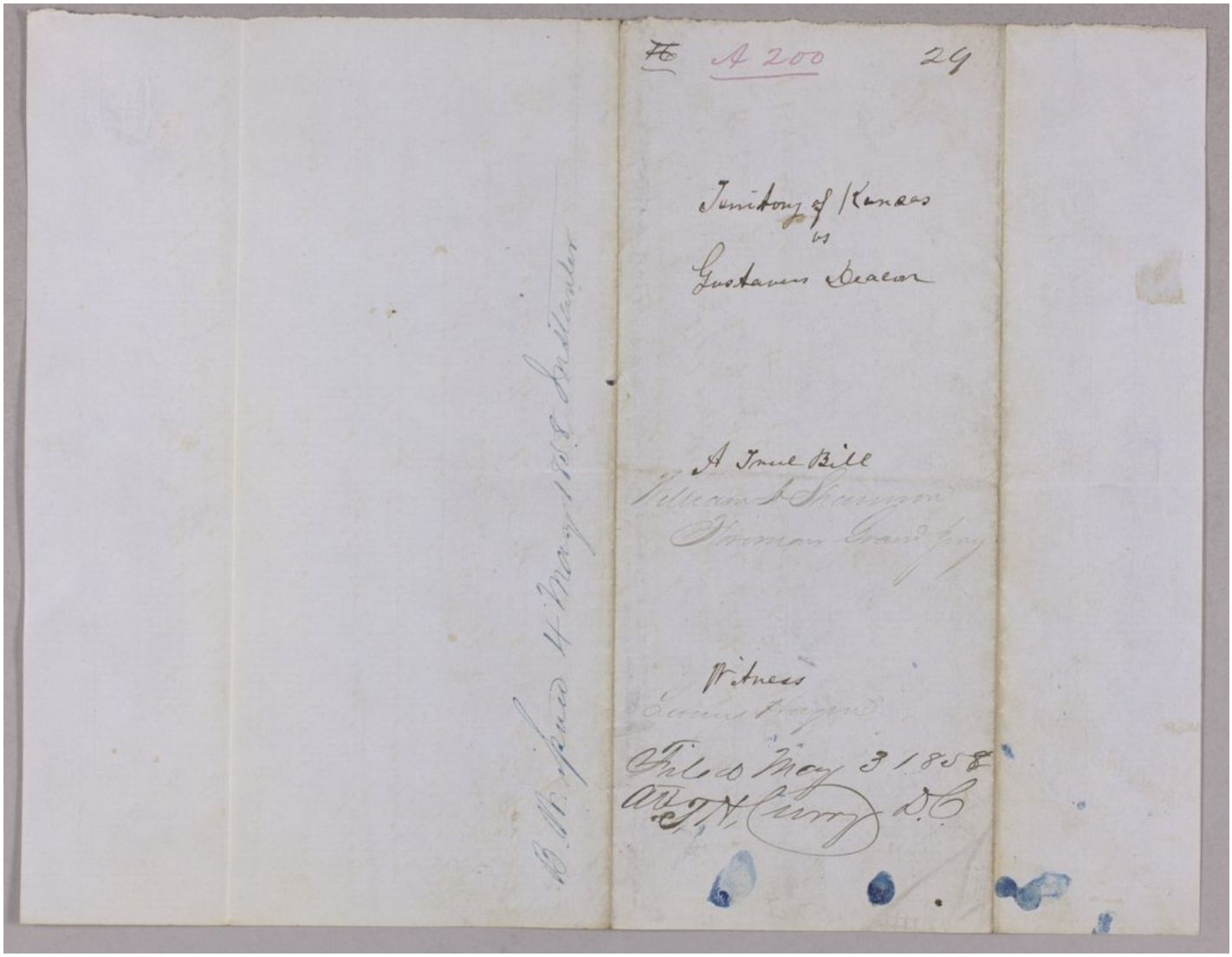
The Grand Jurors for the territory of Kansas. for the First Judicial District sworn to inquire &c. on their oath present That Gustavus Deacon late of Leavenworth county. being the owner and occupier of a certain grocery store and retail shop. situate in Leavenworth City in the county and territory aforesaid. in which said store and shop. Spirituous. fermented and intoxicating liquors were and are usually vended. on the twenty fifth day of April in the year of our Lord one thousand eight hundred and fifty eight. the said day. being the first day of the week commonly called sunday. at Leavenworth City. in Leavenworth County. in the First Judicial District and Territory of Kansas. and within the jurisdiction of the said Court. unlawfully did keep open the said grocery store and retail shop. for the purpose of selling and retailing the said liquors. and with the intent to sell and retail the same - contrary to the form of the statute in such case made and provided and against the peace and dignity of the Territory of Kansas.

C. H. Grover District Attorney

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United States of America,
TERRITORY OF KANSAS,
FIRST JUDICIAL DISTRICT.

The Territory of Kansas.

To the Marshal of the United States for said Territory—GREETING:

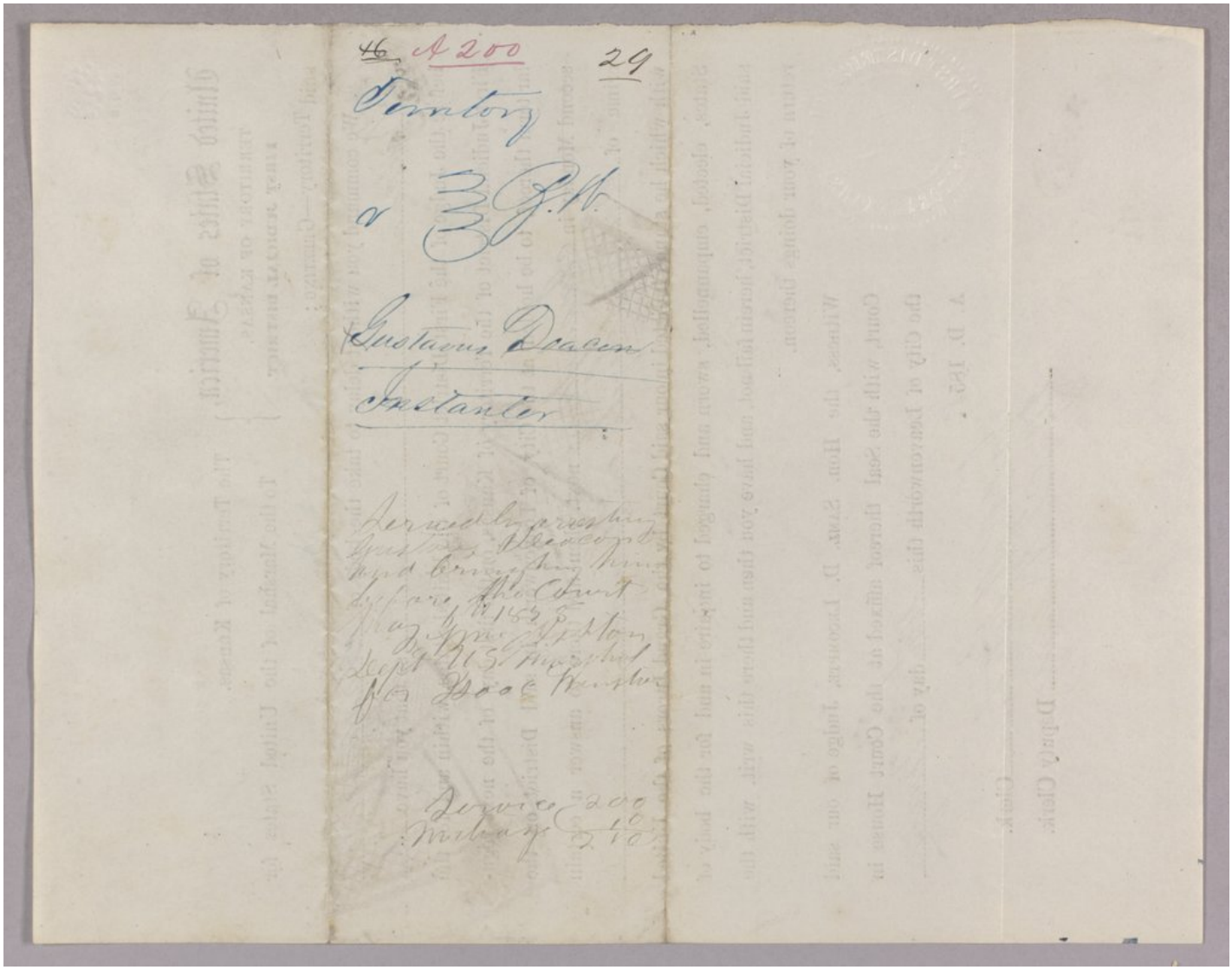
We command you without delay to take the body of Gustavus Deacon so that you have him before the Judge of the First District Court of the United States, within and for the First Judicial District of the Territory of Kansas, on the first day of the next regular term thereof, to be holden at the City of Leavenworth in said District, ~~on the second Monday in~~ Instantus next, then and there to answer a certain crime of Selling Liquor on Sunday with which he stands indicted in our said Court by the Grand Jurors of the United States, elected, empannelled, sworn and charged to inquire in and for the body of said Judicial District, herein fail not, and have you then and there this writ, with the return of your doings thereon.

Witness, the Hon. SAMZ. D. LECOMPTE, Judge of our said Court, with the Seal thereof affixed at the Court House in the City of Leavenworth this 4th day of May A. D. 1858.

Jas. R. Whitehead Clerk.

By T. R. Camp Deputy Clerk.

Kansas Territory versus Gustavus Deacon for selling liquor on Sunday



Kansas Territory versus Gustavus Deacon for selling liquor on Sunday

United States of America,
TERRITORY OF KANSAS,
FIRST JUDICIAL DISTRICT. } SS.

The Territory of Kansas,

To Levius Hazen

We command you, that you be and appear in your proper person before the Judge of the First District Court of the United States, in and for the First Judicial Distriict of the Territory of Kansas, at the Court House, in the City of Leavenworth, ~~on the ..... of the Term, it being the ..... day of~~ Tuesday 11th inst A. D. 1858, of said Court, then and there to testify in a certain matter of controversy now depending and undetermined in our said Court, wherein The Territory of Kansas is Plaintiff, and Gustavus Deacon is Defendant, on the part and behalf of the Territory and this do you in no wise omit, under the penalty of the Law.

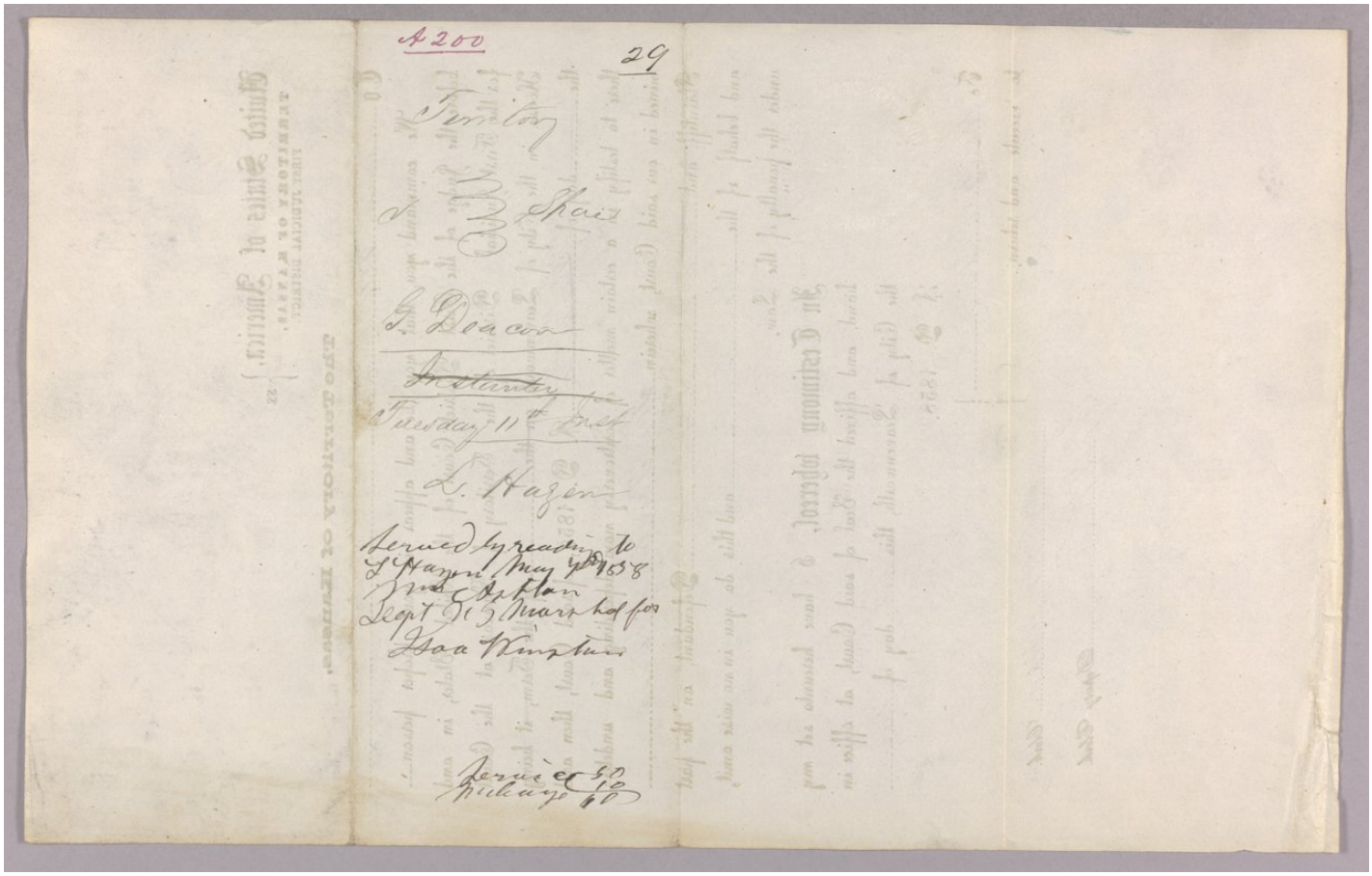
In Testimony whereof, I have hereunto set my hand, and affixed the Seal of said Court, at office in the City of Leavenworth, this 6th day of May A. D. 1858.

To the U.S.M. ...
to execute and return.

James B. Whitehead Clerk.

By W. H. Carey Deputy Clerk.

Kansas Territory versus Gustavus Deacon for selling liquor on Sunday


A200

29

Territory

vs

J. Shaw

G. Deacon

~~Saturday~~

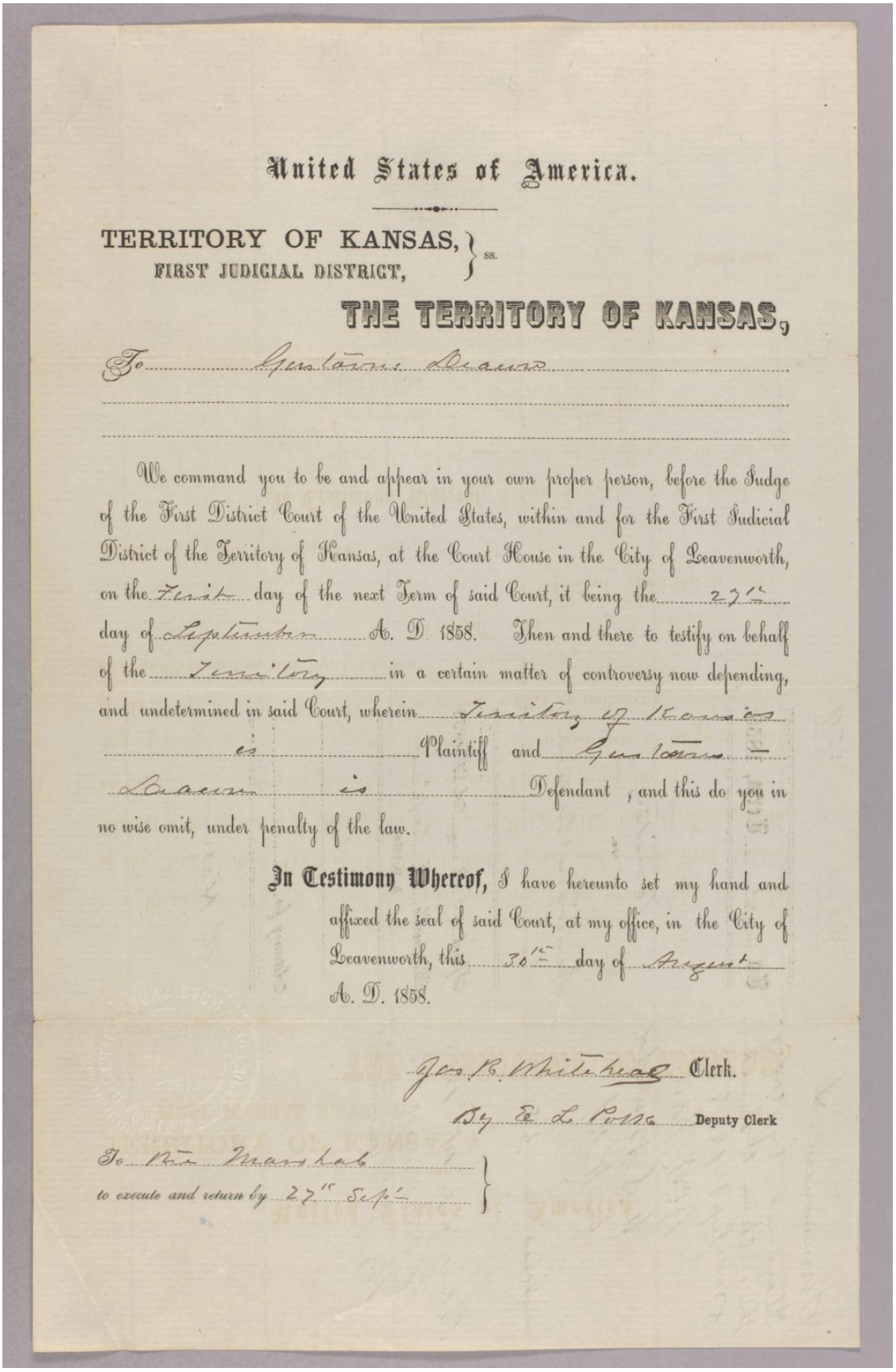
Tuesday 11th inst

L. Hazen

Served by reading to
L. Hazen May 9th 1858
Fred Oehlan
Dept U S Marshal for
Kans Territory

Fees $2.00
Mileage 60

Kansas Territory versus Gustavus Deacon for selling liquor on Sunday



United States of America.

TERRITORY OF KANSAS, } ss.
FIRST JUDICIAL DISTRICT, }

THE TERRITORY OF KANSAS,

To Gustavus Deacon

We command you to be and appear in your own proper person, before the Judge of the First District Court of the United States, within and for the First Judicial District of the Territory of Kansas, at the Court House in the City of Leavenworth, on the First day of the next Term of said Court, it being the 27th day of September A. D. 1858. Then and there to testify on behalf of the Territory in a certain matter of controversy now depending, and undetermined in said Court, wherein Territory of Kansas is Plaintiff and Gustavus Deacon is Defendant, and this do you in no wise omit, under penalty of the law.

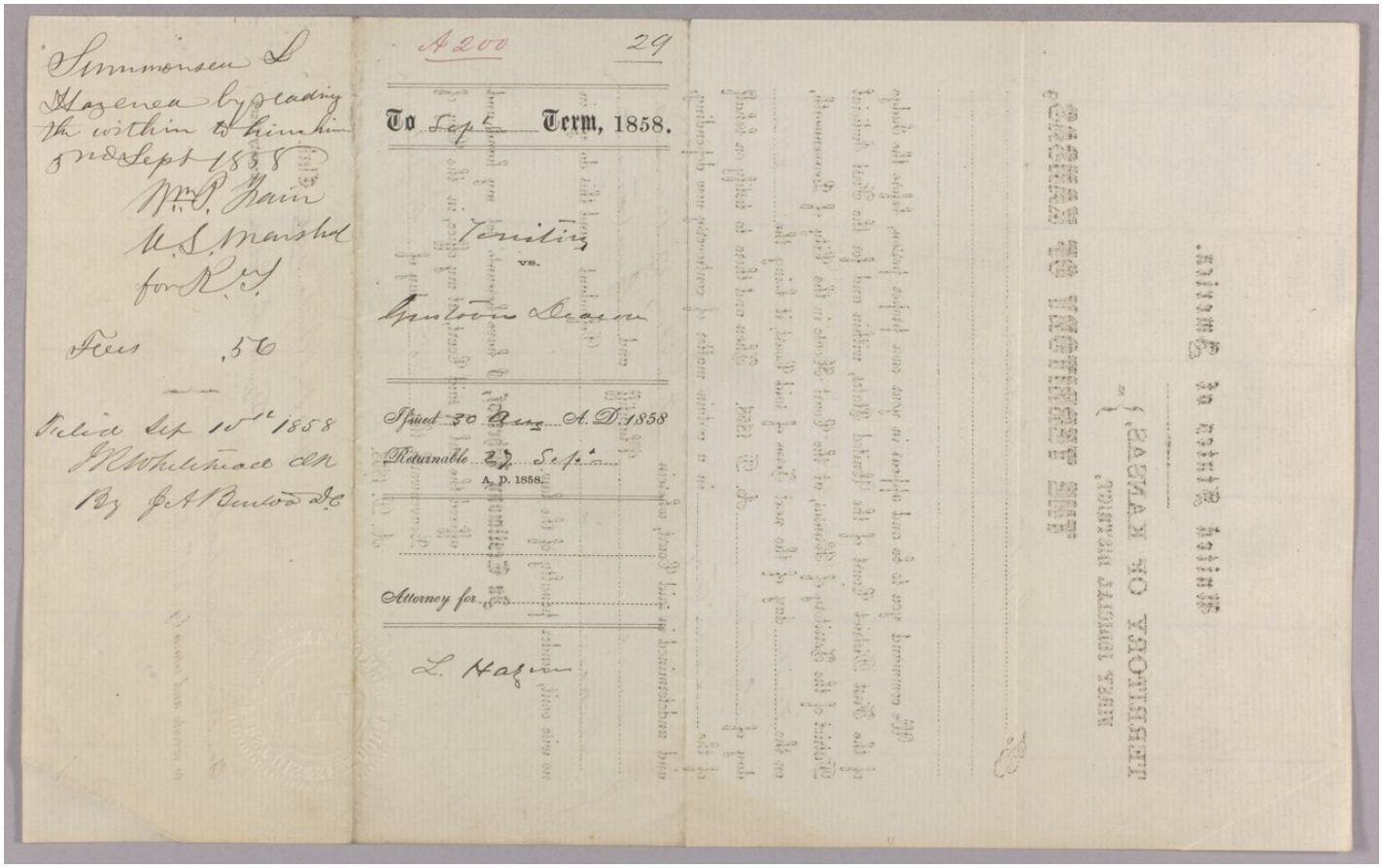
In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at my office, in the City of Leavenworth, this 30th day of August A. D. 1858.

Jos. R. Whitehead Clerk.

By E. L. Pomeroy Deputy Clerk

To the Marshal
to execute and return by 27th Sept.

Kansas Territory versus Gustavus Deacon for selling liquor on Sunday



Simmonsen &
Hazenca by reading
the within & hereto
5th Sept 1858
Wm P. Hain
U.S. Marshal
for K.T.

Fees .50

Paid Sept 10th 1858
J.H. Whitenack Clk
By J.A. Burrows D.C.

4200 29

To Sept Term, 1858.

Territory
vs.
Gustavus Deacon

Issued 30 Aug A.D. 1858

Returnable 2d Sept
A. D. 1858.

Attorney for

L. Hazen