

## **United States versus Charles Dean for selling liquor to Indians**

These legal documents relate to the case of the United States vs. Charles Dean. Dean was accused of selling liquor to members of the Potawatomi tribe on October 10, 1858 in Pottawatomie County, Kansas Territory and in January of 1859 in Leavenworth County, Kansas Territory. Dean was indicted for the crime in Leavenworth County in June of 1859 and the crime in Pottawatomie County in March of 1860. It was illegal to sell alcohol to Native Americans or on their land from 1832-1953.

Date: 1859 - 1861

Callnumber: Kansas Territory Criminal Case Files, Box 8, Folder 20

KSHS Identifier: DaRT ID: 444956

Item Identifier: 444956

[www.kansasmemory.org/item/444956](http://www.kansasmemory.org/item/444956)

KANSAS  
HISTORICAL  
SOCIETY

## United States versus Charles Dean for selling liquor to Indians

District Court of the United States of America, { ss.  
DISTRICT OF KANSAS.

THE UNITED STATES OF AMERICA,

To the Marshal of the District of Kansas, Greeting:

We command you to take the body of *Charles Dean*

if he be found in your District, so that you have him before the Judge of our District Court of the United States for the District of Kansas, at the next term thereof to be holden at Topeka, in said District, on the fourth Monday of *March*, then and there to answer to a certain Indictment for *Selling Liquor to Indians* which has been returned against him, into our said Court, by the Grand Inquest of the United States, in and for said District. And hereof fail not, and have you then and there this writ, with the return of your doings thereon.

Witness the HON. ARCHIBALD WILLIAMS, Judge of our said Court.

at Topeka, in the District aforesaid, this *third*  
day of *June* in the year of our Lord, one thousand eight hundred and sixty-one, and of our Independence the eighty-fifth year.

*John A. Morton* Clerk.

The Marshal will take bail of the defendant in the sum of *Five Hundred* Dollars.

*J. A. Morton*

Clerk

*Received this writ Dec  
8<sup>d</sup>/61*

*Return same June 9<sup>m</sup>  
61 Defendant Charles  
Dean within named  
not found*

*Mileage \$457.20*

*Josiah Howell  
us marshal*

DISTRICT COURT UNITED STATES  
OF KANSAS.

*B. J. Dean*  
*Aud. Comy. for Deft*

CAPTAS.

*Elias Dean*  
VS.  
UNITED STATES.

DISTRICT OF KANSAS.  
District Court United States.

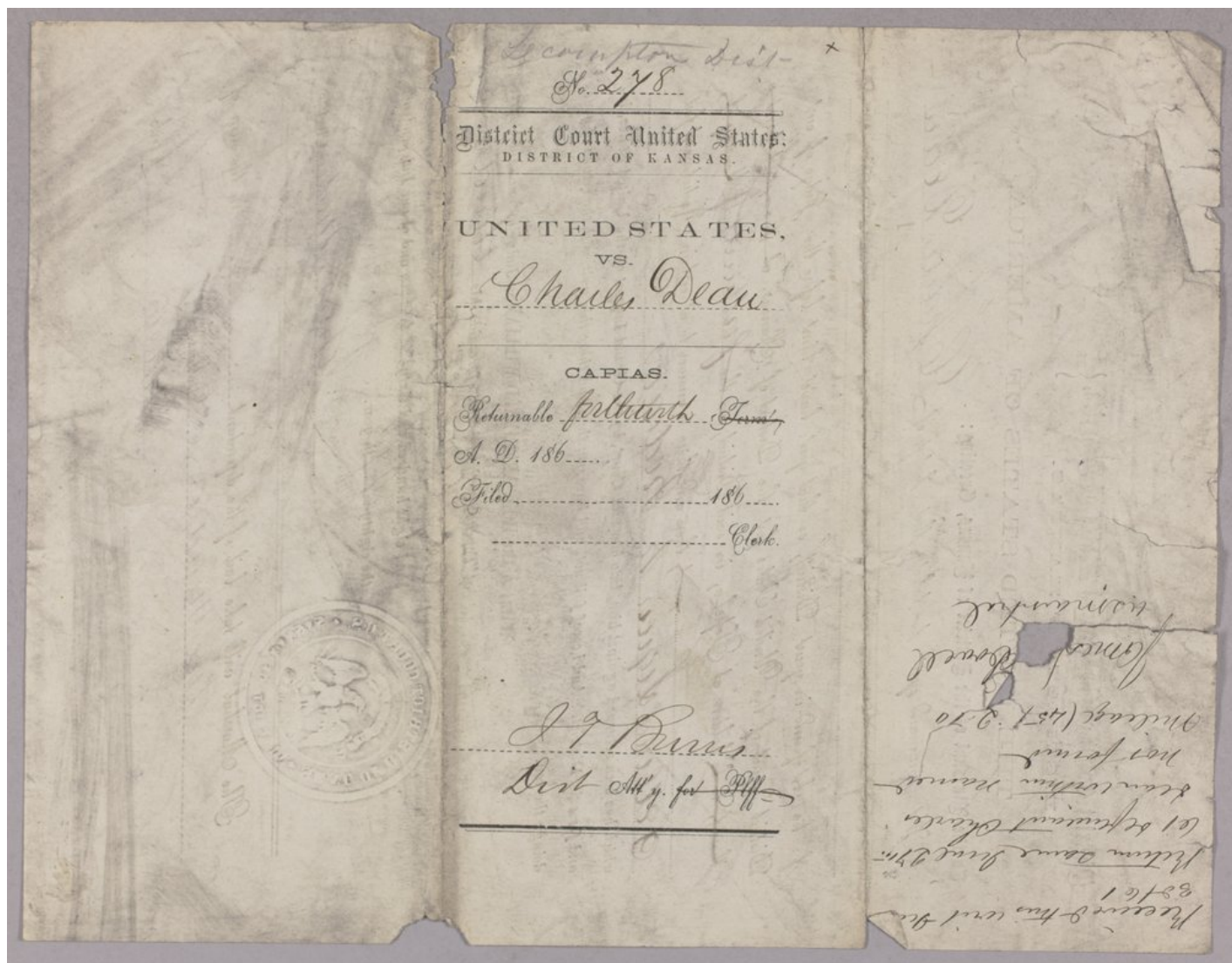
*\$278*  
*Decr. Nov. 1861*  
*Clerk.*

*Wm. H. Smith*

RECEIVED NOV 11 1861



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To the Marshall of the Territory of Kansas  
Greeting

You are hereby commanded to summon  
James Levee, Sagah Ho muck John vious W.  
E. Murphy, Charles Coulter Gabriel Frapp  
~~Chop Chaude~~  
& John Myers, to be and appear before  
A. L. Howell  
me ~~James A. Swadlow~~ a justice of the Peace  
for the Township of ~~Lawrence~~ <sup>St. George</sup> County  
of Pottawattamie and Territory of Kansas  
at my office forthwith, to testify  
in a case wherein the United States is  
Plaintiff and Charles Dean is  
Defendant - A. L. Howell, J. P.  
<sup>St. George</sup>  
Lawrenceville Mo. ~~May~~ <sup>July</sup> 1860 =

Filed May  
28-1860  
L. M. Arthur.  
By Messrs. B. & C.



## United States versus Charles Dean for selling liquor to Indians

To the Marshal of the Territory of Kansas  
 Presenting  
 These are hereby recommended to be removed  
 James Leavenworth, as per the order of the Court  
 & Murphy, George, County of Graham, Territory of Kansas  
 & Joseph, to be sent before the Court  
 one known as, the same as the Court of the  
 for the Territory of Kansas, the same as the  
 of the same as the Court of the  
 at my office, to be sent before the Court  
 in a case where the same as the Court of the  
 present and Charles Dean to  
 Defendant -  
 Attest  
 Charles Dean  
 1870

Filed May  
 28<sup>th</sup> 1860  
 L. M. Arthur.  
 By Wm. B. B.

## United States versus Charles Dean for selling liquor to Indians

I have this day Sent this  
by Reading the Return to the  
Return Named Witness

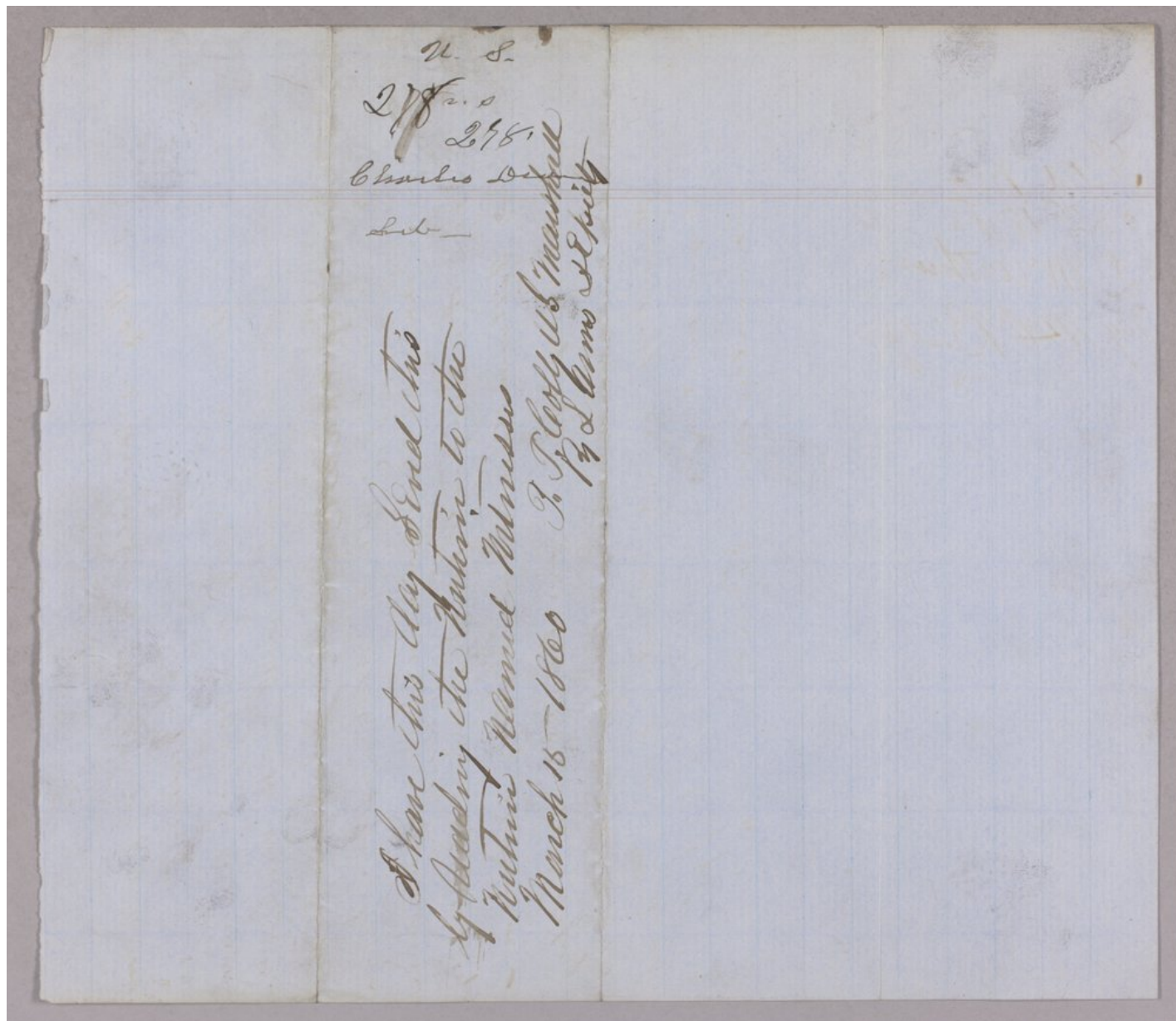
March 15 1860

J. J. Coffey U.S. Marshall  
By J. J. Coffey Deputy

W. S.  
2/18/60  
2/18/60  
Charles Dean



## United States versus Charles Dean for selling liquor to Indians





## United States versus Charles Dean for selling liquor to Indians

United States } Affidavit filed before Justice H. B. Bradford  
As } on the 13<sup>th</sup> day of March A.D. 1860 charging the  
Chas<sup>r</sup> Dean } Defn<sup>r</sup> Chas<sup>r</sup> Dean with having on or about the  
tenth day of October 1858 sold intoxicating  
liquor to certain members of the Pottawatomie  
tribe of Indians. Warrant issued on the same  
day which warrant was returned before me  
A. G. Howell a Justice of the peace of Pottawatomie  
County on the 15<sup>th</sup> day of March A.D. 1860

Whereupon the Counsel for the Defn<sup>r</sup>, A. Bartlett  
made a Motion to dismiss the case on the ground  
that a Justice of the peace had no jurisdiction of  
of the subject matter of the offense

March 15<sup>th</sup> 1860. Which Motion was overruled by Justice  
Examination had Sahgahkanuk Jas Leria Shopchuk  
Wm E Murphy and Chas Conklin (John Tipton  
having been sworn as interpreter for the Indian  
witnesses) were sworn and examined as witnesses  
for the prosecution and Oscar Dean sworn and  
examined as witness for Defendant

March 16, 1860 After having heard the proofs and allegations of the parties  
it is thereupon adjudged by me that the Defendant  
give bail in the sum of five hundred dollars for  
his appearance at the next term of the United States  
Dist Court to be held at the City of Leavenworth on the  
28<sup>th</sup> day of May A.D. 1860 and in default thereof  
to stand committed

I certify the foregoing to be a correct transcript of the  
Docket entries in the above entitled cause  
A. G. Howell, J, SD

## United States versus Charles Dean for selling liquor to Indians

U.S.  
 vs  
 Dean

Items of Costs of A. S. Howell Justice of the peace  
 Doctoring case, 10<sup>cts</sup> certifying affidavits 25<sup>cts</sup> Warrant, 50<sup>cts</sup>  
 Issuing Motion to dismiss, 15<sup>cts</sup> Summoning 7 Witnesses, 70<sup>cts</sup>  
 Trial, 35<sup>cts</sup> giving judgement on merits, 25<sup>cts</sup> Making up docket, 20<sup>cts</sup>  
 Subpoena for 8 Witnesses, 1,45<sup>cts</sup> Recognizance of Witnesses, 35<sup>cts</sup> \$4,50.

United States  
 278 - 18 in Indian Country.  
 Charles Dean  
 Transcript from  
 commissioner

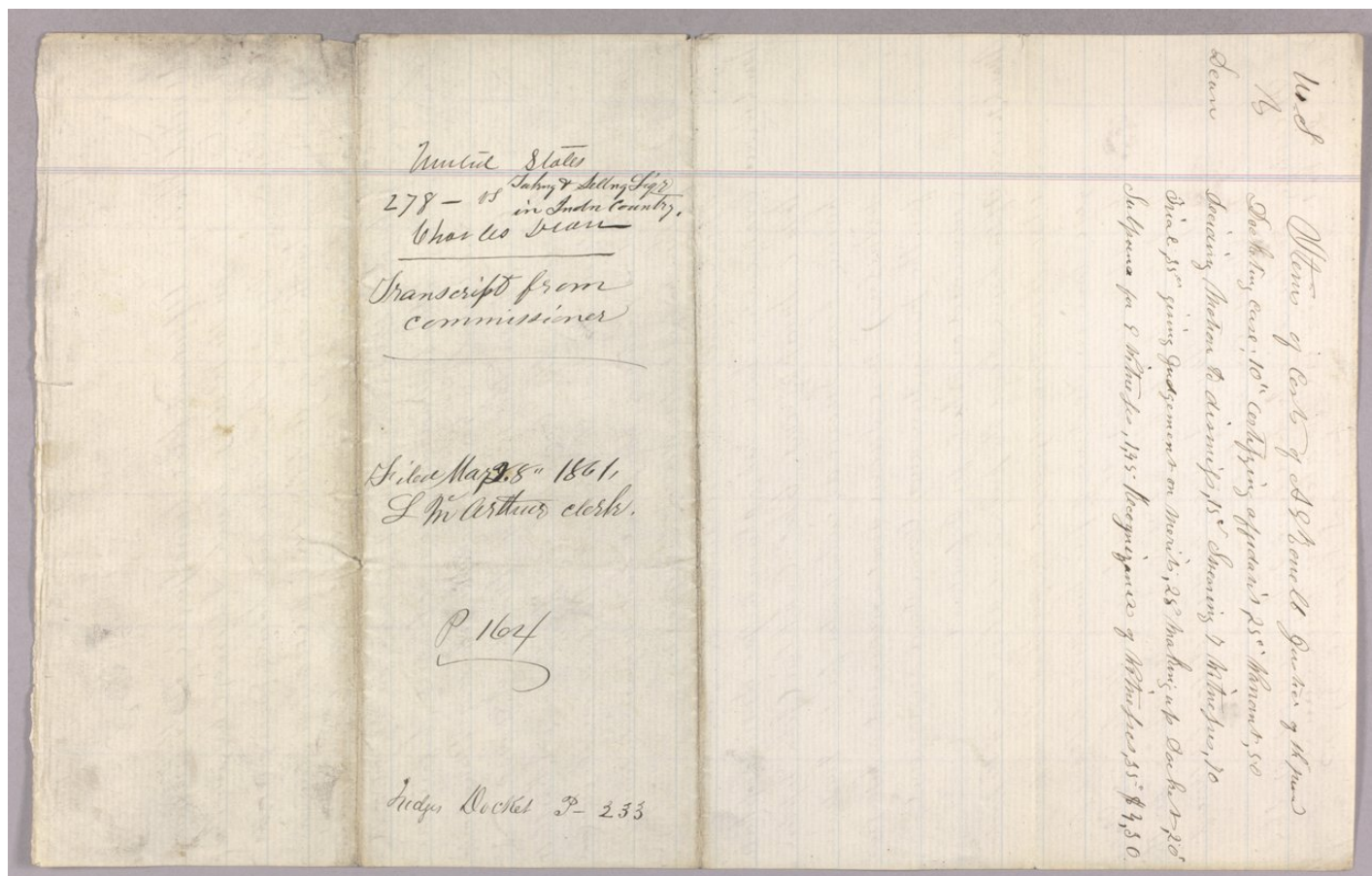
Since May 28<sup>th</sup> 1861  
 J. W. Arthur clerk.

P 164

Indigo Docket P- 233



## United States versus Charles Dean for selling liquor to Indians



## United States versus Charles Dean for selling liquor to Indians

To the the United States Marshall of  
The Territory of Kansas -

Greeting -

Whereas William B. Bradford has  
made an affidavit before me as  
B. Bradford a justice of the Peace  
within and for so much the Township of  
Louisville in <sup>Pottawattamie</sup> ~~Frank~~ County, <sup>in said</sup> ~~Frank~~ Territory  
that on or about the 10<sup>th</sup> day of  
October A. D. 1858 on the Pottawattamie  
Reserve in said Territory, one Charles  
Dean, unlawfully feloniously & with  
force and arms, did give spirituous  
a number of the tribe of Pottawattamie Indians & other members of said tribe  
liquors to James Levia and ~~James Levia~~

You are therefore hereby commanded  
to take the body of said Charles Dean  
wherever he may be found in said  
Territory, and forthwith bring him before  
me or some other justice of the Peace  
in said County, and him safely keep  
until discharged according to law, and  
hereof fail not -

Witness my signature this 10<sup>th</sup> day  
of March A. D. 1860 - Wm B Bradford Justice of the Peace

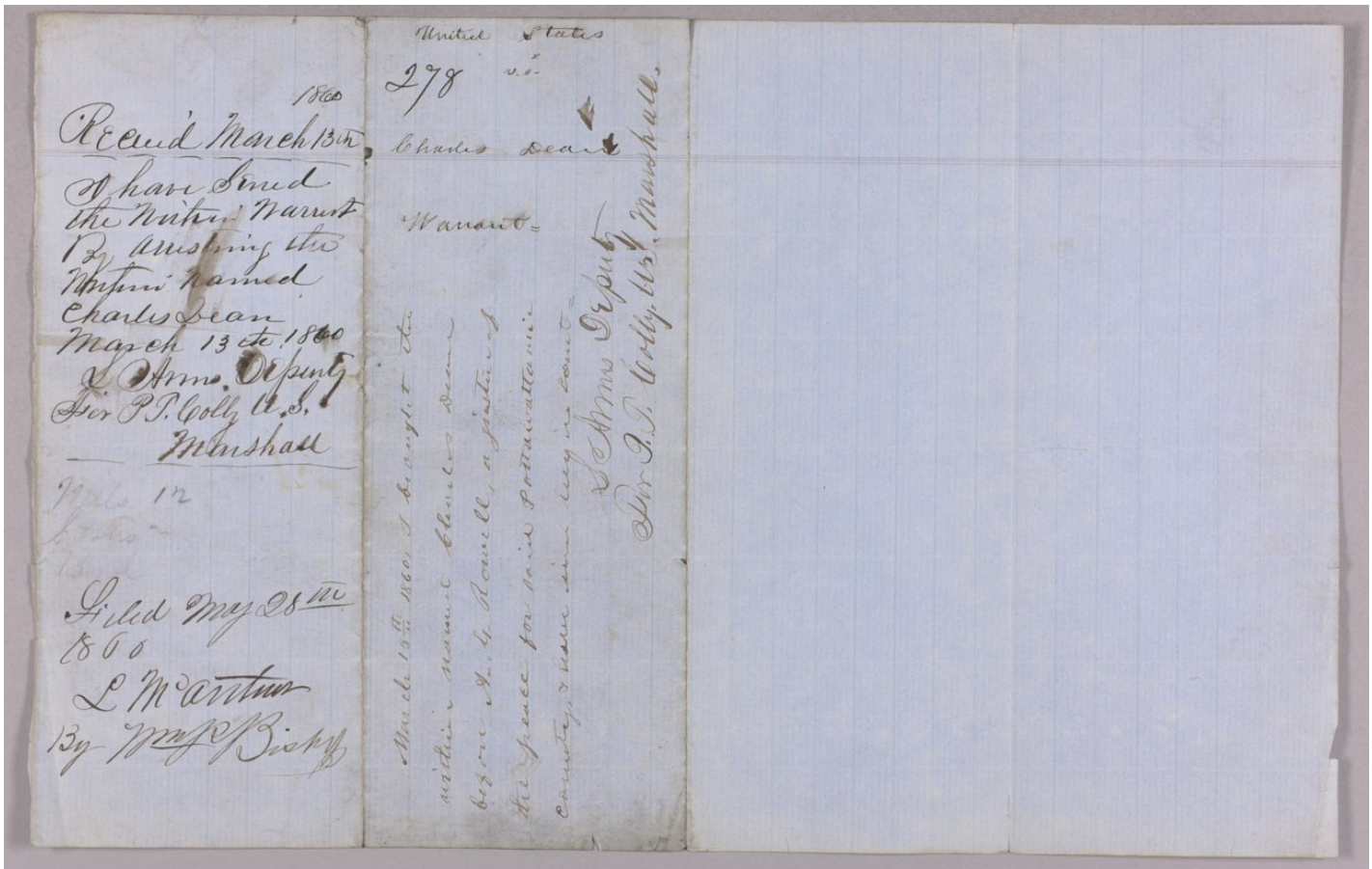


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Received March 13<sup>th</sup> 1860  
 of Charles Dean  
 the Native Mount  
 13<sup>th</sup> March 1860  
 Charles Dean  
 March 13<sup>th</sup> 1860  
 W. O. Dean, Deputy  
 for J. P. Colly, U. S.  
 Marshall  
 Filed May 28<sup>th</sup> 1860  
 L. M. Weston  
 by J. M. Weston

March 15<sup>th</sup> 1860, I brought the  
 within name Charles Dean  
 before A. L. Howell, a justice of  
 the peace for said Pottawattamie  
 county, & have since been in court =  
 J. M. Weston Deputy  
 for J. P. Colly, U. S. Marshall.

## United States versus Charles Dean for selling liquor to Indians





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United States of America  
Territory of Kansas  
First Judicial District Court

In the First District Court sitting  
in and for said District for the  
trial of cases arising under  
the Constitution and laws of the  
United States

The Grand Jurors of the United States of America in  
paneled and sworn to inquire within and for the  
District aforesaid in the Territory aforesaid upon their  
oath present that one Charles Dean late of the  
County of Leavenworth in the District aforesaid on  
the 2nd day of January one thousand eight hundred  
and fifty nine at the County of Leavenworth in the  
District aforesaid in the Indian Country known as  
the Pottawatomie Reserve situate lying and being in  
the County of Leavenworth in the District aforesaid  
did sell one gill of Whiskey one gill of Rum one gill  
of Brandy the same then and there being spirituous  
liquor to a certain Indian of the Pottawatomie Tribe  
of Indians then and there being whose name is to  
the Grand Jurors aforesaid unknown contrary to the  
form of the act of the Congress of the United States in  
such case made good provided and against  
the peace and dignity of the said United States

Attest My Hand & Seal  
this 1st day of March 1859  
J. M. W. Clerk

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