

United States versus Henry Devillers for settling on Indian lands

This legal petition was filed against Henry DeVillers by District Attorney Alson C. Davis for the Third District Court of the Kansas Territory. The petitor accuses DeVillers of surveying lands for settlement on November 1, 1859 that belonged to the Miami Tribe in Linn County, Kansas Territory. Davis demands a judgement of one thousand dollars, citing the Nonintercourse Act passed on June 30, 1834.

Date: November 29, 1859

Callnumber: Kansas Territory Criminal Case Files, Box 8, Folder 24

KSHS Identifier: DaRT ID: 444960

Item Identifier: 444960

www.kansasmemory.org/item/444960



United States versus Henry Devillers for settling on Indian lands

Nov. 1899.
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United States of America
Territory of Kansas

In the District Court of the United States in and for the Third Judicial District of the Territory of Kansas.

United States Plaintiff }
Henry D. Devillers Defendant } Petition

Now comes the said United States plaintiff and complaining of the said defendant. For that whereas heretofore to wit. On or about the first day of November A.D. 1897 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 aforesaid and then and there attempted to survey and did survey the lands and designate the boundaries thereof by marking the trees thereon and otherwise, contrary to the form of the act of Congress of the United States in such case made and provided entitled and act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers approved June 30th 1834 and thereby then and there forfeited to the said United States the penalty of One Thousand Dollars whereby and by force of said act of the Congress of the United

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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.

Wherefore the plaintiff demands judgement
against the said defendant for the Sum
of One Thousand Dollars besides the Costs
of this action

A. C. Davis

United States Attorney

County of Kansas
Bourbon County

being duly sworn says that he is the United
States Attorney in and for the District 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
truly believes.

A. C. Davis

Subscribed in my presence and
sworn before me this
29th Nov 1839

J. A. Williams Clerk

Henry Devillers
Witness Charles

Attest 29th Nov 1839
J. A. Williams Clerk

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States in such case made and promised
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
imported as aforesaid under the provision 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.

Wherefore the plaintiff demands judgment
against the said defendant for the sum
of One Thousand Dollars being the cost
of this action

A.C. Davis

County of Kansas
Being duly sworn says that he is the United
States Attorney in and for the District of Kansas
and as such Attorney makes this
affidavit in behalf of the United States
that the matters and things contained
in the foregoing petition are true as he
verily believes.

A.C. Davis

Subscribed in my presence and
sworn before me this
29th Nov 1839

JA Williams clk

Witness my hand
this 29th Nov 1839

John Williams