

LETTER

FROM

THE SECRETARY OF WAR,

IN RELATION

To the claim of George C. Johnston for the payment of certain debts due him by the Shawnee Indians.

APRIL 21, 1840.

Submitted by Mr. SEVIER, from the Committee on Indian Affairs, and ordered to be printed.

WAR DEPARTMENT, *February 26, 1840.*

SIR: I have the honor to acknowledge the receipt of your communication of the 12th inst., enclosing a bill of the House of Representatives for the relief of George C. Johnston, asking why his claim has not been paid before; and, also, if there is any money left of the appropriation of July 14, 1832, for an annuity to the Shawnee Indians, which can be assigned to the payment of Johnston.

In reply, I beg leave to transmit, herewith, a report of the Commissioner of Indian Affairs, and accompanying papers, furnishing the information desired.

The bill referred to is returned herewith.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Hon. A. H. SEVIER,

Chairman Committee on Indian Affairs, Senate.

WAR DEPARTMENT,

Office Indian Affairs, February 17, 1840.

SIR: The letter of the Honorable Mr. Sevier, chairman of the Committee on Indian Affairs in the Senate, of the 12th inst., referred by you to this office for a report, has been received, together with its enclosure, respecting the claim of George C. Johnston against the Shawnee Indians.

Referring you to the enclosed copy of a report, dated the 26th January, 1837, from my predecessor to the Hon. Mr. Butler, then Secretary of War, *ad interim*, and to the copies (also herewith) of the memorial and letter from the chiefs and headmen of that tribe upon the same subject, as well as a communication from Major Cummins, transmitting the former, received since that report was made, I have only to add (to furnish the information called for) that the annuity of \$2,000 a year, provided by the act of 1832, as far as the same has become due, has been paid over to the Indians, with

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the exception of \$459 paid in satisfaction of debts admitted by the Shawnees, and at their request.

Very respectfully, your most obedient servant,

T. HARTLEY CRAWFORD.

J. R. POINSETT, *Secretary of War.*

WAR DEPARTMENT,
Office Indian Affairs, January 26, 1837.

SIR: I have the honor to return the letter of the Honorable Mr. Tipton, of the 19th inst., with the accompanying papers, relating to the claim of George C. Johnston, against the Shawnee Indians.

In reply to the inquiry made by General Tipton, on behalf of the Committee on Indian Affairs of the Senate, whether it is competent for the Executive to direct this claim to be paid out of the appropriation of \$2,000 for 15 years, made in the act of Congress of July 14, 1832, as an additional compensation to the Shawnee Indians for their reservation at Wapanghkonetta, I beg leave to state my impression that it is not.

The acts of Congress of June 30, 1834, organizing the Indian Department, and regulating trade and intercourse with the Indian tribes, prescribe the annuities shall be paid as the tribe may direct, to the chiefs or to heads of families; and they provide for the payment, out of the annuity, of claims for depredations only. As the appropriation for the Shawnees, in the act of July 14, 1832, is "an annuity of \$2,000 for 15 years," its application to the payment of Mr. Johnston's claim is precluded by the acts of 1834.

It appears from the correspondence of this office, that the appropriation in question was designed to be used for the payment of the just debts of the Indians, but with the views above expressed, I do not think Mr. Johnston's claim can be paid without legislative action. A new appropriation of \$2,000 was asked last year, and has been asked this, but I am of opinion that the whole sum of \$30,000 was appropriated in 1832. Should I be right in this, and should Congress provide that this claim should be paid, no appropriation will be necessary.

Very respectfully, &c.,

C. A. HARRIS, *Commissioner.*

Hon. B. F. BUTLER,

Secretary of War, ad interim.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

We, the subscribers, chiefs, counsellors, headmen, and warriors, residing near the Kansas river, and west of the State of Missouri, and within the agency of Fort Leavenworth, are informed, on this the 23d day of May, 1838, by our agent, Major Cummins, that a bill had been reported to Congress for the relief of George C. Johnston, based on a memorial dated the 29th day of May, 1838, signed by some of the Shawnee chiefs, heads of families, &c. Our agent further informs us that he has not received a copy

of said bill, but that he understands the object of the bill is to enact a law securing to the said George C. Johnston, eighteen thousand five hundred and ten dollars, which sum is to be taken from money secured to the Shawnees by treaty stipulation, or by a law enacted in 1832 or 1833, for thirty thousand dollars, for the benefit of the Shawnee nation. Now, if this is the object of said bill, we, your humble petitioners, would, in the most respectful manner, pray Congress not to act on said bill, and not to enact any law that will interfere with money appropriated for the benefit, or coming in any other way to the Shawnee nation, for the relief of the said George C. Johnston.

We, the undersigners, acknowledge that it is true, as stated in the memorial of January 29, 1833, that some of the Shawnee chiefs did acknowledge a debt due by said nation to George C. Johnston, of twenty thousand five hundred and ten dollars, and that the said chiefs did draw the several drafts as stated in the memorial, in favor of the said George C. Johnston, but it is not true, as stated in said memorial, that the Shawnees were indebted to the said George C. Johnston in the sum of twenty thousand five hundred and ten dollars, or even any thing like half that sum, nor was the said Shawnee chiefs authorized by the nation to make any settlement or acknowledgment of correctness of that sum.

It is also true that the Shawnees, chiefs and others, did sign the memorial, dated January 29, 1833, but it was with the express understanding from the many repeated pledges and promises made by him, the said George C. Johnston, to use his own words, that not one dollar of it should come out of the pockets of the Shawnees. He induced us to believe that he could and would get this money from the Government, and said to us that we need not be afraid to sign the memorial, and spoke of a similar case that took place between William Conner and the Delaware Indians; that, when the Delawares were about to remove from the State of Indiana to Missouri, they had signed a memorial or paper similar to this, which had made William Conner rich, and that the Delawares had lost nothing by it. The \$18,510 which he would get from the Government, would enable him, the said George C. Johnston, to purchase a large assortment of goods; that, as soon as he got the money, he would purchase goods and move to their country, and continue to be their trader. And he, the said George C. Johnston, further promised several of the chiefs that he would make them presents to a large amount, and that the nation should always have goods on credit when they had no money.

As to this \$20,510 debt, which some of our chiefs acknowledged that our nation owed to the said George C. Johnston, there is something about that that we will not mention now; we do not wish to injure or hurt the feelings of our old friend George C. Johnston and the chiefs that pretended to make that settlement. We have no hesitation in saying that a part of our nation is indebted to George C. Johnston; and we further state and pledge ourselves and our honors to Congress that, if the said George C. Johnston will come here and bring his books and accounts, we will make a fair settlement with him, and if any difficulty should arise in a settlement, we are willing that any number of good white men may settle for us, and we will give him any obligation that he may require to authorize the Government to take the amount we may justly owe him from the annuity coming to our nation; we do not wish to withhold or keep our old friend George C. Johnston out of one dollar that we justly owe him. We, your humble

petitioners, therefore pray your honorable body to do us that justice which we are entitled to. We have borne many impositions because we are ignorant and illiterate. This and other difficulties would not have happened respecting our late treaty, if we had fairly understood every thing concerning the same. And your petitioners, as in duty bound, will ever pray.

Captain John Perry,	his x mark.	Qua-ka-ke-ke,	his x mark.
George Williams,	his x mark.	Thee-n-segab,	his x mark.
William Perry,	his x mark.	Morris,	his x mark.
Blackhoof,	his x mark.	John Blanchard,	his x mark.
Letho,	his x mark.	Short Tail,	his x mark.
Little Fox,	his x mark.	White Deer,	his x mark.
Waswilasse,	his x mark.	Sau-qua-we,	his x mark.
Cornstork,	his x mark.	John Adams,	his x mark.
Cannasems,	his x mark.	James Woolf,	his x mark.
Blackbody,	his x mark.	Tom Big-Knife,	his x mark.
Blackfeather,	his x mark.	Milton Blackhoof,	his x mark.
White Cloud,	his x mark.	John Spybuck,	his x mark.
Lemougah,	his x mark.	Labetolha,	his x mark.
Chawwe,	his x mark.	Lenoha,	his x mark.
Joseph Daugherty,	his x mark.	Stephen Coldwater,	his x mark.
Peter Cornstock,	his x mark.	Lemmarcothe,	his x mark.
Captain Joseph Park,	his x mark.	Ne-a-wo-nah,	his x mark.
David McNair,	his x mark.	Young Spybuck,	his x mark.
Henry Clay,	his x mark.	Moc-so,	his x mark.
Peatacomme,	his x mark.	To-tah,	his x mark.
Nal-wa-tuck-a,	his x mark.	Jo Dole,	his x mark.
Cas-quathe,	his x mark.	William Pork,	his x mark.
Joe Blackfish,	his x mark.	Ma-thar-ka,	his x mark.
Lewis Daugherty,	his x mark.	Charles Bluejacket,	his x mark.
Chaugesemo,	his x mark.	Lilas,	his x mark.
Dodge,	his x mark.	John Bluejacket,	his x mark.
Pesequahcomme,	his x mark.	Henry Bluejacket,	his x mark.
John Coldwater,	his x mark.	Silver Heels,	his x mark.
Tucker,	his x mark.	Harnahquacome,	his x mark.
Ch-we lah,	his x mark.	Black Racoon,	his x mark.
Qu-le-ne,	his x mark.	Caleb Day,	his x mark.
To-la,	his x mark.	Peche,	his x mark.
John Brighthorn,	his x mark.	Lah-kah-weech,	his x mark.
P-ol-as-ke,	his x mark.	White Fish,	his x mark.
Warriour,	his x mark.	White Feather,	his x mark.
Joseph Deshane,	his x mark.	Jack Whitefeather,	his x mark.
Laumangasegah,	his x mark.	William Whitefeather,	his x mark.
Big Fox,	his x mark.	Quaconaugh,	his x mark.
White Corn,	his x mark.	Che she-gah,	his x mark.
Laftha,	his x mark.	Cut-la-wetha,	his x mark.
Cheska,	his x mark.	Bil Ellick,	his x mark.
Bill Davis,	his x mark.	Calarwacha,	his x mark.
Cah-co.	his x mark.	Nalwath Ruckar,	his x mark.
Che-lose,	his x mark.	John Snake,	his x mark.
Joe White,	his x mark.	Luckar,	his x mark.
Wasegena,	his x mark.	Martin Hardin,	his x mark.

John Woolf,	his x mark.	Charles Blanchard,	his x mark.
Cha-che-na,	his x mark.	Na-ne-hah-me-segh,	his x mark.
Catequasegah,	his x mark.	Re-eva-kah-tah,	his x mark.
Luf-lu-la,	his x mark.	Spot,	his x mark.
Joe Flint,	his x mark.	Re-wapa,	his x mark.
Tah-tie,	his x mark.	James Maclain,	his x mark.
Pe-wallee,	his x mark.	Long Jake,	his x mark.
Netah Saw-be-wah,	his x mark.	Neh-we-la-tah	his x mark.
Wa-se-car-me-seeah,	his x mark.	Greenfeather,	his x mark.
Ma-tha Kuck-ah.	his x mark.	Isaac Greenfeather,	his x mark.
Nah-sah Kuck-ah,	his x mark.	Ke-wa-com-me,	his x mark.
Turka-feather,	his x mark.	To-we-che-nah,	his x mark.
Cau-we-cau,	his x mark.	Lo-che-tah,	his x mark.
La-be setah,	his x mark.	Eu-hol-la-way,	his x mark.
See-pe-a-wah,	his x mark.	Wah-puch-a-the,	his x mark.
Cohan-son,	his x mark.	Pacotsegar,	his x mark.
Jo Francis,	his x mark.	Greenfeather,	his x mark.
George Bluejacket,	his x mark.	Bigman,	his x mark.
Big Horn,	his x mark.	Ta-he-co-si-gah,	his x mark.
Black,	his x mark.	Me-sic-eva,	his x mark.
Hollakape,	his x mark.	Blueskin.	his x mark.

I certify, on honor, that this petition was written by me at the request of the Shawnees, whose names are subscribed to the same, stating the substance of their real wishes, as nearly as I could; and, after the same was written, I read and explained it to them, through a good interpreter (many of them understand and speak English): after which, they stated that they understood every thing therein contained, and that it fully expressed their real wishes in regard to George C. Johnston's claim, and the memorial referred to therein.

RICHARD W. CUMMINS,
Indian Agent.

Witness :

R. DUNLOP.

MAY 23, 1838.

AGENCY OF FORT LEAVENWORTH,
January 8, 1838.

DEAR SIR: We, the undersigned Shawnee chiefs, have received a letter from a friend in the State of Ohio, informing our nation that George C. Johnston, of that State, had a large claim, amounting to nearly twenty thousand dollars, against the Shawnee nation; that he, George C. Johnston, intended to lay his claim before Congress for the purpose of getting a law enacted to authorize him to receive the annual annuity coming to our nation under treaty stipulations, &c., until his claim is fully satisfied.

The following contains what we believe to be a true statement respecting this large debt of George C. Johnston against the Shawnees, to wit: about four years since, George C. Johnston paid us a visit in this country; while here, in a private and confidential council with part of the Shawnee chiefs, he proposed to them, if they would acknowledge the justness of his claim, that, as soon as he could return home, he would make arrangements and bring

out a large store ; that he would remain among them always, and would let them (the chiefs) have as many goods as they wanted, and he also promised to each chief a large amount in money ; he also told the chiefs that he could get this money from the Government, that none of it should come out of their annuity. The chiefs complied with this proposition, believing that he would comply with the promises which he made ; but in this they were disappointed, and, in consequence of which, we have found out the whole secret about this large debt of George C. Johnston's against the Shawnee nation. We believe that some of our people, and perhaps some of our chiefs, that went into this arrangement, are indebted to him perhaps some hundreds of dollars ; if so, let him bring forward his accounts against the persons that owe him ; as to this large debt, we deny that our nation owe it. We hope and believe that Congress will never enact laws to give George C. Johnston, or any other person, the annuities coming from the United States to the Shawnee nation, without their consent or knowledge, or upon the acknowledgment of a debt by a few chiefs, acting without the knowledge or consent of the nation.

Hon. C. A. Harris, Commissioner of Indian Affairs, sir : We understand, from our agent who writes this letter for us, that you are at the head of Indian affairs at Washington. We, therefore, in a very humble and respectful manner, address this letter to you, hoping that, if George C. Johnston should, at the present or any future Congress, bring forward his large claim, that you will act in this matter for us, and lay before Congress this our letter. All our other chiefs are in Florida, engaged in the war against the Seminoles.

We are, respectfully, you humble and obedient children,

Letho,	his x mark.
Little Fox,	his x mark.
Waywilape,	his x mark.
Blackfeather,	his x mark.
Peter Cornstock,	his x mark.
Connesimo,	his x mark.
Wansepekehuck,	his x mark.

Witness : RICHARD W. CUMMINS, *Indian Agent.*

HENRY TIBLOW, *Interpreter.*

Hon. C. A. HARRIS,

Commissioner of Indian Affairs, Washington.

AGENCY OF FORT LEAVENWORTH,

May 24, 1838.

SIR : By last Tuesday's mail, the 22d instant, I received your letter of instructions of the 22d ultimo, enclosing therewith a copy of one from the Commissioner of Indian Affairs to you, of the 11th ultimo, and two memorials respecting the claim of George C. Johnston against the Shawnee Indians. As you will perceive, these communications were one month on the way from St. Louis to this place, or Westport, Missouri.

The Commissioner observes that these memorials are so contradictory, and unaccompanied by any explanations from the agent, that it is impossible to arrive at any satisfactory conclusion in regard to them. In order

that he (the Commissioner) may know the real wishes of the Shawnees, he directs you to instruct me to examine the two memorials respecting George C. Johnson's claim against the Shawnees, one dated the 29th day of May, 1833, and the other the 8th of January, 1838, and report the reasons for the discrepancies between them, &c.

To enable me to represent the real wishes of the Shawnee nation correctly on this subject, as soon as I received your instructions, I called the nation together; I read and explained to them the memorial of the 29th May, 1833, and that of the 8th January, 1838, and my instructions in regard to them. The Shawnees then held a council in my presence, which resulted in a determination to explain the whole subject themselves in a petition to Congress; which petition is enclosed herewith, dated the 23d day of May, 1838, witnessed by Robert Dunlop, and certified by me. This petition fully and fairly shows the real wishes of the Shawnee nation, chiefs and all; and I think clearly and fairly explains the reasons for the discrepancies between the two memorials.

I am, &c.,

RICHARD W. CUMMINS,
Indian Agent.

General WILLIAM CLARK,
Superintendent of Indian Affairs, St. Louis, Mo.

