

PENSIONS TO INDIAN FIGHTERS.

[To accompany bill H. R. No. 369.]

JANUARY 9, 1838.

MR. CARTER, of Tennessee, from the Select Committee appointed to inquire into the expediency of extending the pension law of 7th June, 1832, to those engaged in the wars of the United States between the treaty of peace in 1783 and treaty of Greenville in 1795, made the following

REPORT:

The Committee appointed to inquire into the expediency of extending the provisions of the act of Congress for the benefit of the surviving officers and soldiers of the revolutionary army, passed the 7th of June, 1832, so as to embrace those who were engaged in the wars of the United States which occurred between the treaty of peace with Great Britain in 1783 and the treaty of Greenville with the Indians in 1795, beg leave to report:

The subject of this inquiry was referred, on the 12th of February, 1836, to a select committee, which, on the 16th of the same month, made a report, which sets forth fully and ably the propriety and justice of extending the provisions of the act of 1832, as contemplated by the resolution of the House.

Your committee see no ground for reversing the decision of that report, and nothing to controvert the reasons upon which that decision was founded. The whole subject was debated at length during several of the last sessions of Congress; and a bill, similar to that now proposed, was submitted, in conformity to the report alluded to, which only failed, as it is presumed, merely for the want of time at the close of the short session.

It is maintained with historical truth not now to be questioned, that in the year 1774, the period when the separation of the colonies of America from their mother country assumed a threatening aspect, and a war with Great Britain became certain and inevitable, the character of the Indian wars was changed. Up to this period these wars were mere border feuds between the first settlers, or the pioneers of civilization, and the savage. They were contests between tribes of Indians on the one hand, and *settlements*, as contradistinguished from *states* or *nations*, on the other. Though attended with all the danger and horror of massacre and bloody strife, these were rather *private* and *individual* feuds, than *public* and *national* wars.

There were no formal declarations of war, and no other characteristics of war between nations attending them than battle and death. But in the year 1774, the Indians of the continent, from Canada to the Gulf of Mexico, were secretly employed and paid by England as her allies to subjugate the colonies. They then became part of the forces of Great Britain to force us into submission. The revolutionary war—the war for independence, the war for national existence, not for the existence of the individual

settler—commenced, in fact, on the 10th day of October, 1774. On that day was fought the famous battle of Point Pleasant, at the mouth of the Great Kenhawa, when the treachery of the vicegerent of George III attempted to strangle our liberty in the cradle. That battle was fought against Great Britain, in fact, because the Indians were there her allies and her army.

The war with the Indians from October 1774 to the treaty of Greenville in 1795, was not a *private* contest, as is fully vouched by the history of the United States. Forces were regularly raised upon estimates prepared by the chief Executive; reports were made by the Secretary of War; and acts were passed by Congress to raise three regiments of infantry and a squadron of cavalry for three years' service.

St. Clair's and Harmar's defeats, long after the treaty of 1783 with Great Britain, were national, not individual calamities. Our diplomacy, as well as our legislation, proves the war with the Indians to have been *public*, and in fact a war with Great Britain, as the treaty known by the name of Jay's treaty, negotiating in part respecting the detention of the posts and the non-execution of the treaty of peace in 1783, will satisfactorily vouch.

The objects of the war with the Indians were *national*—the acquisition and settlement of the vast domain of the valley of the Mississippi and of the entire West. Without that valley, and without its lands to compensate the soldiers of the Revolution, there never, probably, would have been security to our union and liberty, or rather, there would have been no union or liberty to be secured. And, of the lands on which the heroes of the Indian wars fought and bled, there has never been allotted to them ground enough, by way of gratuity or compensation, to bury their remains. Most of them have departed, neglected, poor, and unpaid for services the most important in every point of view to a nation now reaping the richest fruits of their unrequited struggles and sacrifices.

The soldiers of the Indian wars, after 1783, supported the burdens and expenses by their own prowess and own purses, almost without aid from the Government; and thence their services were more deserving even of bounty and pay than those of the soldiers of the Revolution, who fought *before* 1783. They found their own provisions, own munitions of war, and waited not to be enrolled and enlisted and to take the Government bounty before they took up their own long knives and rifles, and marched in their own hunting-shirts and moccasins, to the numerous bloody battle-fields which consecrate almost every mountain and stream and valley of the western world. The Western country—the theatre of these battles between '83 and '95—had been ceded to the United States by the Indians for a full and fair consideration, under treaty stipulations; and the war was one of national defence, as well as of policy and justice.

The act of 1832 provided a pension for the *revolutionary* soldier, for the reason of *services in the war of independence*, which had never been adequately compensated. Such is the principle of that act; and, if the soldier in the war of the period embraced between 1783 and 1795 can be brought within the same principle and reason, it is presumed that it will be admitted that he is justly entitled to the benefits of a similar law in his behalf.

The war from '83 to '95 was a continuation of the war with Great Britain from 1776 to 1783. Great Britain continued to hold possession of the posts in the Western country long after 1783, by an armed force; and

though a cessation of hostilities was obtained by the treaty of 1783 in the Atlantic States, yet the war with England's allies continued to rage in the West, and to ravage the valley of the Mississippi. Great Britain did not relinquish her designs of conquest upon the United States with the treaty of peace in 1783, but continued the revolutionary war in fact, by holding on to the posts in the West, and by inciting the Indians to continue their hostilities.

That Power still held her possessions in Canada, and still furnished thousands of Indian warriors with the munitions of war, and countenanced and encouraged their hostilities by an armed force. The proceedings of Lord Dorchester at Quebec, and the establishment of a fortress on the Miami of the lakes by a British force from Detroit, are referred to as instances to prove that the war continued, indeed, between the same parties who had been belligerent prior to 1783. Never until the treaty of Greenville were peace and liberty and independence won and secured to the whole country. Never until 1795 was the revolutionary war closed in the West. It was then that the battles ceased, no matter when the treaty or treaties were negotiated or ratified.

It is deemed, then, that those who continued to fight after 1783, and up to the period of 1795, are within the principles of the pension law in behalf of those who served prior to 1783. Indeed, it is with much plausibility claimed that the former class of revolutionary soldiers have higher claims to the bounty of Government. After '83 the forces of the Atlantic were disbanded, the treasury was empty, there was no system of finance, no national credit. Congress had reduced our army to one thousand two hundred and sixteen men; and thus the West was deprived of protection, the frontiers left defenceless. France was aiming at the possession of the valley of the Mississippi; Spain, in like manner, was actuated to aggrandize herself with the spoils of our territory. These two Powers, as well as England, united in exciting Indian hostilities on our Western and Southern frontiers. Secret attempts were made by those Powers to detach the valley of the Mississippi from the Union. The whole of the Western States were the theatre of the machinations of those three great Powers for the dismemberment of this nation. The Western people were tempted by the free navigation of the Mississippi to march against Louisiana; but, as they had maintained their existence as first settlers by their bravery and heroism, they maintained their allegiance to their country by their constancy and virtue and patriotism, at a time when they were left to shift for themselves by our own Government, shattered and enfeebled as it was by a seven years' war with England. Their integrity was not to be shaken, and it preserved the happy destiny of this republic. All the fruits of the Revolution, secured by the treaty of '83, would have been nothing, or been lost, but for the heroism and constancy and faithfulness of the virtuous and intrepid few of the frontiers, who maintained the continuation of the revolutionary struggle for independence until the end of that struggle was amply secured, when the Government was too weak to maintain it, from their *own resources and energies*. Shall they, too, not now be pensioned from the proceeds of the unbounded national domain which their valor won, and their blood and virtue consecrated?

From a review of the whole case, your present committee agree with the prior committee of the House, and report the same bill.