

PENSIONS TO OFFICERS, &c.—INDIAN WARS, 1783 TO 1795.

[To accompany bill H. R. No. 384.]

APRIL 25, 1840.

Mr. CARR, from the Committee on Revolutionary Pensions, submitted the following

REPORT :

On motion of Mr. S. H. Anderson, of Kentucky,

*Resolved*, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting pensions to those officers and soldiers who were engaged in the wars in the west against the Indians, subsequent to the close of the revolutionary war, and down to the treaty of Greenville.

*The Committee on Revolutionary Pensions, to whom the foregoing resolution, together with sundry memorials on the same subject, have been referred, make the following report :*

When the pension bill which finally passed and became a law, on the 7th of June, 1832, was before the House of Representatives, at the first session of the twenty-second Congress, the claims of those who were engaged in the Indian wars from the year 1783 to 1795 were brought before Congress in the form of a proposition to amend that bill ; some who were in favor of these claims objected to the mode of bringing them forward, and the amendment proposed did not prevail.

At the first sessions of the twenty-third and twenty-fourth, and the second session of the twenty fifth Congress, these claims were again brought forward, and referred to select committees ; and although at each of these sessions bills were introduced, and able reports made in favor of their payment, yet the claims of these brave and patriotic men, who fought the battles of the Revolution in the west, and who conquered a savage foe, and stayed the arm of the warrior whose scalping-knife was crimsoned and dripping with the blood of unoffending women and children from further perpetrating their deeds of death, have not been finally acted upon by Congress.

There can be no good reason why those who fought the battles of the west from the year seventeen hundred and eighty three to seventeen hundred and ninety-five should not as well receive pensions as those who fought or served their country from seventeen hundred and seventy-four to seventeen hundred and eighty-three ; yet the one does, and the other does not.

They both fought in the same war—the war for independence. The war for independence commenced in seventeen hundred and seventy-four, and ended on the seaboard in the year seventeen hundred and eighty-three, and on the western frontier in the year seventeen hundred and ninety-five.

Immediately on the breaking out of the Revolution, the Indians were employed by England as her allies to assist in subjugating the colonies.

Chief Justice Marshall, in his *Life of Washington*, speaking of this subject, says: "The part which might be taken in the present contest, by numerous warlike tribes of savages inhabiting the immense territory west of the settlements made by the Europeans, and extending from the northern boundary of Canada to the Gulf of Mexico, was a matter of real interest to the belligerent Powers, and early apprehensions were entertained that they would engage actively on the side of the British."

Sir John Johnson possessed great influence over the Indians of the lakes, and he exercised that influence to arrange them in offensive war against America. And again he says: "A plan had been formed by Lord Dunmore, through the agency of Mr. Connelly, to induce the Indians to co-operate with him, and with numerous loyalists of the back country, in a very extensive scheme for attacking the western parts of Virginia; but this was defeated by the detection and apprehension of the agent to be employed in it. It was, however, renewed on a more extensive scale; and the agents of the Crown in the southern country, (whether with or without the authority of their master is uncertain,) by presents, and the hope of plunder, easily stimulated the Creeks and the Cherokees to take up arms and join the detachment of British, who were to land at West Florida, and proceed through their country, against the frontiers of the Carolinas and Virginia, whilst another formidable armament should make an impression on the seaboard.

"Circular letters to the same import were sent by Mr. Stuart, the principal agent for the Indian affairs, to the inhabitants of the back settlements, requiring all those who were well-affected to the Crown, as well as those who were willing to preserve themselves and their families from inevitable calamities and destruction of an Indian war, to repair to the royal standard as soon as it should be erected in the Cherokee country, and to bring with them their horses, cattle, and provisions; for all which they were promised payment.

They were likewise required, for their present security and future distinction from the King's enemies, to subscribe immediately to a written paper, declaratory of their allegiance. Copies of these papers relative to this plan, together with several other letters from Lord Dunmore, were intercepted on their way to Boston in December, 1775, and laid before General Washington.

Lord Dunmore had entered into intrigues with the Indians, with a view of defeating the army under the command of General Lewis, and for the purpose of disabling the Commonwealth of Virginia to resist the aggressions of the old country. And the battle fought by General Lewis with the Indians, at the mouth of the Kenhawa, in the year 1774, was the result of his treachery.

Previous to this time the Indians had fought against Englishmen; but now the object of the war changed, and it was carried on by the English and Indians against this country, and assumed the name of the revolutionary war.

The battle on the Ohio, at the mouth of the Kenhawa, in the year 1774, fought by General Lewis with the Indians, being connected with the first revolutionary movement, may be considered as the first battle of the Revolution.

Can any one after this doubt that the Indians were parties to this war? Congress has admitted that they were, and has granted pensions to all those who were engaged against them before November 1783, but not to those who were engaged after that period; although it was the same war, and with the very same parties in the west—the Indians. Although twelve years after the war on the Atlantic ceased, it continued to rage furiously in the west, and those who were engaged in it in the east receive pensions for the whole period that there was any war there, yet no provision has been made for, or pension granted to, those who were engaged in it during this long period of twelve additional years in the west. Is this just? Is it right? Many, very many, of those engaged in the war, found themselves in every thing that was necessary for their own use and carrying it on, so far as they were concerned; they fought for, recovered, and held, at almost their own individual expense, the greater portion of the western country—the lands which this Government has sold for tens and tens of millions of dollars. For these expenses and risks no remuneration has been made! No, not even an acre of this land for which they so nobly fought and bled, and which they recovered and defended, has yet been granted to them.

They hold none but what they have twice paid for—once by purchase, and once by recovering and defending; they owe nothing to the bounty of this Government.

They have been hardly dealt with, when compared with those on the Atlantic, though your committee by no means charge that more than justice has been done to the latter. But should any one, after all that has been said, still doubt whether the Indian war was a continuation of the revolutionary war, they need only look into the history of the times. Judge Marshall says, on this subject, in his *Life of Washington*, “The year seventeen hundred and eighty-four had nearly passed away before the determination of the British cabinet not to evacuate the western posts was known to the Government of the United States. The detention of the posts on the lakes is ascribed to the hostile temper manifested by the Indians; and thus to the indignity of permitting a foreign Power to maintain garrisons within the limits of the nation, were superadded the murders perpetrated by the savages, and the consequent difficulty of settling the fertile and vacant lands of the west.”

As further evidence that the western war was a continuation of the revolutionary war—that it was a public war, and not a private war—we will advert to a few record facts. On the 18th day of October, 1783, proclamation was made to disband the troops in the service of the United States; but three days previous to this, (to wit, on the 15th day of October, 1783,) a committee, to whom had been referred a number of papers and letters relating to Indian affairs, made a report, proposing the establishment of boundaries with the Indian tribes; which report acknowledged, in express terms, that the United States were at war with them. From that time to the year 1787, there were many reports from committees, and acts of Congress, relating to that subject; and on the 3d day of October, 1787, by an act of Congress, troops were ordered to be raised for the purpose of repressing the incursions of the Indians. And again on the 29th day of September, 1789, by an act of Congress, a force was authorized to be organized for the purpose of encountering the Indians, and in the fifth section of that act it was expressly declared that these troops were to be raised for the express purpose of repressing the hostile incursions of the Indians; and the President of the

United States was authorized to issue orders for their assembling, and for their pay and subsistence; and they were regarded in the same light as other troops employed by this Government against a foreign enemy.

Although England had lost her colonies, and had acknowledged their independence, and ceased all open hostilities, she still had a lingering hope of either recovering all or a part of them; and for the purpose of taking advantage of any event that might lead to that object, held on to any military posts within the limits of the United States that she could, and continued the most friendly intercourse with the hostile Indians, furnishing them with whatever they required, and thus keeping up the war of the Revolution on the western frontier.

Judge Marshall, in speaking of these events, says: "To the hostile temper manifested by the Indians on the western and southern frontiers, an increased degree of importance was given by the apprehension that they were fomented by the intrigues of Britain and of Spain. From Canada, the Indians northwest were understood to be furnished with the means of prosecuting a war which they were stimulated to continue."

And, in speaking of the events of the years of 1790 and 1791, he says: "The pacific overtures made to the Indians of the Wabash and Miamies had not been equally successful; the western frontiers were still exposed to their destructive incursions, and there was much reason to apprehend that the inhabitants of Kentucky and the western counties of the middle States could only be relieved from the horrors of the tomahawk and scalping-knife by a vigorous exertion of the military strength of the Union. With the President (Washington) a long course of experience had confirmed the opinion, that, on the failure of negotiations, sound policy and true economy, not less than humanity, required the immediate employment of a force which should be certainly competent to the object, and which should carry terror and destruction into the heart of the hostile settlements." And again: "The earnest endeavors of the President to give security to the northwestern frontier by pacific arrangements having been entirely unavailing, it became his duty to employ such other means as were in his hands for the protection of the country."

The military establishment was augmented, and an expedition under the command of General Harmar sent out to the west. It encountered the Indians in Ohio, and was defeated; General St. Clair was then appointed to the command of another expedition, which engaged the Indians in November, 1791, and was totally defeated, with great slaughter. An increase of the army was then proposed in 1792, and was objected to as only exposing their own weakness, and lessening the public confidence in the Government to send forth armies to be butchered in the forests, while the British were suffered to keep possession of posts within the territory of the United States. To this cause was ascribed any disposition which might exist on the part of the Indians to continue hostilities.

The army was, however, increased, and General Wayne appointed to the command; and in August, 1794, he encountered the Indians on the banks of the Miamies, defeated them, and drove them about two miles, which brought them within gun-shot of a fort that had been recently erected and garrisoned by the British, far within the territory of the United States. Soon after this, another treaty was concluded with Great Britain, by which she was to withdraw her troops from the territories of the United States by



the 1st of June, 1796; and in 1795 the treaty of Greenville was concluded with the hostile Indians.

Thus, it will be seen that the British held part of the territories of the United States by military force many years after they had acknowledged the American independence, and were bound by the treaty acknowledging the same to have withdrawn their forces; and that the same Indians who were their allies in the war of the Revolution, and resided in and about that section of the United States, continued to carry on active and offensive war against the American people until August, 1794, when a decisive battle was fought with them, and they totally defeated, and no longer able to contend with the forces of the United States: that, in November following, England made a treaty, and bound herself to withdraw her troops, and thus abandoned her last hopes of recovering her late American colonies; and the Indians, no longer supported by the British posts in the territories of the United States, willingly entered into and concluded the treaty of Greenville on the 3d day of August, 1795; and the war of the Revolution ended in the west—that war which, on the Atlantic, ended in 1783.

There is, there can be, no justice in allowing pensions to those who fought before 1783, and not to those who fought and served their country after that period, and before 1795. No good reason can be given why the claims of the first should be allowed, and not the claims of the last. It cannot be because those who fought before 1783 were not so properly remunerated; because most of those who fought in the western Indian wars received no remuneration at all. It cannot be said that they had greater hardships and risks to contend with; because, on the Atlantic, they were in a thickly-inhabited country, affording at least many comforts and supplies, which the uninhabited western wilds did not. We repeat, that it cannot be because they encountered greater hardships, privations, and sufferings: this cannot be. Nor was that cheering intelligence of peace, which gave joy and pleasure to the inhabitants of the Atlantic States, realized and enjoyed by the inhabitants of the west. While the people of the Atlantic States were enjoying the comforts of peace, the abodes of the western inhabitants were surrounded by the merciless savage, and, instead of being blessed by the enjoyment of sweet repose, their ears were filled with the yells of the barbarian, and pierced with the screams of the mangled and dying victims. These barbarous acts of the savage were perpetrated even to the burning alive of their prisoners. Yes, even while the Indians were negotiating, or pretending to be negotiating, for peace, (only, in fact, to give them time and make delay,) in violation of their truce, they took numbers of American prisoners, and roasted alive some of those prisoners.

For these toils, sufferings, and risks, neither those devoted men who encountered and endured them, and who successfully fought the battles of the west, nor their families, have received any thing in the shape of bounty from their Government; and, indeed, very few, any thing in remuneration of any kind.

All the soldiers who served in the war between the United States on the one side, and the British and Indians on the other, from seventeen hundred and seventy-four to seventeen hundred and eighty-three, no matter whether they fought the British and Indians together or separately, are entitled, by the act of June, 1832, to receive pensions.

The question now to be decided is, shall those patriotic men who served and fought in our wars from 1783 to 1795, and who finally conquered the

invading savage foe, be embraced within the provisions of the act of the 7th of June, 1832?

To this small though brave and gallant band of men, who so nobly sustained the wars in the west, under circumstances peculiarly hard, from 1783 to 1795, is this Government indebted for an immense territory of the finest country on the face of the globe—in extent, sufficiently large to hold a population of a hundred millions of freemen; a country, within the bounds of which will grow up a people who will be able to maintain their liberties against all the despotic powers of the earth.

It must be kept in remembrance, that this rich and beautiful country was the battle-ground upon which were so bravely fought the battles that determined that the country thus obtained was not to be divided and parcelled out amongst the lords and monarchs of the old world, but was to be made the home of the free and the brave.

In conclusion, your committee most respectfully suggest,—if it were just and proper to grant pensions to those who served and fought in the war from 1774 to 1793, which they do not doubt, that, in the opinion of the committee, it would be unjust not to extend the same provision to the remnant of that brave and patriotic band of men, who served and fought through the wars of the west from 1783 to 1795.

That they ought to be placed on the same footing, the committee entertain no doubt; and therefore herewith report a bill.