

Report No. 726.

[To accompany bill H. R. No. 567.]

HOUSE OF REPRESENTATIVES.

THOMAS L. JUDGE.

JUNE 23, 1848.

Mr. CROWELL, from the Committee of Claims, made the following
REPORT:

*The Committee of Claims, to whom was referred the petition of
Thomas L. Judge, report:*

That the petitioner prays to be refunded two hundred dollars, which he advanced, as he represents, to certain Seminole chiefs in the years A. D. 1844 and '45. If the money paid to these Indian chiefs belonged to the petitioner and was advanced under the circumstances set forth in the petition, it was a highly meritorious act, and the money ought to be refunded to him.

He represents that he was the government agent for these Indians, but as it does not appear whose money he paid them, the questions of fact involved are referred to the Secretary of the Treasury.

If the claim, is found on examination, to be meritorious and just, provision is made in the bill herewith reported for its payment.

To the honorable the Congress of the United States:

Your petitioner would respectfully represent, that during the session of Congress, in the years 1844 and '45, he was in the city of Washington, with four Seminole Indian chiefs, to which tribe he was agent. On the eve of their leaving for their homes, information was received from Arkansas, that the flood in the Arkansas river had overflowed the lands they occupied, and carried off their cribs with their corn and cabins, and in fact every thing they had; that their people barely escaped with their lives. The day previous to our leaving the city, we called on the Secretary of War, and in the presence of General Jesup and the then Commissioner of

Indian Affairs, the chiefs stated the position they were placed in by the above calamity, and solicited money to take home with them to enable them to render some relief to their people, when they arrived among them. The response of the secretary was, that money would be put in their agent's hands for that purpose. On arriving at Arkansas we found the people belonging to the band of those four chiefs, numbering 211, encamped out on the prairie, in a most destitute condition, many of them in a state of nudity, and nothing to subsist on but what they could beg, together with acorns. The chiefs called upon me for the money the secretary told them should be put in my hands for their relief; I knew I had no written instructions to that effect, and found myself in a delicate position on the subject; these people were very hostile when I first went among them, and their visit to Washington had ameliorated their feelings towards the government, and they had given me their confidence; and to have refused them aid, under the circumstances, I was satisfied would be attended with deleterious effects; therefore, after consulting with some gentlemen in regard to the position I was placed in, leaving humanity out of the question, true policy demanded that their request should be complied with, and under all the circumstances, I was induced to advance each chief fifty dollars, making two hundred dollars, which the vouchers will show. There is another circumstance that is conclusive to my mind that the secretary intended a portion of the money put in my hands was to be applied for their relief. The department put in my hands over one thousand dollars, nearly double the amount necessary for travelling expenses, &c.

The Commissioner of Indian Affairs (Mr. Medill) rejected the vouchers on the ground that there appeared nothing on record that authorized the appropriation I had made for the benefit of the Indians. I pray, therefore, that I may be refunded the money advanced for their benefit. All which is respectfully submitted by

Your obedient servant,

THOS. L. JUDGE.

HOMEWOOD, *August 10, 1846.*

SIR: You make an inquiry of me very difficult to answer with any kind of precision. It is embarrassing to ask me to recollect the details of conversations with the Indians and others, whilst I was engaged in the War Department. That to which you refer, is one of very many of which you say there is no record or any memorandum in writing.

I recollect very well of having held with Wild Cat, the Seminole Indian, a conversation at the Indian Bureau, in the presence of yourself, and General Jesup, and Mr. Crawford, wherein he complained of the condition of his people and made an appeal to the generosity of the government; but my memory does not enable me either to sustain or contradict you, in your relation of promises and assurances then given; your expenditures, amounting to

\$200, mentioned in your three vouchers signed by Wild Cat and his companions, may have been made and encouraged by the conversation to which you refer, but my recollection does not bear me out in so saying. At the time I was disposed to be liberal to those Indians. My impression is, that General Jesup sympathised with them, and seemed disposed to desire that kindness might be shown to them. His recollection, or that of Mr. Crawford, will probably be distinct, and sustain you in the claim before the Indian Bureau.

I should regret to hear of your meeting with any loss. My knowledge of your character would induce me, with full confidence, to believe in the integrity of the expenditure. Of that integrity I would take the liberty to advise you to endeavor to satisfy Mr. Medill. If he can be so satisfied, I think you may safely throw yourself upon his sense of justice, and leave the matter to his good judgment.

Very respectfully, your obedient servant,

WM. WILKINS.

Mr. JUDGE.

TREASURY DEPARTMENT,
Second Auditor's Office, December 21, 1847.

SIR: I have the honor to transmit herewith, agreeably to the request of Thomas L. Judge, contained in his letter to you of the 4th ultimo, the following papers, viz: two receipts from Alligator, Pa-sak-kee, and Tiger, to Mr. Judge, one for \$50, the other for \$100, dated the 29th June, 1844; one receipt from Wild Cat to Mr. Judge for \$50, dated 16th September, 1844, and a letter addressed to Mr. Judge by Mr. Wilkins, dated Homewood, August 10, 1846.

I have the honor to be, very respectfully, your obedient servant,
JNO. M. McCALLA,
Second Auditor.

Hon. C. S. MOREHEAD,
House of Representatives, U. S.

VAN BUREN, June 29, 1844.

Received of Thomas L. Judge fifty dollars to purchase necessities for our families, as we are informed the high water has swept everything off.

[\$50 00.]

his
ALLIGATOR, ×
mark
his
PA-SAK-KEE, ×
mark

his
TIGER. ×
mark

Attest:

P. PENNYWIRT,
P. H. WHITE.

TREASURY DEPARTMENT,
Second Auditor's Office, June 16, 1846.

This voucher for \$50 was presented at this office for allowance by Thomas L. Judge, and rejected as not being sanctioned by law.

JNO. M. McCALLA,
Second Auditor.

FORT SMITH, June 29, 1844.

Received of Thomas L. Judge, Seminole sub-agent, one hundred dollars, to be applied to the use of our women and children, in clothing.

his
 ALLIGATOR, ×
 mark.

his
 PA-SAK-KEE, ×
 mark.

his
 TIGER, ×
 mark.

Attest:

EDGAR T. RUST,
 FREDERICK MONTGOMERY.

TREASURY DEPARTMENT,
Second Auditor's Office, June 16, 1846.

This voucher for \$100 was presented at this office for allowance, by Thomas L. Judge, and rejected as not being sanctioned by law.

JNO. M. McCALLA,
Second Auditor.

CHEROKEE AGENCY,
 September 16, 1844.

Received of Thomas L. Judge, Seminole sub-agent, on our passage home from Washington, fifty (50) dollars. Understanding that the flood had swept everything away, horses and stock, I get the above money to buy a horse on my way home.

his
 WILD × CAT.
 mark.

Attest:

W. C. DICKSON,
 D. P. LOGAN.

TREASURY DEPARTMENT,
Second Auditor's Office, June 16, 1846.

This voucher for \$50 was presented at this office for allowance
by Thomas L. Judge, and rejected as not being sanctioned by law.

JNO. M. McCALLA,
Second Auditor.