

JESSE MORRISON.

APRIL 17, 1858.

Mr. REAGAN, from the Committee on Indian Affairs, made the following

REPORT.

*The Committee on Indian Affairs, to whom was referred the petition of Jesse Morrison, asking for the action of Congress on the report of the Third Auditor, of January 4, 1832, made pursuant to the act of Congress of May 31, 1831, on the claims of the said Morrison and others, and for an allowance for his losses, beg leave to report :*

That they have examined the evidence in support of the claim of James and Jesse Morrison, which is supposed to be the claim referred to by the petitioner, and the report of the Third Auditor thereon, (the same being House document No. 38, found in volume 2 of Executive Documents of 1831-'32, 1st session 22d Congress,) and find the evidence insufficient to warrant the allowance of said claim.

By the provisions of the act of Congress of May 30, 1830; entitled "An act for the relief of sundry citizens of the United States, who have lost property by the depredations of certain Indian tribes," the claims of the petitioner and others were submitted to the Third Auditor of the Treasury for examination and adjustment; and he was directed by said act to be governed by the provisions of the 14th section of the act of March 30, 1802, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve the peace of the frontiers," and by treaty stipulations with any of the tribes mentioned applicable to any of the cases, with a provision that no limitation of time for presenting claims under that act should bar any of the claims mentioned in said act of May 31, 1830.

The proof offered to establish the loss of the property claimed by the petitioner is vague, general, indefinite, and unsatisfactory as to the amount of property lost, as to whether it was taken by Indians; and, if by Indians, as to what tribe. It would be insufficient to establish these material points before any court of law or equity, and that, too, upon testimony presented exclusively by the claimant; and would not warrant the allowance of the claim under the act of March 30, 1802, commonly called the Indian intercourse act, because there is no proof :

1st. That the property was stolen or destroyed by Indians belonging to a tribe in *amity* with the United States.

2d. That such Indians crossed the boundary line and stole or destroyed the property within a State or Territory inhabited by citizens of the United States.

3d. That the property belonged to a citizen or inhabitant of the United States, or a Territory thereof.

4th. That such citizen made application to the superintendent, and *furnished to him the necessary documents and proofs.*

5th. That application was made by the superintendent to the nation or tribe to which such Indians belonged for satisfaction.

6th. That the nation or tribe neglected or refused to make satisfaction.

7th. And that the injured party, his representative, attorney, or agent, did in no way violate any of the provisions of the law by seeking or attempting to obtain private satisfaction or revenge, by crossing over the line on any of the Indian lands.

For which reasons your committee ask that said petition lie upon the table, and that they be discharged from its further consideration.