

F. B. CULVER.

FEBRUARY 15, 1878.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BOONE, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 1476.]

The claim set up by Dr. F. B. Culver is for services rendered the United States in effecting the treaty of February 18, 1861, and for securing and taking care of a large amount of government property committed to his oversight and care by the Commissioner of Indian Affairs. The claim is for \$5,000.

The facts of the case, as set out by the claimant, and, as we think, substantially sustained by the proof, are briefly as follows:

The United States had, in 1851, made a treaty with what were known as the "Five Tribes" of Indians, namely, Arapahoes, Cheyennes, Kiowas, Comanches, and Apaches, which secured to them a large portion of the Indian Territory on the Upper Arkansas River. In 1860 there were many complaints from the settlers and emigrants crossing the plains by the "old Santa Fé route" of depredations and murders committed by Indians belonging to some of these tribes. Such was the condition of affairs in the Indian country that the Secretary of the Interior determined to send out the then Commissioner of Indian Affairs, Hon. A. B. Greenwood, to treat with the Arapahoe and Cheyenne tribes.

The Commissioner accordingly made preparations, and, among other things, ordered a large supply of goods which had been purchased in New York to be shipped to "Bent's Fort," a private trading post. These goods arrived at their destination a short time before Commissioner Greenwood and his party did. The value of this property, together with the goods which had been sent the previous year and stored at the same point, but, for some reason not explained, had not been distributed, amounted in value to not less than \$50,000 or \$60,000.

The claimant, Dr. Culver, was induced to accompany Commissioner Greenwood on this expedition as a physician; though he states, and in this he is sustained by the then Commissioner, Greenwood, that he consented reluctantly, as he was a physician in full practice in Washington, and did not like to sacrifice his business at home. But upon the assurance of said Greenwood that he would not likely be absent more than forty or fifty days, and that the government would pay him liberally for his time and services, he consented to and did accompany him.

The Commissioner and his party left Washington about the 8th or 9th of August, 1860, and reached their destination, the "Big Timbers," on the Upper Arkansas, about the 8th of September following. The Indians, for some supposed injustice done them, and perhaps encouraged by designing white men, who thought to profit by the disturbed condition of

the country, were hard to reconcile. And after remaining ten or twelve days, and failing to induce the Indians to meet him in council, the Commissioner, on account of pressing business, was compelled to and did return to Washington; but the Indian agent at that place had resigned, and it was absolutely necessary that some trusty person should be left in charge of the large amount of property belonging to the government, which, in consequence of the resignation and perhaps the treachery of the agent, was without a custodian.

In this emergency, Greenwood appealed to Dr. Culver to remain in charge of the goods until an agent could be selected and sent out to relieve him. To this Dr. Culver at first strenuously objected, because the prospect of being left in such a situation was not at all flattering. The point at which the goods were stored was 238 miles from Fort Larned and some 260 miles from any white settlement. Surrounded by hostile Indians, with the influence of bad white men to incite them to deeds of violence, his situation, to say the least of it, must have been most unpleasant, if not extremely critical and dangerous. It is true, there was a small detachment of troops a few miles farther up the river, but they had made no preparations for defense, and their presence, perhaps, had but little other effect than to irritate the Indians.

After reaching Washington, Commissioner Greenwood, after some difficulty, finally succeeded in appointing a successor to Colonel Bent, viz, Col. A. G. Boone; but, owing to the extremely cold winter, Colonel Boone did not reach "Bent's Fort" until some time in February, 1861. In the mean time Dr. Culver had not only succeeded in preserving the whole amount of the government property left in his charge, but had also, by some means, succeeded in convening all the Indians before the arrival of Colonel Boone, who, arriving with the necessary powers to do so, succeeded in concluding the treaty of February, 1861, with the Arapahoe and Cheyenne Indians. In the dead of winter and at the peril of his life (for the winter was an unusually severe one), Dr. Culver made his way back to Washington, with the treaty thus concluded, in time to have the same referred to the Senate and confirmed thereby.

For all this service, so faithfully and courageously rendered, Dr. Culver has received about \$1,400, which is greatly inadequate, in our opinion.

In view of all the facts, we are of opinion that this is a just and meritorious claim, and ought to be paid, after deducting the \$1,400 already paid.

We therefore beg to report the bill back to the House with the following amendment: In lines 4 and 5 strike out the words "five thousand," and insert in lieu thereof the words "three thousand six hundred."

And, as amended, we recommend its passage.