

IN THE SENATE OF THE UNITED STATES.

MARCH 24, 1852.

Ordered to be printed.

Mr. ARCHISON made the following

R E P O R T :

[To accompany bill S. No. 367.]

*The Committee on Indian Affairs have examined the memorial of Henry C. Miller and Philip W. Thompson, praying indemnity for Indian depredations, also the memorial of Jesse B. Turley, of the same tenor and to the same effect, and find the following facts established by competent testimony:*

The memorialists, in the spring of 1847, started from the State of Missouri, with goods, wares, and merchandise, in wagons, bound for Santa Fe, New Mexico. Whilst on their way across the plains, they were attacked by Indians, supposed to be Osages, on the Arkansas river; the Indians succeeded in the attack, and took from the memorialists and drove off fifty-five oxen, forty-three of them the property of Miller and Thompson, the remainder the property of Turley. It appears that there was neither fault nor negligence on the part of the memorialists. The United States were at peace with all the Indian tribes on the prairies at that time. The memorialists were engaged in a lawful calling, and were lawfully in the Indian country. No attempt at reprisals has been made by the memorialists. The memorialists claim from the government, indemnity not only for the value of the property taken by the Indians, but all the damages which they suppose they have sustained in consequence of the act of robbery.

The committee are of the opinion that this case comes within the provisions of the law regulating intercourse with the Indian tribes, approved June 30, 1834, and that the memorialists are entitled to the benefit of its provisions, and nothing more; and therefore report a bill to enable them to have the benefit of said act.