

IN THE SENATE OF THE UNITED STATES.

JULY 23, 1856.—Ordered to be printed.

Mr. TOOMBS made the following

R E P O R T .

[To accompany Bill S. 401.]

The Committee on Indian Affairs, to whom was referred the memorial of the heirs of Robert McConnell, deceased, late of Alabama, have had the same under consideration, and report :

That it appears from two affidavits, regular on their face, that Robert McConnell was killed at the massacre of Fort Mims in the month of August, 1813. That he was possessed of a negro slave and other personal property, amounting in value to the sum of one thousand dollars ; that said slave was engaged in working on Fort Mims when his master was killed, and he and the other personal property were forcibly taken and carried away by the Indians, and that the heirs of the said McConnell have never recovered, or been compensated for the loss of, said property.

It also appears that at the capitulation of Fort Jackson in 1814 it was demanded and stipulated by the United States that the Indians should restore to their lawful owners "all the persons and property taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickasaw, and Choctaw nations." The government has indemnified the friendly Creek Indians by a large appropriation for the non-performance of this article of capitulation, and your committee think, rightfully; the same principle demands the same indemnity for the petitioners, unless it be held that this government are under higher obligations to cause justice to be done to the Indians than to her own citizens.

Your committee therefore report back the bill with the recommendation that it do pass.