

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

12-12-1836

Pensions to persons engaged in Indian wars, &c (to accompany bill H. R. no. 353).

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 96, 24th Cong., 2nd Sess. (1836)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

PENSIONS TO PERSONS ENGAGED IN INDIAN WARS, &c.

[To accompany bill H. R. No. 353.]

DECEMBER 12, 1836.

Reprinted by order of the House of Representatives.

HOUSE OF REPRESENTATIVES, *February 12, 1836.*

On the motion of Mr. Allan, of Kentucky, the following resolution, which had been offered by him on a previous day of the session, was taken up and adopted :

Resolved, That a select committee be appointed, whose duty it shall be to inquire into the expediency of extending the provisions of the act of Congress for the benefit of the surviving officers and soldiers of the revolutionary army, passed on the 7th of June, 1832, so as to embrace those who were engaged in the wars of the United States, which occurred between the treaty of peace with Great Britain in 1783, and the treaty of Greenville with the Indians, in 1795 ; and that the said committee have leave to report by bill or otherwise.

In pursuance of the foregoing resolution, the Speaker appointed the following persons on said committee :

Mr. Allan, of Kentucky, Mr. Ashley, of Missouri, Mr. Lay, of New York, Mr. Casey, of Illinois, Mr. Lane, of Indiana, Mr. White, of Kentucky, Mr. Carter, of Tennessee, Mr. Mann, of Pennsylvania, and Mr. Mason, of Ohio.

FEBRUARY 16, 1836.

Mr. C. ALLAN, from the Select Committee, to which the subject had been referred, made the following

REPORT:

A brief history of the proceedings and debates of Congress heretofore upon this subject, will best explain the imperative duty imposed on the committee of making a more full and ample report than might, under other circumstances, have been necessary.

During the pendency of the pension bill of the 7th of June, 1832, before the House of Representatives, an amendment was offered to extend its provisions to the soldiers who served in our wars to the treaty of Greenville.

In the debates at that time, this proposition was treated with the utmost respect, and we were urged to bring it forward in the form of a separate bill ; in which shape, it was said, it would meet with the most favorable consideration.

At the first session of the last Congress, the subject was again brought forward, upon a resolution similar to the one under which your committee

has the honor now to act. That resolution was, for days and weeks, elaborately discussed in this House by many of our most experienced statesmen. But the character of the discussion, by the opponents of the resolution, was entirely changed from that referred to at the preceding Congress.

In the last debate new views are presented of the wars and settlement of the western country, entirely inconsistent with all the histories and traditions of the times. These novel, erroneous views, so unsatisfactory to the western people, so prejudicial to their character, come, however, from a source so eminent, and now stand enregistered in your printed debates; in that durable form will reach posterity; and, if unexplained and uncontradicted, may deceive after times, and inflict a permanent wound upon the memory of the illustrious founders of the new States.

The unparalleled circumstances under which the western country was settled, make the history of those times the most valuable part of the public property—a history that has been the foundation of that exalted patriotic character which has ever so pre-eminently distinguished the inhabitants of the great valley.

Your committee is therefore impelled by truth, and justice, and duty, to a gallant people, in the solemn form of a report to the Congress of the United States, to refute the errors in regard to the western history, which are to be found in the debates referred to, and to place this document in a position that will be as durable as said debate, where the antidote will last as long as the poison remains.

The principal arguments of the opponents of the resolution, at the last Congress, and of which complaint is here made, may be stated under the following heads:

1st. It was contended that the war in the west, under consideration, was in all respects similar to the Indian wars which had attended the first settlement of all the old States. That the persons proposed to be provided for by this resolution, have no other or higher claims on the Government than those who served in the early Indian wars; none of whom, as is contended, were ever rewarded as are the revolutionary soldiers.

2d. That the war between '83 and '95 was a private war.

3d. That it was a war carried on for private gain.

4th. That the western soldiers were compensated for their services with the fine lands of that region.

5th. That it was an unjust war.

In reply to the first argument, the history of the country proves that the war between Great Britain and her colonies, and the aborigines of this continent, assumed a new character in the year 1774, and continued to maintain that new character down to 1785.

That the war which spread over the surface of the twenty-one years that intervened between '74 and '95, was different, both in parties and objects, from all the wars which had attended the first settlements of the old States.

All the Indian wars, from the landing at Jamestown and Plymouth, to the commencement of the revolution, were carried on by the Indian in defence of his country; to exterminate the white man, and to prevent his settlement in the new world. By the white man, those wars were sustained, to defend possessions already acquired, and to extend still farther his dominion. But in the year '74, the character of the Indian wars was wholly changed.

The question of the permanent dominion of the white man, in the new world, was then forever settled. That the man destitute of the arts could not contend with the man in possession of the arts, was no longer contested. The steady march, and continued display, of the power of the civilized man, for nearly two centuries, had convinced the savage man that his power, as the sovereign of this continent, was forever gone.

The year '74 is a new era in the history of the Indian wars. In that year, the causes which led to the American revolution had become ripe for development. The Boston Port bill had passed the English Parliament. The royal Governor of Virginia, the Earl of Dunmore, had dissolved the Virginia Assembly. So soon as it became evident that the contest between the colonies and the mother country would be settled by the arbitrament of the sword, emissaries were despatched to all the nations of Indians, from Canada to the Gulf of Mexico, to engage them as allies of England, in the war about to be waged for the subjugation of the colonies. The Indians embarked in this new war, under British power, induced by British pay, to subjugate the colonies to British rule.

The Indian had, before that time, fought against the Englishman; he now fought by his side. His object was no longer to rescue his country from the white men, but to aid in making one portion of them slaves to another.

The object of the war being thus changed, so was its name altered; from that period, the war carried on against this country by the united forces of the Indians and English, took the name of the revolutionary war. In this war, no distinction has ever been made in our laws between those who fought the Indians, and those who served against the English.

The famous battle at the mouth of the Great Kanhawa, on the 10th October, 1774, was the result of the treachery of Lord Dunmore, Governor of Virginia: he entered into intrigues with the Indians, and sought to have the southern division of the army, under the command of General Lewis, cut off, and thus to impair the power of the Commonwealth of Virginia to resist the aggressions of the mother country.

This battle at Point Pleasant, on the Ohio, being clearly connected with the very first movement of the revolution, it having been evidently produced by revolutionary causes, will stand illustrious in the future history of this country, as the first battle of the revolution.

Thus it appears, after the commencement of the revolution, the war with the Indians did assume a new character, and was sustained on new principles, and carried on for new objects, and is different, in all of its aspects, from the previous Indian wars.

The war from '74 to '83, between the British and Indians on the one side, and the United States on the other, is called the revolutionary war. All the soldiers within that period, no matter whether they contended against the British and Indians severally or jointly, are entitled to the provisions of the law of '32.

2d. It was alleged "that the war between '83 and '95 was a private war."

A private war is a war undertaken by desperadoes, not only without warrant of law, but against the consent of the Government. Those engaged in such an enterprise against the institutions of all civilized communities, would, it is true, be fitter objects for criminal justice than of the bounty of the Government. But forever to put to flight the degrading allegation that

this was a private war, the committee will here take leave to quote some passages from Marshall's Life of Washington.

The historian, after the account of St. Clair's defeat, proceeds to say :
 " The Indian war now assumed a more serious aspect than it had hitherto worn. There was reason to fear that the hostile tribes would derive a great accession of strength from the impression which their success, and the spoil they had acquired, would make upon their neighbors ; and the reputation of the Government was deeply concerned in retrieving the fortune of its arms, and affording protection to its citizens. The President (Washington) therefore lost no time in causing the estimates for a force which he deemed competent to the object, to be prepared and laid before Congress. In conformity with a report made on this subject by the Secretary at War, a bill was brought into the House of Representatives, directing three additional regiments of infantry, and a squadron of cavalry, to be raised, to serve for three years if not sooner discharged." This bill experienced great opposition.

" It was objected, that it was only exposing their arms to disgrace, betraying their own weakness, and lessening the public confidence in the Government, to send forth armies to be butchered in the forests, while the British were suffered to keep possession of the posts within the territory of the United States. To this cause was ascribed any disposition which might exist on the part of the Indians to continue hostilities, and to its removal ought the efforts of the Government to be directed."

" In support of the bill it was urged, ' that the justice of the war could not be questioned by any man who would allow that self-preservation and indispensable necessity could furnish sufficient motives for taking up arms.'"

" It was said to be proved by unquestionable documents, that from the year 1783 to 1790, there had been not less than fifteen hundred persons, either the inhabitants of Kentucky or emigrants on their way to that country, who had been massacred by the savages, or dragged into captivity."

Can any man read the foregoing extracts, and doubt the public character of this war? Congress passed the bill augmenting the public force agreeably to the recommendation of the President.

The deep interest excited by this war brought forth the most splendid displays of eloquence in Congress that distinguish and adorn that period of our history. The debates, during the whole period, refer to this war. It is spoken of as a war kept up by the presence and aid of the English force in the actual occupation of our forts and territory.

The public character of this war is as well attested by our diplomatic, as it is by our legal and congressional history. The non-execution of the treaty of '83, the detention of the posts, and the continuance of the war, constituted the subjects of negotiation down to Jay's treaty. How can it be contended, in the face of these facts, that this was a private war?

3d. " It was asserted that this war was carried on for private gain." It was not only a great public war, but it was carried on for the attainment of grand public objects : the first of which was, independence ; another object was, the security of the great public domain.

The country in which the States of Ohio, Indiana, Illinois, and the Michigan Territory are now situated, was then in the occupation of the British and Indians. The conquest of this vast country was one of the fruits of the victories of this war—a conquest that has supplied the pub

treasury with annual millions. But there was another, far more momentous public object in this war; the whole Union was degraded and disgraced, and the soil of our common country was polluted, by the occupation of a foreign enemy. The national degradation was washed out. The public insult was avenged. The national honor was vindicated. The foe was chastised and expelled from our borders, and our territory brought under our own subjection, and the western country made free and independent, and the integrity of the Union preserved, by this illustrious war.

Yet the very existence of this war has been questioned!—a war that blazes on the brightest page of our country's history—a war that in days to come, will furnish themes for patriots, and orators, and poets—themes that will nerve the hero's arm and swell the soldier's heart in the hour of battle.

4th. It was urged, as a set-off against the claim of the soldiers under consideration, that they were compensated for their services by the fine lands which they acquired in that delightful country.

The improvident, unfortunate, and unwise laws, under which the lands of Kentucky were appropriated; the difficulty in complying with their requirements; the unceasing dangers of a savage war, prevented the first settlers from acquiring safe titles to land. The children of many who were slain in battle, have no home in a country in defence of which their fathers died.

Many who survived the horrors of war, went down to their graves in poverty. There are yet a few of those brave pioneers left with us, who have not one acre of land in the country, to the defence of which they devoted the prime of their days, and encountered all the dangers of the most romantic enterprise recorded in history.

In answer to the charge that the soldiers after '83 were paid for their services, it may be justly said, in this respect, their claim is higher than that of those prior to '83. Before the treaty of peace with Great Britain, the revolutionary army was provided with clothes and food, and the munitions of war, at the public charge; they were partially paid for their services; they were partially compensated in lands. But the western soldiers after '83, so far from having received full compensation, actually, in part, sustained the war at their own expense, finding their own food, their own clothes, their own rifles and ammunition.

5th. In regard to the allegation, that the war under consideration was unjust—that the western country had been wrested by lawless power from its rightful owners. The committee have to remark, 1st, that this is not the time to inquire into the justice of the war: it is for the Government to decide upon the justice of wars before they are commenced; and it is the duty of soldiers to fight the battles of the country, no matter whether the war was just or unjust. When the war-worn soldier comes to his Government after the termination of the war for compensation for his services, shall he be insulted with the assertion that the war in which he fought and bled was unjust!

2d. The committee do not deem it needful here to go into the inquiry, whether the wars that have been every where waged in all nations, between savage and civilized man, for the dominion of the earth, be just or unjust; or whether the savage man be exclusively entitled to all of this earth upon which he first happens to walk.

It has been permitted, in the providence of God, that barbarism should every where yield to the spread of civilization and the arts. The civilized man has been permitted to take possession of this continent, and to make the grand experiment for the extension of Christianity, and the establishment of human liberty.

All America has been settled under the same circumstances. The contest commenced at the seaboard, and the wave of civilization rolled back to the far west.

But to silence this objection, and to vindicate the justice of the war under consideration, and to repel the charge, that the inheritance of ages had been forced from the Indians by lawless conquest, it is only necessary to refer to the fact, that the western country, which was the theatre of the war between '83 and '95, had been, by treaty with the Indians, for a full and fair consideration, ceded to the United States. Having disposed of the arguments with which the claim of the western soldiers had been obscured at the last Congress, your committee will now proceed to consider the merits of the subject embraced in the resolution.

The law of '32 settled the principle, that the revolutionary soldier should have a pension for his services; first, because he fought in the war of independence, and because he had never been fully compensated for his services.

The questions which the committee would present for the consideration of the House, are these: do the persons described in this resolution come clearly within the principle of the law of '32? was the war in the western country between '83 and '95, in fact, a continuation of the revolutionary war? were the soldiers who served in that war ever fully paid for their services? Your committee do not propose to establish a new principle for the purpose of extending the pension system. The simple inquiry is, do the facts connected with the subject bring the soldiers prior to '95, and after '83, within the range of the principle of the law of '32.

It is true that the treaty of peace of '83 did bring peace, in fact, to the Atlantic States; but it is equally true that it did not bring peace to the western country; each of the parties to that treaty accused the other of the non-execution of several articles. The cabinet of London alleged that we did not observe the article which stipulated for the payment of debts; and made this a pretext for holding possession of a large extent of the western country, and maintaining that possession by an armed force.

This Government was apprized, in '84, of the determination of Great Britain to hold possession of the posts on the south side of the great lakes. Although Great Britain had agreed to a treaty, by which she acknowledged the independence of the United States, yet her ambition was not extinguished, nor her thirst for dominion in America at all abated. It was the opinion of the leading statesmen of that country, that the American experiment would fail, from the imbecility and feebleness of the new Government. They looked for scenes to arise, similar to those which have characterized the South American republics for the last twenty years.

Being possessed of Canada, the cabinet of London determined to hold possession of the northwestern country, and the posts, and to keep up the war through their Indian allies; and thus to stand ready to take advantage of any favorable circumstances for the recovery of their lost power.

The Indians who inhabited the country between the Mississippi, Ohio, and the lakes, had at that time a military force amounting to five thousand

warriors, who were furnished with all the munitions of war by the English authorities, and stimulated to carry on the war by the presence and aid of a British force. In the winter of '93, Lord Dorchester met at Quebec the head men of the seven villages of Lower Canada, as deputies from all the nations who had attended a great council in that year which had been held on the Miami, and informed them that a new line must be drawn between the United States and Canada with the sword.

To enlarge their possessions, and push the war still farther, a British force marched from Detroit in the spring of the same year, and built a fortress on the Miami of the Lakes. Then, notwithstanding the peace of '83, this large and formidable force continued in the actual possession of the great public domain of the United States.

The peace of '83 did not in any respect alter the actual condition of the western people. The sanguinary war, with all its unabated horrors, continued to devastate that region.

It was carried on by the same parties, and on our part for the very same objects, after, as it had been before, '83. The great object of the revolution was independence; but the blessing of liberty was not secured to the western people by the treaty of '83. The enemy was still in possession of the country, and the dangers and terrors of an exterminating war rendered life and property, as well as liberty, insecure.

The western people, therefore, maintained the war after '83, as they had done prior to that time, in defence of life, property, and liberty. The treaty of '83 terminated the revolutionary war in the Atlantic States, but it was the treaty of Greenville which closed the war in the west.

If the question should ever arise, would any American contend that those who fought the battle of Orleans, on the 8th of January, 1815, were not in the late war, because the treaty of Ghent was signed previously, on the 24th of December, 1814?

The execution of a treaty does not close a war; the war does not end until the fighting ends.

It being the present purpose of the committee to prove this a continuation of the war, it is not deemed necessary to give in detail its history. The time of the House will not be consumed with a description of the protracted sanguinary conflict, that had respect to neither age nor sex. To trace the wide circuit of its ravages—to enumerate the numbers of the slain, or the wounded—is not within the present design.

Where is the necessity of counting up the duration of sieges, or estimating the number of battles? Why point to the hills, and mountains, and valleys, and rivers, on which battles were fought, when the siege was continual, and the whole State of Kentucky was a field of battle?

Now the question is, whether the soldier who fought prior to the treaty of Greenville, is within the principle of the bill of '32, which gives the soldier a pension who fought prior to '83? Why make a distinction? It was a continuation of the same war, between the same parties; for the attainment of the same objects.

The committee have thus far endeavored to prove, that the soldiers before and after '83 stood on the same level, and possessed equal claims to the justice and gratitude of the Government.

It will now go farther, and contend that there are circumstances connected with so much of the war as occurred after '83, that gives to those

brave soldiers who were engaged in it, even higher claims than any other part of the revolutionary army.

Prior to '83, the whole force of the country was directed against the common enemy; but after that time the people of the Atlantic States, believing the war was over, and being exhausted by it, gave their whole attention to their own immediate concerns. The public treasury was empty. No system of finance had been formed; no plan for the establishment of public credit had been adopted. Congress reduced the army down to one regiment of infantry and one battalion of artillery, in all but 1,216 men. This was done against the opinion of General Washington. The States held together by no efficient government, and, pressed by all the numerous evils, which ever succeed a long war, had not the means of affording adequate protection to the frontiers. In this new state of things, what was the condition of the west? On the north, as we have seen, the country was in possession of the combined English and Indian force. On the east side, the mountains and a vast wilderness separated the western people from the old thirteen States. On the south, Spain was in possession of Louisiana, and the mouth of the Mississippi was closed against the commerce of the western people.

The disputed boundary of provinces in North America had been the cause of wars among European sovereigns, from the first settlement of the continent. France, early possessed of Canada, long sought to unite it with Louisiana, by way of the Ohio, and thus to circumscribe the British provinces between the mountains and the sea. This cherished scheme was persevered in during the conflicts of a hundred and fifty years, and never abandoned until the final conquest of Canada, by England, in 1763. In the new condition of things, Spain embraced with ardor the project which had been so long entertained by France, and, being jealous of the growing power of the United States, determined to add the upper part of the valley of the Mississippi to her other vast possessions in North and South America. In proof of this, your committee will refer to a passage from Martin's History of Louisiana: "Don Martin Navarro, the intendant, now left the city for Spain; and the two offices of intendant and governor were united in the person of Miro. Navarro's last communication to the King was a memorial, which he had prepared by order of the minister, on the danger to be apprehended by Spain, in her American colonies, from the emancipation of the late British provinces on the Atlantic. In this document, he dwells much on the ambition of the United States, and their thirst for conquest; whose views, he states, to be an extension of territory to the shores of the Pacific ocean; and suggests the dismemberment of the western country, by means of pensions, and the grant of commercial privileges, as the most proper means in the power of Spain to arrest the impending danger.

"To effect this, was not, in his opinion, very difficult. The attempt was therefore strongly recommended, as success would greatly augment the power of Spain, and forever arrest the progress of the United States to the west.

"The suggestion was well received at Madrid, and became the groundwork of the policy which thierafter actuated the court of Spain."

Here the views of Spain are distinctly disclosed, in relation to the western country, and upon which she continued to act for ten years, to the treaty

with the United States. The Governors of Louisiana, Florida, and the Captain General at Havana, were actively employed to keep alive a spirit of hostility in all the southern tribes of Indians. The same historian says: "The officers of that monarchy persisted in measures calculated to embroil the United States in a war with the southern Indians. By their intrigues, they succeeded in preventing the ratification of the treaty entered into in 1790 with McGillivrey; and the line agreed on as the boundary was not permitted to be run. The indefinite claim to territory, set up by Spain, was said to constitute a sufficient objection to any line of demarkation, until it was settled; and the previous treaties and relations of Spain with the Creeks, were declared to be violated by the acknowledgment of their being under the protection of the United States. * * * * * The western people continued loudly and justly to complain of the inattention of Congress."

In page 123 of the same history, is the following:

"The Baron de Carondelet, Governor of Louisiana and West Florida, despatched Thomas Power, an intelligent Englishman, to Kentucky, who, under the pretence of being engaged in collecting materials for a natural history of the western part of the United States, was to prepare the way for the execution of the plan proposed by Navarro, seven years before, of separating the western country from the Atlantic States. To effect this, he was authorized to give assurances of the cheerful concurrence of the Colonial Government of Louisiana, and its readiness to supply them with arms, ammunition and money." The baron continued, from year to year, to send emissaries with similar proposals. A war between Great Britain and Spain was then probable, and, in that event, the conquest of Louisiana would have been a primary object. Emissaries were sent to Kentucky from Canada, to excite the people to take New Orleans by force, and thus to secure a passage for their commerce to the ocean.

The old French scheme of uniting Canada and Louisiana, and the intermediate country, now for a time was dreamed over again by England, who saw in this dream remuneration for the late dismemberment of her empire. Kentucky was not only the theatre of the machinations of Great Britain and Spain for the dismemberment of the United States, by detaching the valley of the Mississippi from the Union; but another power, still more potent, exerted under circumstances still more delusive, experiments upon the virtue and patriotism of the people of that State. Kentucky, buried in the deep bosom of the forest, cut off from the old States by six hundred miles of wilderness, did not, in her secluded, and forlorn, and unprotected condition, escape the effects of the French revolution, which then shook the world. Genet, the minister of the French republic near this Government, sent his emissaries to Kentucky, with power to commission officers, and raise troops, to march against Louisiana.

These agents were directed to represent to the people, that their interests would be promoted by the success of the enterprise; that if New Orleans was in the possession of France, the American Government would find it easy to obtain the free navigation of the Mississippi.

The object of the French minister being first to involve the western people in a war with Spain, and then to detach that country from the United States, and to unite it with Louisiana, under the French republic.

From the fact that France had fought with us in the war of independence; from the general enthusiasm felt in this country for the success of the French revolution, it was confidently believed by Genet, that the western people would readily embark in his enterprise.

To enable the House to estimate properly the virtues and the merits of the soldiers who served in the war from '83 to '95, it was necessary to describe the situation in which they were placed, and the circumstances by which they were surrounded. This Government, in the feebleness of infancy, with all its resources extinguished in the war, and overwhelmed by a thousand pressing cares, extended no aid to the abandoned west. From '83 to '91, no adequate aid was sent by the General Government. Harmar's and St. Clair's campaigns were not undertaken until '91.

That the settlement of Kentucky succeeded, under such circumstances, seems almost miraculous. That it was not exterminated by war, or detached from the Union by the machinations of Spain, or England, or France, is most wonderful. But the courage of the people was neither daunted by all the terrors of war and famine, nor was their integrity corrupted by the gold of Europe. They stood firm under circumstances that would have overwhelmed any other people. If the infant settlement of Kentucky had been exterminated; if the entire valley of the great river had fallen into the possession of any one of the great powers of Europe, how entirely changed would have been the destiny and the prospects of this republic. Bounded by the ocean and the mountains, it would have been a power so feeble as forever to invite the conquest of kings.

This republic is indebted to the small, incorruptible, gallant band of men who sustained the war from '83 to '95, for a country larger than the Roman empire; a country that will hold a hundred millions of freemen; a country in which a power will grow up sufficiently potent to defend human liberty against all the kings and emperors of the earth.

It was eloquently said at the last Congress, that the literature of this country would transmit the fame of the Indian warrior to posterity, and that his memory would remain as long as our mighty rivers, which had received their names from him, poured their waters in the ocean. This is very true; but the fame of the Indian warrior is not all that the literature of this country will transmit to posterity; the fame of him who conquered this warrior will make part of the same story. The same pages of literature will present to posterity a faithful picture of the courage of the small, gallant band, who maintained a war of twenty-one years, in a wilderness, against the most terrible of all enemies; and the fidelity that could not be corrupted by the treasure of three of the most powerful monarchs of Europe. As long as freedom shall endure, it will be remembered, that but for the bravery and stern virtues of these immortal patriots, this republic would have been dismembered, and the march of freedom to the west would have been cut off.

Nothing could be more delightful than the perspective of the views which the literature of this country will present to posterity of these transactions.

So long as the mighty rivers referred to shall hold their majestic course to the ocean, it will be recollected that the fertile and beautiful country washed by their waters was the theatre upon which were fought the great battles that decided that the country west of the Alleghanies should not be

partitioned out among the sovereigns of Europe, but that the continent should become the home of freedom. com.

In estimating the merits of soldiers of the revolutionary army, the mittee would here inquire of a just and generous country, if any stand so conspicuously pre-eminent as those who served between '83 and '95?

But we were told at the last session, that the success of this measure will keep alive the martial spirit of the people, and will stimulate the spirit of adventure to new enterprise, which will display itself still further and further westward.

We may as well try to stay the ocean's wave, or hold back the winds, as to stop the flood tide of emigration that is now spreading out to the Rocky mountains.

And if the success of this measure should have a tendency to perpetuate the martial spirit of the people, so much the better.

It is true that the martial spirit has been maintained in the west in its full vigor. It is true that the war under consideration was the school in which this martial spirit was formed and matured. It is true that the circumstances under which the western country was settled, made it the nursery of soldiers. The martial spirit that had its growth in the western wilderness, brought the first war to a glorious termination, and was the shield of this Union in the last.

The day will come when the sea-board, enervated by wealth and luxury, will have to invoke the martial spirit behind the mountains for protection against foreign invasion.

In the late war, when disaster upon disaster had produced a general gloom, when your treasury was empty, the martial spirit of the west was found very convenient.

When all the efforts of the General Government upon Canada had proved unavailing; when Louisiana was invaded by the Wellington invincibles, armies sprung up in the west, as by magic at the word, not waiting for arms, nor supplies, nor pay. They went with their own rifles in their hands. These men have been taught in the school of adversity to rely on their own resources.

Here are illustrations of the military spirit formed in the western school. The power of Pakenham in the south, and Tecumseh and Proctor in the north, fell before it.

That armies should rise up, without adequate support by Government, and go fifteen hundred miles to meet an invading foe, is without any parallel in the history of war.

If your legislation should, in any degree, be influenced by a disposition to mark with reprobation the military spirit which was generated by the Indian wars of the west, it would prove we had forgotten our whole history. It was the Indian wars, in the midst of which all the States were settled, that kept the people's armor on, and preserved their arms from rust; that prepared and qualified them to shake off the British yoke, and to contend with British armies.

Your committee therefore conclude, that the suggestion that the success of this measure, will tend either to promote the spirit of western adventure, or that it will keep alive the martial spirit of the people, should weigh nothing against its passage.

It is now for the House to decide, whether truth, and justice, and gratitude do not require that all the soldiers who fought and served in our wars

from '74 to '95, should not be embraced within the beneficent provisions of the same law; whether they should not all stand equal in merit and honor upon the roll of the statutes of a just Government.

That they should, your committee cannot doubt. To effect this object, a bill is herewith reported.