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Report from the Secretary of War, in compliance with a resolution of the Senate of the 16th instant, in relation to the claims of George Duval

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REPORT

FROM

THE SECRETARY OF WAR,

IN COMPLIANCE

With a resolution of the Senate of the 16th instant, in relation to the claims of George Duval.

JANUARY 24, 1838.

Laid on the table, and ordered to be printed.

DEPARTMENT OF WAR,
January 23, 1838.

SIR: I have the honor to transmit, herewith, a report from the Commissioner of Indian Affairs, in answer to the resolution of the Senate of the 16th instant, in relation to the claim of George Duval.

Very respectfully,

Your most obedient servant,

J. R. POINSETT.

Hon. R. M. JOHNSON,
President of the Senate.

WAR DEPARTMENT,
Office Indian Affairs, January 23, 1838.

SIR: In compliance with your direction, I have the honor to submit a report on the resolution of the Senate of the 16th instant.

The original papers relating to the claim of George Duval, for depredations alleged to have been committed upon his property, are herewith transmitted, and with them, I beg leave to present a copy of a report of the acting superintendent of the Western Territory, of other claims of a similar character. In the 5th article of the treaty of May 6, 1828, provision was made for the payment of claims of Cherokees, for spoliations, to the amount of \$8,760, according to an account rendered by them, which sum was to be in full of all demands of like nature. By the act of July 13, 1832, however, an appropriation was made to pay unsatisfied claims of the individuals of the tribe therein named, for spoliations committed by citizens of the United States; and by the act of June 28, 1834, another appropriation was made "to remunerate the Western Cherokees for spoliations on their property, under the 5th article of the treaty of May 6, 1828." By the same act, a

further appropriation was made "to compensate the Western Cherokees for stock and other property lost during their emigration under the 8th article of the treaty of 1828." In that article, the United States stipulated to pay for the property the emigrating Cherokees might abandon. Thus far, the liability of the United States to remunerate these Indians for spoliations and losses has been recognised.

Very respectfully,

Your most obedient servant,

C. A. HARRIS,
Commissioner.

HON. J. R. POINSETT,
Secretary of War.

CHOCTAW AGENCY,
October 27, 1836.

SIR: I herewith enclose the claim (with the testimony) of the late George Duval, a Cherokee Indian, for spoliation in stock. This claim was filed by Captain John Rogers, a merchant of Fort Smith, Arkansas, to whom the original claimant became indebted by the purchase of goods. The late Cherokee agent, in his lifetime, made out the statement enclosed, signed by himself, and addressed to my late predecessor; which paper was never transmitted, and found, a few days since, by Governor Stokes.

The claim is well supported by proof of General Arbuckle, Mr. Dillard, and other respectable individuals, and acknowledged by the Cherokee general council, now in session. At the request of Captain Rogers, I beg leave to submit the claim to the department. I can, individually, say nothing of the claim, further than the authenticity of the papers, and the general impression of the justice of the claim.

Respectfully,

Your obedient servant,

WM. ARMSTRONG,
Acting Sup't Western Territory.

C. A. HARRIS, Esq.,
Commissioner of Indian Affairs.

FORT SMITH, December 29, 1834.

DEAR SIR: Enclosed, herewith, you will find the depositions of Mrs. Sally T. Corder and Philip Duniho, in support of the claim of the late George Duval, deceased, for lost stock, which you will be pleased to receive, and place with the other documents, in your office, relative to that matter.

I do not know that any further evidence can be got in support of it. I should, therefore, be glad you would act upon it.

I am, sir,

Very respectfully,

Your obedient servant,

JOHN ROGERS.

Captain GEO. VASHON,
Cherokee Agent.

THE UNITED STATES, INDIAN DEPARTMENT,

To the estate of Geo. Duval, deceased, Dr.

| | | | | |
|-----------------------------------------|---|---|---|-----------------|
| For 300 head of cattle, at \$6 per head | - | - | - | \$1,800 00 |
| For 35 head of horses, at \$50 per head | - | - | - | 1,750 00 |
| | | | | <u>3,550 00</u> |

I hereby certify that I was well acquainted with the above named George Duval, a native Cherokee, who did reside on Little Frog, west of the Mississippi; from which place he was forced to remove, in consequence of a treaty made between the United States and the Arkansas Cherokee Indians, in May, 1828; and that, by his removal and sudden death, he did lose the above stated quantity of cattle and horses; which property, from the best information, has been made way with by various citizens of the United States. I further certify that, from my personal acquaintance with the stock of cattle and horses above mentioned, I do not think them estimated at more than their value.

Given under my hand, this 10th February, 1832.

B. H. SMITH.

In presence of witness:

A. P. CHOUTEAU.

HEAD QUARTERS, SOUTHWESTERN FRONTIER,
Fort Gibson, October 20, 1836.

SIR: In compliance with your wish to be informed of such facts as I possess in relation to the character and property of the late George Duval, (a Cherokee,) I can state, that soon after my arrival at Fort Smith, in the year 1822, I became acquainted with said Duval, who appeared to be a very respectable man, and was highly spoken of by the people of his own nation, as well as by citizens of the United States who were acquainted with him. He was then reported to be a man of considerable property, consisting principally of horned cattle and horses. He lived on Frog bayou, and I was at his house in the summer of 1822 or 1823, where I noticed a large number of cattle, which he claimed; and I am informed that he removed to the lands secured to his nation by a treaty concluded with the United States on the 6th of May, 1828, in the fall of the same year, and that he very soon thereafter died, without having removed but a small portion of his cattle from Frog bayou. Since that period, I have heard it frequently stated, by men of good character, that the property left by said Duval at Frog bayou had been destroyed or run off by some of our citizens, who settled at or near to his former residence. This, I believe, is all I know in relation to Mr. Duval or his property.

I am, sir, very respectfully,

Your obedient servant,

M. ARBUCKLE,

Brevet Brig. Gen. U. S. Army.

To Capt. JOHN ROGERS, *Present.*

TERRITORY OF ARKANSAS, }
 County of Crawford. }

This day, Philip Duniho personally appeared before me, Jesse Turner, an acting justice of the peace within and for the county and Territory aforesaid, of lawful age, who, being duly sworn, deposeth and saith: That he was well acquainted with George Duval, a Cherokee Indian, who resided on Little Frog bayou, within the present limits of Crawford county, Arkansas Territory, previous to the treaty held with the Cherokee Indians west of the Mississippi in 1828; and that he well knows that the said Duval, at the time of his removal in consequence of said treaty, left, at or near his said residence, a large number of horses and cattle, the precise number not known to this deponent; and that he well knows that a great many of said horses and cattle were killed and destroyed, and taken away, by citizens of Arkansas Territory; and further this deponent saith not.

PHILIP DUNIHO.

Sworn to and subscribed before me, this 13th August, A. D. 1834.

JESSE TURNER, J. P. [SEAL.]

TERRITORY OF ARKANSAS, }
 County of Crawford. }

I, Alex. McLean, clerk of Crawford circuit court, do hereby certify that Jesse Turner, before whom the foregoing deposition was taken, was an acting justice of the peace within and for the county of Crawford, at the time, duly commissioned; and that full faith and credit should be given to all his official acts as such.

In testimony whereof, I have hereunto set my hand, and affixed the seal [L. s.] of office, this 13th day of August, A. D. 1834.

A. McLEAN, Clerk.

ARKANSAS TERRITORY, }
 Crawford County. }

I, the undersigned subscriber, do hereby certify that I settled myself at the place where George Duval, a native Cherokee, resided, on Little Frog bayou; from which place he was forced to remove, agreeably to a treaty made in May, 1828, between the Cherokees west of the Mississippi river and the Government of the United States; and that there was a large quantity of horses and cattle left there by said Duval; which property has been killed, run off, and made way with, by various citizens of the United States, and, I believe, a great portion of them under the direction of James Ball, a citizen of this county.

Given under my hand and seal, January 21, 1832.

D. H. CORDER, J. P.

TERRITORY OF ARKANSAS, } to wit:
 County of Crawford. }

I, George C. Pickett, clerk of the Crawford circuit court, do certify that David H. Corder, who has subscribed his name to the above instrument of

writing, is, and was at that time, an acting justice of the peace, duly commissioned and qualified; and, to all his official acts as such, full faith and credit are and ought to be given: and I do further certify that the said David H. Corder is a gentleman of standing and reputation.

In testimony whereof, I have, as clerk of said court, hereunto set my hand, [L. s.] and affixed the seal of office, this 30th day of January, A. D. 1832.
G. C. PICKETT, *Clerk.*

THE UNITED STATES, INDIAN DEPARTMENT,

To the estate of George Duval, deceased, Dr.

| | | | | |
|-------|-----------------------------------------|---|---|------------|
| 1828. | For 300 head of cattle, at \$6 per head | - | - | \$1,800 00 |
| | For 35 head of horses, at \$50 per head | - | - | 1,750 00 |
| | For 225 head of hogs, at \$2 per head | - | - | 450 00 |
| | | | | 4,000 00 |

TERRITORY OF ARKANSAS, }
County of Crawford. }

This day, personally appeared before me, Jesse Turner, an acting justice of the peace within and for said county, Preston Lloyd and Alexander Boyd, who, being of lawful age, and duly sworn according to law, deposeth and saith: That they were intimately acquainted with George Duval, a native Cherokee west of the Mississippi; that he resided on Little Frog bayou; from which place he removed, agreeably to a treaty concluded between the chiefs of his nation and the United States Government, on the 6th of May, 1828, at Washington city; that they were well acquainted with the situation of his stock, and the manner in which it was left; and that, to their knowledge, owing to his sudden death, and the inability of his family to move his stock, the number of cattle, horses, and hogs, set forth in the above and foregoing account, were killed, run off, and destroyed, by the citizens of the Territory of Arkansas; and that the above estimated price for the said cattle, horses, and hogs, is a moderate and just valuation for the same.

ALEXANDER BOYD,
PRESTON LLOYD.

Sworn to and subscribed before me, this 15th April, 1834.

JESSE TURNER, *J. P.* [SEAL.]

TERRITORY OF ARKANSAS, }
County of Crawford. }

I, Alexander McLean, clerk of the circuit court of Crawford county, do hereby certify that Jesse Turner, before whom the within and foregoing affidavit of Preston Lloyd and Alexander Boyd purports to have been taken,

was, at the time of taking said affidavit, and now is, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified according to law; and that full faith and credit are due all his official acts as such.

In testimony whereof, I have hereunto set my hand, and affixed the seal [L. s.] of office, this the 15th day of April, A. D. 1834.

A. McLEAN, *Clerk.*

TERRITORY OF ARKANSAS, }
 County of Crawford }

This day, Sally T. Corder personally appeared before me, Jesse Turner, an acting justice of the peace within and for the county of Crawford, aforesaid, of lawful age, who being duly sworn, deposeth and saith: That she was well acquainted with George Duval, (a Cherokee Indian,) who resided on Little Frog bayou, (within the present limits of Crawford county,) previous to the treaty held with the Cherokee Indians west of the Mississippi, in 1828; that she knows well that the said Duval, when he removed in consequence of said treaty, left, at or near his aforesaid residence, a large number of horses and cattle, the precise number not known to this deponent, and that many of said horses and cattle were killed and destroyed by citizens of the Territory of Arkansas; and further this deponent saith not.

her

SALLY T. x CORDER,
 mark.

Sworn to and subscribed before me, this 13th day of August, A. D. 1834.

JESSE TURNER, *J. P.*

TERRITORY OF ARKANSAS, }
 County of Crawford. }

I, Alexander McLean, clerk of the Crawford circuit court, do hereby certify, that Jesse Turner, before whom the foregoing deposition was taken, was an acting justice of the peace within and for said county of Crawford at the time, duly commissioned, and that full faith and credit should be given to all his official acts as such.

In testimony whereof, I have hereunto set my hand, and affixed the seal [L. s.] of office, this 13th day of August, A. D., 1834.

A. McLEAN, *Clerk.*

FORT GIBSON, *October 22, 1836.*

In relation to the property left by George Duval, deceased, a Cherokee Indian, I give you the following statement:

In the summer of 1823, I arrived in this country, and shortly after became acquainted with said Duval, and have been at his residence frequently. He was in possession of considerable property, consisting of

horses, cattle, and hogs, at his death, which, I think, has been entirely lost to his relatives and creditors, as it was left at his old residence, and there killed up and destroyed by the citizens who afterwards occupied the country.

JOHN DILLARD.

Acknowledged and subscribed at the Cherokee agency, this 22d day of October, 1836, before

M. STOKES,
Sub-Agent for Cherokees.

FORT SMITH, April 16, 1834.

DEAR SIR: Having understood that you designed visiting Frog Bayou before your return up to the agency, I have taken the liberty of enclosing to you the depositions of Preston Lloyd and Alexander Boyd, residents of Frog Bayou, relative to the loss of stock by the late George Duval, a Cherokee, taken before Jesse Turner, a justice of the peace, which has just been handed to me. You will likely be in the neighborhood of the place at which this property was left by George Duval, and afterwards destroyed, and will, perhaps, have it in your power to ascertain and collect more facts relative to it.

I am, sir, very respectfully,
Your obedient servant,

JOHN ROGERS.

Captain GEO. VASHON,
Vanburn, Crawford county.

FORT SMITH, March 10, 1834.

DEAR SIR: Will you have the kindness to inform me whether anything has yet been done in the claim of George Duval, deceased, for lost property in the exchange of country? I hold the deceased's note for a considerable amount; also, a power of attorney from the administrator of the estate to prosecute the claim. I will, therefore, consider it a favor if you will let me know when this claim will be acted on, that I may have a chance to secure my debt.

I am, sir, very respectfully,
Your obedient servant,

JOHN ROGERS.

Captain GEO. VASHON,
Cherokee Agent, Fort Gibson.

FORT SMITH, ARKANSAS TERRITORY,
May 10, 1835.

SIR: With a hope that I will be enabled to procure some further testimony, in addition to that already filed in your office, in support of the claim of the late George Duval, deceased, against the United States, for lost stock

in the exchange of country, I have to request that you will be pleased to postpone, for the present, reporting on this claim until further advised, and oblige your friend and obedient servant,

JOHN ROGERS.

Captain GEO. VASHON,
Sub-Agent, *Cherokees West.*

TOLLUNTUSKY, October 24, 1836.

Captain John Rogers, of Fort Smith, State of Arkansas, has laid before the Cherokee national council, for consideration, the claim of George Duval, deceased, a Cherokee, which claim is for stock destroyed by United States citizens since the treaty of 1828.

The national committee has, therefore, taken up the claim for consideration, and examined it, with all the evidence offered, and the recommendation of Governor Stokes, United States agent, accompanying said claim. The committee have concurred with the agent's opinion upon the claim, and have, therefore, passed the claim, and recommend the payment of it by the United States Government, which will be paid to said Captain John Rogers, if paid by the said Government.

JOHN DREW,
President of the Committee.

WM. THORNTON, *Clerk.*

OCTOBER 24, 1836.

The council unanimously concur with the above opinion of the committee.

THOS. THUMB,
Chairman of Council.

RILEY THORNTON, *Clerk of Council.*

OCTOBER 24, 1836.

A true copy.

WM. THORNTON,
Clerk of National Committee.

TOLLUNTUSKY, October 24, 1836.

I approve of the proceedings of the committee and council, now in session, of the Cherokee nation west, in relation to the within mentioned claim of George Duval, deceased, and desire that Captain W. Armstrong, Superintendent of Indian Affairs, will recommend the payment of said claim by the United States.

his
JOHN x JOLLY,
mark.

Attest : L. PRICE,
JOHN ROGERS.

WEST CHEROKEE NATION,
Sub-Agent's Office, March 20, 1835.

SIR: I beg leave to present, for your official notice, the enclosed Cherokee claim for spoliation in stock, with the testimony offered in support of said claim. The claim is in the name of George Duval, a deceased Cherokee, and filed by Captain John Rogers, of Fort Smith, who holds an obligation of said Duval, given to the firm of Nicks & Rogers, for amount of his old debt to said firm, with authority from the administrator of said Duval to collect said amount out of the above claim, if it can be established and allowed by the Government.

The papers in the case, enclosed, embrace the account of George Duval vs. the United States.

| | | | | |
|-----------------------------------------------|---|---|---|------------|
| For 300 head of stock cattle, at \$6 per head | - | - | - | \$1,800 00 |
| For 35 head of horses, at \$50 per head | - | - | - | 1,750 00 |
| For 225 head of hogs, at \$2 per head | - | - | - | 450 00 |
| | | | | <hr/> |
| | | | | \$4,000 00 |
| | | | | <hr/> |

With the affidavit of Alexander Boyd and Preston Lloyd; and, also, of Philip Duniho, and of Sally T. Corder, together with the official certificate of Squire Corder, and a certified statement of B. H. Smith, all filed by said Captain Rogers, in support of said claim.

The letters of Captain John Rogers, relative to the above claim, are also enclosed, herewith, from which it appears that all the testimony he can obtain is now filed, and, therefore, he wishes an early decision of the case to be made; and for which purpose, I beg leave to submit the whole of the papers filed in the case, that it may be accordingly disposed of as you may approve.

Respectfully, sir,

Your most obedient servant,

GEO. VASHON,

Sub-Agent.

Maj. F. W. ARMSTRONG,

Acting Sup't Western Territory.

CHEROKEE AGENCY,

Fort Gibson, October 22, 1836.

To the chiefs and the council and committee of the Cherokee nation:

GENTLEMEN: The papers accompanying this letter are in support of claims for lost stock, which belonged to the late George Duval, a Cherokee. You will find, among the papers, a report upon the case by the late Captain G. Vashon, former agent. I have examined the proofs, and think it is a very just claim, which demands your consideration; and I hope it will receive your recommendation for payment, if you find it just.

I am, respectfully,

Your obedient servant,

M. STOKES, *Sub-Agent.*

CHEROKEE AGENCY,
Fort Gibson, January 23, 1837.

SIR: I enclose to you, through the office of the superintendent of Indian affairs for the Southwestern Territory, a schedule or register of stock lost by the Cherokee Indians, and which was stipulated to be paid for in the — article of the treaty of 6th May, 1828.

Early in the year 1834, Captain George Vashon, then Cherokee agent, transmitted to the War Department a schedule of claims for stock lost by the Cherokees, amounting to the sum of \$14,364 50; which was appropriated by an act of Congress, of 28th June, 1834, but which never came to hand until November, 1836. Owing to the great difficulty and delay in the investigation of these claims, Captain Vashon was only able, in his lifetime, to perfect forty-eight additional claims, amounting to \$2,659 50; and, with great labor and perseverance, I have been enabled to examine forty-four additional claims, amounting to \$6,760, making, in the whole, the sum of nine thousand four hundred and nineteen dollars and fifty cents, (\$9,419 50.) These claims, I believe, comprehend the whole that will ever be applied for on this score; and, as they stand precisely upon the same footing and proof as those of the \$14,364 50, I hope the appropriation will be made.

I am, sir, with great respect,

Your obedient servant,

M. STOKES,

Sub-Agent for Cherokees.

C. A. HARRIS, Esq.,
Commissioner of Indian Affairs.

Received January 28, 1837.

W. ARMSTRONG.

Forwarded to the Commissioner of Indian Affairs February 3, 1837.

W. ARMSTRONG,
Acting Superintendent Western Territory.

SCHEDULE of stock alleged to have been taken by citizens of the United States from the Cherokees west of the Mississippi since their removal from the country ceded by them to the United States, per treaty of the 6th of May, 1828, which property has been unavoidably lost to them, from the impossibility of saving it under the difficulties produced by the occupancy of the ceded country by citizens of the United States, before the Cherokee stock could be removed; and by their killing two Cherokees, and menacing others when endeavoring to find the stock they had not removed, or to recover the stock that had strayed back to its former range.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council and examining committee investigated and decided claims to be fair and just. |
|------------------|--------------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|-----------------------------------------------------------------------------------------------------------------------|
| 242 | Cabbin - - - | 2 | - | - | 2 | 9 | - | - | \$50 50 | Approved by council upon evidence of Looney Price. |
| 243 | Tesgunnarluh, (Cross) - | 1 | - | - | - | - | \$25 00 | \$25 | | |
| | Ditto - - - | - | - | - | - | 10 | 50 | 5 | 30 00 | Approved by council upon evidence of Cross Wife. |
| 244 | Fodder - - - | - | - | - | - | 60 | 50 | - | 30 00 | Approved by council upon evidence of Ned. |
| 245 | Te Kuaha, (Hips) - - - | - | - | 2 | - | - | 8 00 | - | 16 00 | Approved by council upon evidence of Oowalooki. |
| 246 | She Cow, (Elders) - - - | - | - | 1 | - | - | 8 00 | 8 | | |
| | Ditto - - - | - | - | - | - | 8 | 2 00 | 16 | 24 00 | Approved by council upon evidence of Major Pullum and T. Campbell. |
| 247 | Mewl - - - | 1 | - | - | - | - | 20 00 | 20 | | |
| | Ditto - - - | - | - | - | 8 | - | 3 00 | 24 | 44 00 | Approved by council upon evidence of James Casy. |
| 248 | Little Jno. Rogers - - - | 5 | - | - | - | - | 15 00 | 75 | | |
| | Ditto - - - | - | - | - | 3 | - | 3 00 | 9 | 84 00 | Approved by council upon evidence of French Jack. |
| 249 | Jack Crapo - - - | 23 | - | - | - | - | 10 00 | 230 | | |
| | Ditto - - - | - | - | - | 23 | - | 3 00 | 69 | 299 00 | Approved by council upon evidence of Geo. Crapo, Swimmer, Young, Glass, and R. Stopper. |
| 250 | Thomas Envy - - - | 1 | - | - | - | - | - | - | 25 00 | Approved by council upon evidence of Wasp Envy. |
| 251 | Archilla - - - | 2 | - | - | - | 2 | - | - | 64 00 | Approved by council upon evidence of Elders and L. Swimmer. |
| 252 | Look at Us - - - | 2 | - | - | - | - | 20 00 | 40 | | |
| | Ditto - - - | - | - | - | 3 | - | 3 00 | 9 | 49 00 | Approved by council upon evidence of Swimmer, Elders, and Archilla. |
| 253 | Oo-ya sta-ti - - - | 2 | - | - | - | - | 15 00 | 30 | | |
| | Ditto - - - | - | - | - | 8 | - | 3 00 | 24 | | |
| | Ditto - - - | - | - | - | - | 5 | 1 00 | 5 | 59 00 | Approved by council upon evidence of Kullertoluti and Tail. |

SCHEDULE—Continued.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council and examining committee investigated and decided claims to be fair and just. |
|------------------|---------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|-----------------------------------------------------------------------------------------------------------------------|
| 254 | Crying Buffalo | 1 | - | - | - | - | - | - | \$30 00 | Approved by council upon evidence of Tail. |
| 255 | Susanah | 5 | - | - | - | - | \$20 00 | \$100 | 112 00 | Approved by council upon evidence of Utanehar. |
| | Ditto | - | - | - | 4 | - | 3 00 | 12 | | |
| 256 | Bird Tail Duval | 1 | - | - | - | - | - | - | 30 00 | Approved by council upon evidence of Little Charles. |
| 257 | Little Charles | 2 | - | - | - | - | - | 40 | 55 00 | Approved by council upon evidence of Utanehar and Jack. |
| | Ditto | - | - | - | 5 | - | 3 00 | 15 | | |
| 258 | Susan S. Wolf | - | - | - | 30 | - | 3 00 | - | 90 00 | Approved by council upon evidence of Little Charles. |
| 259 | Wind | - | - | - | 1 | - | - | - | 5 00 | Approved by council upon evidence of Big Acorn. |
| 260 | Little Tarrapen | 3 | - | - | - | - | 25 00 | - | 75 00 | Approved by council upon evidence of Oo-che-sko-li. |
| 261 | Kuttoklernuh | - | - | - | 3 | - | 4 00 | - | 12 00 | Approved by council upon evidence of Chusewuh. |
| 262 | Sarkeyah | 1 | - | - | - | - | - | - | 15 00 | Approved by council upon evidence of Pheasant. |
| 263 | Keener | 1 | - | - | - | - | - | - | 30 00 | Approved by council upon evidence of Halli and Ookluhhuh. |
| 264 | Ootewuske | 1 | - | 2 | - | - | - | - | 46 00 | Approved by council upon evidence of Peter Ferror. |
| 265 | Taky Duval | - | - | 1 | - | - | - | - | 8 00 | Approved by council upon evidence of Karhelake. |
| 266 | Simon Girty | 7 | - | - | - | - | 20 00 | 140 | 269 00 | Approved by council upon evidence of L. Refeld and Utsootaki. |
| | Ditto | 7 | - | - | - | - | 15 00 | 105 | | |
| | Ditto | - | - | 3 | - | - | 8 00 | 24 | | |
| 267 | Broom | - | - | - | 12 | - | 5 00 | - | 60 00 | Approved by council upon evidence of Ootanehar and Keener. |
| 268 | Ooloocha | - | - | - | 2 | - | 5 00 | - | 10 00 | Approved by council upon evidence of Glass. |
| 269 | Oowalooke | 1 | - | - | - | - | 15 00 | 15 | 79 00 | Approved by council upon evidence of F. Jack, H. Bird, J. Duval, and Hips. |
| | Ditto | - | 8 | - | - | - | 8 00 | 64 | | |
| 270 | Hally | - | - | - | - | 9 | - | - | 9 00 | Approved by council upon evidence of Otter. |
| 271 | Canoe Coming | 3 | - | - | - | - | 15 00 | 45 | 80 00 | Approved by council upon evidence of Gillis Bags. |
| | Ditto | - | - | - | 5 | - | 3 00 | 15 | | |
| | Ditto | - | - | - | - | 40 | 50 | 20 | | |
| 272 | Ootariuke | - | - | 2 | - | - | 8 00 | - | 16 00 | Approved by council upon evidence of Glass. |

| | | | | | | | |
|-----|------------------------------------|---|---|----|-----------------------|--------|-----------------------------------------------------------------------|
| 273 | Demsey Fields Ditto | 1 | 1 | 2 | 5 00 | 30 00 | Approved by council upon evidence of J. and S. Duval and John Rogers. |
| 274 | Chowayuker Bengé Ditto Ditto | 5 | 1 | 1 | 20 00 | 113 00 | Approved by council upon evidence of Brainswid Tossel and N. Tossel. |
| 275 | Sequichi | 2 | | 6 | 1 00 | 6 00 | Approved by council upon evidence of Chuloqua. |
| 276 | Lame Toosewotuh | 1 | | | 25 00 | 50 00 | Approved by council upon evidence of Big Tallasene and Beaver. |
| 277 | Whose Track | 1 | | | 12 00 | 20 00 | Approved by council upon evidence Salt Maker. |
| 278 | Lisener Ditto Ditto | 1 | 3 | | 8 00 24 80 | 116 00 | Approved by council upon evidence of Stink Trail. |
| 279 | Quaky Ditto | | | 8 | 3 00 1 00 | 27 00 | Approved by council upon evidence of Brewer and Glass. |
| 280 | Thos. Bang | | | 6 | 15 | 33 00 | Approved by council upon evidence of Poor Sam. |
| 281 | Oo-chie-hah Ditto Ditto | 4 | | 8 | 25 00 5 00 2 00 | 148 00 | Approved by council upon evidence of Little Charles and Ootame-hah. |
| 282 | Isaac Rogers Ditto Ditto | | 1 | 5 | 8 5 00 35 | 66 00 | Approved by council upon evidence of Major Nelowi and B. Nelowi. |
| 283 | Aff Jack | | | 18 | 3 00 | 54 00 | Approved by council upon evidence of Ulahehah. |
| 284 | Tseyosa | | | 3 | 4 00 | 12 00 | Approved by council upon evidence of Bear Climber. |
| 285 | Oolustari | | | 1 | | 3 00 | Approved by council upon evidence of Oowotoyoke. |
| 286 | Kallonoochaski Ditto Ditto | 2 | 1 | 4 | 15 00 8 20 | 88 00 | Approved by council upon evidence of Geo. Crapo. |
| 287 | Poor Sam Ditto | | 1 | 11 | 8 1 00 | 19 00 | Approved by council upon evidence of Thomas Bengé. |
| 288 | Kariayub | 1 | | | 25 00 | 25 00 | Approved by council upon evidence of Nick Tossel. |
| 289 | Ned | | | 4 | 2 00 | 8 00 | Approved by council upon evidence of Fodder. |

SCHEDULE—Continued.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council and examining committee investigated and decided claims to be fair and just. |
|------------------|---------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|-----------------------------------------------------------------------------------------------------------------------|
| 290 | Eliky Cross - - | - | - | 2 | - | - | \$8 00 | \$16 | \$66 00 | Approved by council upon evidence of Cross. |
| | Ditto - - | - | - | - | 6 | - | 5 00 | 30 | | |
| | Ditto - - | - | - | - | - | 40 | 50 | 20 | | |
| | | 89 | 8 | 20 | 187 | 259 | | | 2,659 50 | |

I certify, on honor, that I have used all diligence, by employing the best means within reach, to make a satisfactory investigation of the claims exhibited in the foregoing register, and believe that the claimants actually sustained the unavoidable loss as stated therein; and, therefore, earnestly recommend the early payment of said claims.

AGENT'S OFFICE, 1st April, 1834.

GEO. VASHON, *Agent.*

I certify, on honor, that the foregoing certificate and attestation is annexed to the schedule of the above claims, in the proper handwriting of Captain George Vashon, former sub-agent for the Cherokee nation.

M. STOKES,
Sub-Agent for Cherokees

SCHEDULE—Continued.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council investigated and decided upon the claims to be fair and just. |
|------------------|-----------------------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|------------------------------------------------------------------------------------------------------------|
| 1 | Amount brought forward | 89 | 8 | 20 | 187 | 259 | - | - | \$2,659 50 | |
| | Achia Vickory - | 2 | - | - | - | - | \$50 00 | \$100 | | |
| | Ditto - | - | - | - | 8 | - | 3 00 | 24 | | |
| | Ditto - | - | - | - | - | 60 | 1 00 | 60 | 184 00 | Admitted upon the claimant's statements, and the knowledge the committee had of the justness of the claim. |
| 2 | Tarnoo Kostuh, or Widow Rope - | 2 | - | - | - | - | 32 00 | 64 | | |
| | Ditto - | - | - | 2 | - | - | 8 00 | 16 | | |
| | Ditto - | - | - | - | - | 20 | 2 00 | 40 | 120 00 | Admitted upon the evidence of Bear's Paw and Broom. |
| 3 | Looney Tolluntusky - | - | - | - | 19 | - | 5 00 | 95 | | |
| | Ditto - | - | - | - | - | 30 | 1 00 | 30 | 125 00 | Admitted upon the claimants' statement, and the knowledge the committee had of the justness of the claim. |
| 4 | Tote Kunnuh Will - | - | - | 1 | - | - | - | - | 8 00 | Admitted upon the evidence of Tobacco Will. |
| 5 | Kullami Campbell - | 3 | - | - | - | - | - | - | 75 00 | Admitted upon the evidence of Charles Campbell. |
| 6 | Sally Williams - | 1 | - | - | - | - | 50 00 | 50 | | |
| | Ditto - | 1 | - | 1 | - | - | 8 00 | 8 | | |
| 7 | Aron Hicks - | 3 | - | - | - | - | - | - | 58 00 | Admitted upon the evidence of Bear Climber and Deer Killer. |
| 8 | John Smith - | 1 | - | - | - | - | - | - | 78 00 | Admitted upon the evidence of Emry and Lane Toosewolutuh. |
| 9 | E. George - | 1 | - | - | - | - | - | - | 85 00 | Admitted upon the evidence of Jack McKensey. |
| 10 | Wm. Thornton - | 3 | - | - | - | - | - | - | 100 | Admitted upon the evidence of James Holt. |
| | Ditto - | - | 1 | - | - | - | - | - | 10 | |
| 11 | Tobacco Will and his sister - | 2 | - | - | - | - | 55 00 | 110 | 110 00 | Admitted upon the evidence of James Campbell. |
| | Ditto - | - | - | - | - | 80 | 1 00 | 80 | | |
| " | Quatry (of Bees Creek) | 1 | - | - | - | - | - | - | 190 00 | Admitted upon the evidence of Campbell, Wind, and Bear's Paw. |
| | | | | | | | | | 30 00 | Admitted upon the evidence of Bear's Paw. |

SCHEDULE—Continued.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council investigated and decided upon the claims to be fair and just. |
|------------------|---------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|--------------------------------------------------------------------------------------------------------|
| 12 | Maria Drew - - - | 9 | - | - | - | - | \$40 00 | \$360 | \$506 00 | Admitted upon the evidence of Samuel Mackey, William Drew, and Maj. Neloui. |
| | Ditto - - - | - | - | 13 | - | - | 8 00 | 104 | | |
| | Ditto - - - | - | - | - | 14 | - | 3 00 | 42 | | |
| 13 | Wannoho Drew - - | 1 | - | - | - | - | - | 60 | 87 00 | Admitted upon the evidence of Richard Drew. |
| | Ditto - - - | - | - | - | 1 | - | - | 3 | | |
| | Ditto - - - | - | - | - | - | 15 | - | 19 | | |
| 14 | John Leek - - - | 1 | - | - | - | - | - | 50 | 154 00 | Admitted upon the evidence of Jack Girty. |
| | Ditto - - - | - | 8 | - | - | - | 10 00 | 80 | | |
| | Ditto - - - | - | - | 3 | - | - | 8 00 | 24 | | |
| 15 | Ezekiel Fields - - | 1 | - | - | - | - | - | - | 60 00 | Admitted upon the evidence of Glass. |
| 16 | Thumbstait - - - | 7 | - | - | - | - | 20 00 | 140 | 200 00 | Admitted upon the evidence of James Campbell. |
| | Ditto - - - | - | - | - | 20 | - | 3 00 | 60 | | |
| | | | | | | | | | | |
| 17 | Samuel Wooster - - | 1 | - | 5 | - | - | - | - | 90 00 | Admitted upon the evidence of Rainstopper and Bear's Paw. |
| 18 | John Rainstopper - | 5 | - | - | - | - | 60 00 | - | 300 00 | Admitted upon the evidence of Shannon and Williams. |
| 19 | Charles Coody - - - | - | - | - | 59 | - | 3 00 | - | 177 00 | Admitted upon the evidence of Thomas Candy. |
| 20 | James Campbell - - | 3 | - | - | - | - | 40 00 | - | 120 00 | Admitted upon the evidence of Justice and Looney. |
| 21 | Bear's Paw - - - | 1 | - | - | - | - | - | - | 20 00 | Admitted upon the evidence of Wind. |
| 22 | Caty Johnson - - - | 5 | - | - | - | - | - | 115 | 120 00 | Admitted upon the evidence of Crapo and Bad Ponch. |
| | Ditto - - - | - | - | - | - | 5 | - | 5 | | |
| | | | | | | | | | | |
| 23 | Susy Candy - - - | - | - | 7 | - | - | 5 00 | - | 35 00 | Admitted upon the evidence of Archibald Coody. |
| 24 | Waky Lovet - - - | - | - | 2 | - | - | 8 00 | 16 | 31 00 | Admitted upon the evidence of Richard and William Drew. |
| | Ditto - - - | - | - | - | - | 6 | - | 15 | | |
| | | | | | | | | | | |
| 25 | Cotekaway - - - | - | - | - | 5 | - | 7 00 | - | 35 00 | Admitted upon the evidence of Black Coat and Fodder. |
| 26 | Totequa - - - | 2 | - | - | - | - | 20 00 | - | 40 00 | Admitted upon the evidence of Tiyerhah. |

| | | | | | | | | | | |
|----|-------------------------------|----|----|----|-----|-----|-------|-----|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 27 | Tiyerhah | - | - | - | 3 | - | 5 00 | 15 | | |
| | Ditto | - | - | - | - | 15 | 3 00 | 45 | 60 00 | Admitted upon the evidence of Tobacco Will. |
| 28 | Taryeski | - | 4 | - | - | - | 30 00 | 120 | | |
| | Ditto | - | - | - | - | 24 | - | 70 | 190 00 | Admitted upon the evidence of Tobacco Will and Bear's Paw. |
| 29 | Chewonuh | - | 3 | - | - | - | 20 00 | - | 60 00 | Admitted upon the evidence of A. Morton and Girt Jolly. |
| 30 | Jas. Coody | - | 1 | - | - | - | - | - | 30 00 | Admitted upon the evidence of Girt Jolly and Richard Drew. |
| 31 | Ailsey Morris | - | 2 | - | - | - | - | 55 | | |
| | Ditto | - | - | 2 | - | - | 8 00 | 16 | 71 00 | Admitted upon the evidence of Watts, Glass, and Chicken Pecker. |
| 32 | Polly Morris and Betsey Duval | - | - | - | - | 36 | - | - | 52 00 | Admitted upon the evidence of Sunshine and Glass. |
| 33 | Waky Long Flank | - | 4 | - | - | - | 30 00 | - | 120 00 | Admitted upon the evidence of Climbing Bear and Nick Tassel. |
| 34 | Smoker Coöla | - | - | 6 | - | - | 8 00 | 48 | | |
| | Ditto | - | - | 3 | - | - | 8 00 | 24 | | |
| | Ditto | - | - | - | - | 2 | - | 6 | | |
| 35 | Walter Webber's family | 23 | - | - | - | - | 25 00 | 575 | | |
| | Ditto | - | - | - | 265 | - | 3 00 | 795 | | |
| | Ditto | - | - | - | - | 100 | - | 100 | 1,460 00 | Admitted upon the evidence of Climbing Bear, Maj. Nelowi, and Samuel Wooster, and the knowledge the committee had of the justness of the claim. |
| 36 | Eliza Fields | - | 2 | - | - | - | 30 00 | - | 60 00 | Admitted upon the knowledge the committee had of the justness of the claim. |
| 37 | Richard Rogers | - | 3 | - | - | - | - | - | 100 00 | Admitted upon the knowledge the committee had of the justness of the claim. |
| 38 | Charles Rogers | - | 3 | - | - | - | 29 00 | 87 | | |
| | Ditto | - | - | - | 24 | - | 3 00 | 72 | 159 00 | Admitted upon the evidence of Elexan Pertuis. |
| 39 | Betsey Looney | - | 4 | - | - | - | 30 00 | 120 | | |
| | Ditto | - | - | 12 | - | - | 8 00 | 96 | | |
| | Ditto | - | - | - | - | 100 | - | 100 | | |
| | Ditto | - | - | - | 11 | - | 3 00 | 33 | 349 00 | Admitted upon the evidence of Aaron Price and James Campbell. |
| 40 | Thomas Hinum | - | - | 9 | - | - | 8 00 | 16 | | |
| | Ditto | - | - | - | 8 | - | 3 00 | 24 | 40 00 | Admitted upon the evidence of Elexan Pertuis. |
| 41 | John Crossland | - | 45 | - | - | - | 8 00 | 360 | | |
| | Ditto | - | - | - | 113 | - | 3 00 | 339 | 699 00 | Admitted upon the evidence of Quallukee, Archilla, and the testimony of white evidence, |

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SCHEDULE—Continued.

| Number of claim. | Names of claimants. | Horses. | Steers. | Cows and calves. | Stock cattle. | Hogs. | Price per head. | Amount of each kind. | Amount of claim. | Evidence upon which the Cherokee council investigated and decided upon the claims to be fair and just. |
|------------------|---------------------|---------|---------|------------------|---------------|-------|-----------------|----------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 42 | Liza Smith | | | | | 24 | | | \$24 00 | Admitted upon the evidence of Maj. Pullum and Young Elders. Admitted upon the evidence of Wassetekulleske. Admitted upon the evidence of George Crapo and Little Charles. |
| 43 | Betsy Justice | 3 | | | | | \$20 00 | | 60 00 | |
| 44 | Saky Williams | 1 | | | | | | | 30 00 | |
| | | 197 | 65 | 76 | 737 | 776 | | | \$9,419 50 | |
| 39 | W. H. ... | | | | | 100 | | | 100 00 | Admitted upon the evidence of ... |
| 40 | ... | | | | | | | | 30 00 | |
| 41 | ... | | | | | | | | 150 00 | Admitted upon the evidence of ... |
| 42 | ... | | | | | | | | 30 00 | |
| 43 | ... | | | | | | | | 45 00 | Admitted upon the evidence of ... |
| 44 | ... | | | | | | | | 30 00 | |
| 45 | ... | | | | | | | | 60 00 | Admitted upon the evidence of ... |
| 46 | ... | | | | | | | | 30 00 | |
| 47 | ... | | | | | | | | 30 00 | Admitted upon the evidence of ... |
| 48 | ... | | | | | | | | 30 00 | |
| 49 | ... | | | | | | | | 30 00 | Admitted upon the evidence of ... |
| 50 | ... | | | | | | | | 30 00 | |

Copy of a letter from the chiefs of the Cherokee nation, directed to the sub-agent of the Cherokees.

DECEMBER 20, 1836.

SIR: We have directed the claims for lost stock, under the treaty of 1828, to be laid before you for your examination and approval, if you find them just. We have taken great pains in examining these claims, and have reduced the price demanded by the claimants in every account. We confidently hope and trust that the Government of the United States will pay the amount, as we have reason to believe that these are the last claims that will be made by the Cherokees for lost stock, and because an appropriation was made in June, 1834, for the sum of \$14,364 50, upon precisely the same kind of claims, proved and examined in the same manner. After examining the claims, if you find them just, we rely upon you, as our agent, to use your best endeavors to have them paid by the Government of the United States.

We are, very respectfully,

Your friends and obedient servants,

JOHN JOLLY, }
JOHN BROWN, } *Principal Chiefs.*
JOHN LOONY, }

To General M. STOKES,
Sub-Agent for the Cherokee nation.

CHEROKEE AGENCY,

Fort Gibson, January 22, 1837.

I certify, on honor, that, in the foregoing schedule of claims of the Cherokees, for lost stock under the article of the treaty of the 6th May, 1828, it appears that the claims, from No. 242 to No. 290, inclusive, amounting to the sum of two thousand six hundred and fifty-nine dollars and fifty cents, (\$2,659 50,) were passed by the council of the Cherokee nation, and approved by Captain George Vashon, former Cherokee sub-agent, as appears by his certificate annexed to the said schedule. I further certify, on honor, that the additional claims, from number 1 to 44, inclusive, amounting to the sum of six thousand seven hundred and sixty dollars, (\$6,760,) were passed by the Cherokee council, and submitted to me for approval. I have used all due diligence in examining the said claims, and believe that the claimants actually sustained the unavoidable losses therein stated; and do, therefore, earnestly recommend the early payment of the said claims, amounting, in the whole, to the sum of nine thousand four hundred and nineteen dollars and fifty cents, (\$9,419 50.)

M. STOKES,
Sub-Agent for Cherokees.