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CLAIMS OF CERTAIN COMPANIES OF MISSOURI VOLUNTEERS.

[To accompany Senate bill No. 67.]

APRIL 12, 1842.

Mr. WM. O. BUTLER, from the Committee on Military Affairs, made the following

REPORT :

The Committee on Military Affairs, to whom was referred Senate bill No. 67, entitled, an act for the relief of certain companies of Missouri volunteers, &c. report :

That, as there is no report from the committee of the Senate, this committee deem it proper, for the information of the House, to present a brief statement of the facts on which the bill seems to be based.

The troops for whose relief Congress is requested to provide appear to have been called into service on several distinct occasions, and at somewhat distant periods of time. The following extracts of letters, to and from Governor Miller, will at once explain the object and necessity for calling out the companies of Captains Stevenson and Allen in 1829.

Extract from Brigadier General Owens's letter to Governor Miller, dated 19th July, 1829 :

"SIR : I have just received information of an attack upon the frontier citizens of the attached part of Randolph county by the Indians, supposed to be the Iowas and Sacs, and that four or five citizens fell victims to their savage ferocity, and four others wounded—one, if not more, of the wounded supposed to be dangerous. The killed are Esquires Myers and Winn, of this neighborhood, and Messrs. Blackwell and Owansly, of this county. The wounded consist of the two Messrs. Myers and a Mr. Tranwell ; the name of the other gentleman wounded not recollected. The number of warriors has been variously estimated at from one to two hundred. I have deemed it necessary to order out a portion of the militia to march forthwith to the relief of the sufferers, to bury the dead, take care of the wounded, and to protect the inhabitants," &c.

Extract of a letter from General Clark, superintendent of Indian affairs, dated St. Louis, November 9, 1829, to same :

"I regret to learn that the Sacs, to a considerable number, are again infesting the neighborhood of the late battle ground and other parts of the State, and are strongly suspected of killing the stock, notwithstanding the difficulties which their presence in the white settlements have occasioned, and the positive prohibition against their hunting or wandering through any part of the State. Under these circumstances, and on account of their total disregard of my admonitions to them, personally, and through their

agents, I should not hesitate to recommend to your excellency the adoption of the most energetic measures for their prompt expulsion from the State. I have not the power to force those people from the State, and therefore recommend this course to you, who have the power as well as the right."

Extract of a letter from Governor Miller to the Hon. Thomas H. Benton, Senator from Missouri, dated on the 16th of January, 1830:

"In November last, almost the entire nations of Fox and Sac Indians, to the number of several hundred, entered the State, and spread themselves in hunting parties entirely across its northern frontier, from the Mississippi to the Missouri river, and in their course committed innumerable outrages and depredations on the frontier inhabitants. In deportment, these Indians were insolent to the whites. They fired the woods and prairies in all directions, killed the stock of the frontier people, and in other respects deported themselves in the most wanton manner. On being informed of these facts, I immediately reported them to General Clark, and requested that he would, without delay, cause those Indians to be expelled the State. This he promptly attempted. But they treated his orders with indifference, if not contempt, and continued to remain on the frontier, plundering the inhabitants as before. Be pleased to see the extracts from General Clark's and General Hughes's letters enclosed."

The facts above detailed, with those contained in the extracts referred to in the letter of Governor Miller, and the other testimony before the committee, in their opinion, rendered it imperative on the Governor of Missouri to order out a sufficient number of the militia of that State to expel these intruders, and secure the frontier counties from like depredations. Accordingly, Governor Miller seems to have ordered or approved the ordering out of the companies above stated. Captain Stevenson's consisted of the aggregate number of sixty-three, and served about one month. Captain Allen's consisted of the aggregate number of forty-four, and were in service about thirteen days.

In July, 1836, four other companies of mounted men, of one hundred each, commanded by Captains Crawford, Achison, Pollard, and Sconce, and organized into two battalions, commanded by Majors Allen and Parks, were called out by the order of his excellency, Daniel A. Dunklin, then Governor of Missouri, for the protection and defence of that State. The immediate cause for calling out these last mentioned troops was the murder of two men, in the county of Carroll, by the names of Thomas and Hetherly. An express was sent to the Governor, with information of these murders, supported by the affidavits of two men who state that they were present when these murders were committed by eight or ten Indians. Twenty other men, also, certify that, on visiting the scene of conflict, they found the bodies of Thomas and Hetherly, and that of one Indian, who had been killed by the whites in the rencounter. It further appears, from the reports of the officers in command of the troops ordered out, that in scouring the country they saw some Indians, and the trails of many leading in various directions. These facts, in connexion with the well known character and number of Indians on this frontier, at a time, too, when the United States troops usually stationed there for its defence had been mainly withdrawn for the defence of Florida, were but too well calculated to produce excitement and alarm in the sparsely settled and

exposed counties of that State. That such was the effect produced, is manifest from the letter of General Thompson to Governor Dunklin. He says : " At the time these troops were ordered out, the whole frontier was literally in a flame, apprehending the massacre of our frontier citizens. It was generally believed that Indians on the border were very restless, and on the verge of war." With these facts before him, the committee think that Governor Dunklin would have been derelict in duty, as Chief Magistrate of Missouri, to have done less than he did. It is true that the information on which he acted was in part false—that the whites, and not the Indians, were the aggressors, and that one of the white men above named was actually murdered by his own party. These facts were, however, among the results of the campaign, and, though important to the full understanding of the transactions, do not, in the opinion of the committee, in any degree detract from the propriety of the course pursued by the Governor in calling out the militia. He was compelled to act on the information before him at the time, which was of too imposing a character to admit of a doubt as to its correctness ; and there was no time for investigation, even if there had been doubt. To act with efficiency, he was compelled to act at once. Neither was it a matter of much importance, so far as the security of the frontier was involved, who were the aggressors. These mutual murders were but too well calculated to bring on an indiscriminate Indian war, in which there would and could be no distinction between the guilty originators and the unoffending community. Under all these circumstances, the committee think that the claims under consideration are properly chargeable on the General Government, from which every State has a right to demand protection, and when compelled to resort to its own means for that protection, are entitled to remuneration. The committee therefore report back the Senate bill with an amendment.