

1-16-1843

Memorial of the General Assembly of Indiana,  
praying the extension of the Pension Act of 1832 to  
the volunteers and militia who served against the  
Western Indians prior to 1795

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



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

---

#### Recommended Citation

S. Doc. No. 77, 27th Cong., 3rd Sess. (1843)

This Senate Document 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 [darinfox@ou.edu](mailto:darinfox@ou.edu).

MEMORIAL

OF

THE GENERAL ASSEMBLY OF INDIANA,

PRAYING

*The extension of the pension act of 1832 to the volunteers and militia who served against the western Indians prior to 1795.*

JANUARY 16, 1843.

Referred to the Committee on Pensions, and ordered to be printed.

GENERAL ASSEMBLY OF INDIANA.

*A memorial and joint resolution of the Legislature of Indiana, praying the passage of a law to extend the benefits of the act of Congress of June 7, 1832, to the volunteers and militia who were in service against the western Indians from the nominal close of our revolutionary war by treaty with England in 1783 to the final close thereof by treaty with the Indians at Greenville in 1795.*

Your memorialists respectfully represent; that under our republican Government of equal rights the enlightened representatives of an upright people will, it is believed, glory in contributing a proper reward to unrequited and meritorious services. In countries otherwise governed pensions and rewards of distinction may be granted to the undeserving, and emulation and patriotism be thereby virtually discouraged. But in our United States the case is widely different. Pensions or sinecures for civil services are happily unknown, and no enviable distinction can be arbitrarily and undeservedly conferred. That the brave men who fought our battles in the west during the revolutionary war did not fight to eat the bread of idleness, they fought, like the brave of the east, for freedom and for equal rights; and we now ask for a portion of them what has been long since awarded to others not more deserving, viz: that the volunteers and militia who were in service against the western Indians, from the nominal close of the revolutionary war by treaty made with England in 1783, to the final close of that war by a treaty made with the Indians at Greenville in 1795, may have the pension act of June 7, 1832, extended to embrace them, according to their various terms of service; that the groundless objections heretofore urged in Congress to applications of a similar import, are not unknown to many of your memorialists; such as, that the Indian wars from 1783 to the victory of General Wayne, which preceded the treaty at Greenville, "were private or individual wars, unjust in their origin, and prosecuted for private gain." For a complete and irrefutable correction of these and other equally untenable objections, we beg leave to refer to document No. 138 of the House of Representatives, 1st session of 24th Congress, wherein the

whole case, in brief, is clearly set forth. That the Indians became allies of Great Britain in 1774, and continued their savage depredations during the period mentioned, is attested by authentic history, and by documents in the archives of the nation; and it was the treaty called "Jay's treaty," when England abandoned our western posts, evidently apprehensive of her responsibility for breach of faith, as well as for the prolonged Indian warfare, which the armies embodied under Gen. George R. Clark, Gen. St. Clair, and Gen. Wayne, prove to have been no private concern; and the late northwestern territory, now converted into the States of Ohio, Indiana, Illinois, and Michigan, wrested from the British and Indians, could not have been accomplished for private or individual purposes. That the charge of waging an unjust war, preferred against the patriot soldier, acting for his country, in order to excite prejudice and arrest from him a slender pittance of the millions of dollars which his services have caused to flow into the national treasury, is unworthy of regard. That our war of Independence was not ended by the treaty of 1783, but was continued by the Indian allies, the same as before that treaty, and the same principles, and the same authority were involved in the contest, up to the treaty of Greenville, and even a seeming partiality should not be allowed in a national pension law. That the pension act of 1832, alluded to, should have embraced the volunteers and militia of the west, who gallantly fought until the western posts were delivered up, is firmly believed; indeed, there seems to be no justice in drawing such a partial line of distinction between the patriot revolutionary soldiers of the east and those of the west. They should share, and share alike, the liberality and gratitude of the United States. That if any distinction were proper, the patriots of the west, having performed the hazardous services during the Indian war, from 1783 to 1795, and their beneficial results to bordering States, and to the United States, being indisputable, having left their families, their business, and their homes, to redeem a wilderness destitute of supplies, and utterly so of roads and bridges, and having adhered to the good cause until they conquered the country, disabled a ferocious enemy, the equal, if not superior merit of our claim on their behalf can not be rightfully gainsaid; and we do most earnestly ask of your honorable body to review the subject matter, convinced that a just and equitable policy will characterize your decision, and that the provisions of the act referred to will be extended. Therefore,

*Be it resolved by the General Assembly of the State of Indiana,* That our Senators and Representatives in Congress be requested to use every proper exertion in their power to extend the benefit of the law of 1832, granting pensions to revolutionary soldiers, so as to embrace the volunteers and militia who were in service, until discharged, against the western Indians, previous to the year 1795.

*And be it further resolved,* That the Governor of this State transmit a copy of this memorial to each of our Senators and Representatives in Congress.

THOMAS J. HENLEY,  
*Speaker of the House of Representatives.*  
THOMAS D. WALPOLE,  
*President pro tem. of the Senate.*

Approved, December 20, 1842.

SAM. BIGGER.