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Report : Memorial of the Kentucky Legis.

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IN SENATE OF THE UNITED STATES.

FEBRUARY 15, 1844.

Submitted, and ordered to be printed.

Mr. FOSTER made the following

REPORT:

[To accompany bill S. 83.]

The Committee of Claims, to whom were referred the memorial and resolutions of the Legislature of Kentucky, passed on the 9th day of March, 1843, have had the same under consideration, and beg leave to submit the following report :

In June, 1782, Christopher Miller, a boy about twelve or thirteen years old, was taken prisoner by the Shawnee Indians, in the then county of Jefferson, now Nelson county, in the State of Kentucky. The Indians carried him to their towns near the head of the Wabash, where he remained a prisoner until 1794. During the time of his captivity he learned the languages of several tribes of Indians, their ways, habits, manners, and customs. He also acquired a perfect knowledge of the country, having been engaged with them as a hunter and warrior; having fought with them in a number of their battles. He was an active, energetic, and intelligent man. In March, 1794, he was in advance of the Indians, hunting, not far from Fort Greenville, where the American army, under General Wayne, was stationed. The spies of General Wayne surprised him in his camp, and took him prisoner. He was carried to Fort Greenville, and soon recognised by his brothers, who were in the American army. He was employed by the general as a spy; and from March until August he rendered valuable and important services, by scouring the country in advance of the army, obtaining intelligence as to the movements of the Indians, and, from time to time, taking prisoners, until he and those with him captured some eight or ten. The services he rendered were important, and the intelligence he obtained essential to the movements and safety of the American army.

In August, 1794, while General Wayne, with his army, was advancing into the Indian country, he determined to make a last attempt to treat with the Indians, and to make peace, if practicable. He was also desirous to obtain information of the movements of the Indians, their numbers, and position; and, if they would not treat, when and where he was to expect battle. A council was held as to the person who should carry the flag; Mr. Miller was selected; and when the general informed him he was the person fixed on to go and invite the Indians to treat, and also to make

such observations and collect the necessary information desired by the general, Mr. Miller at first refused to go, alleging that he would instantly be put to death; that the Indians were highly exasperated against him; that they considered he had been guilty of desertion from them, and of treason in acting against them as a spy. General Wayne urged him to go, appealing to his patriotism and bravery; and, moreover, promised Mr. Miller, and pledged the Government of the United States, that, if he returned, he should be made rich and independent for life.

Mr. Miller was finally prevailed upon to undertake the mission, and on the morning of the 13th of August, 1794, he started from the American camp, to go in search of the Indians; he found them encamped near the rapids of the Miami of the lakes. He was instantly taken into custody, being well known to them, and accused of desertion and treason. A council condemned him to be burnt on the next day. Mr. Miller was confined and tied down in the guard house. He soon learned the decision of the Indian council; he asked for a rehearing, and to be brought before the council. This request was granted; and, upon his second trial, (for never until then was he present,) he produced the letter of General Wayne, addressed to the Indians, in which the general declared he would put his prisoners to death, if Mr. Miller was not permitted to return. They then released him, and he returned immediately to the American army; he met them advancing, and informed the general that the Indians would not make peace; stated their numbers, where they were encamped, and, also, that they were ready for battle. With this information the army continued to advance; the general made the necessary preparation to meet the approaching conflict; and found the Indians prepared for battle at the place designated by Mr. Miller. The battle was fought on the 20th of August, 1794; the plan of the battle was admirable, and the result glorious. Mr. Miller was in the engagement; upon his information the general knew when and where he could fight, and what numbers he had opposed to him. The information Mr. Miller gave enabled him to guard against surprise, and prevent such horrible disasters as took place at Braddock's defeat, the battle of the Blue Lick, Harmor's defeat, and last, but not least, the massacre of the army of St. Clair.

Mr. Miller returned home, and settled in the county of Hardin, among his people, where he shortly afterwards married. During the last war with Great Britain, he commanded a company of spies, stood high in his county, was a justice of the peace and sheriff; he also represented the county of Hardin in the State Legislature, serving several years as a Representative, and four years in the Senate. He died in 1828, leaving eight children—one of them died a short time ago, leaving three children.

Your committee would further report, that the Legislature of Kentucky, in 1814, passed certain resolutions calling the attention of Congress to the claims of Mr. Miller on the Government of the United States, and respectfully requested compensation to be made him. A committee of the House of Representatives reported in favor of paying and settling his claims, but the subject was not further acted on. In 1820 the Legislature again took up the claims of Mr. Miller on the Government of the United States, and by similar resolutions again invited the attention of Congress to the subject. The resolutions were presented to Congress, and a bill was passed on the second day of May, 1820, giving Mr. Miller a section of land, which he

for some time refused to accept, declaring the compensation inadequate to the services rendered and the dangers encountered. He was ultimately prevailed on to receive what was offered him, under the assurances of those who urged his acceptance of the section of land, that Congress at some future day would make further provision for him and his family. Nothing further was asked for or done in the lifetime of Mr. Miller. His children are in humble circumstances—some of them poor and helpless. The Legislature of Kentucky, apprized of their situation, and what a small compensation had been made to Mr. Miller, again took up the subject, and passed the resolutions referred to this committee. In support of the facts above set out in this report, the committee refer to documents numbered from one to fifteen, inclusive. In addition to those documents, parole evidence was heard by the committee.

The committee has had its attention called to what Congress has heretofore done for the widows and heirs of Colonel John Hardin and Major Alexander Truman. Those gentlemen were sent by General Washington, then President of the United States, each with a separate flag, in the year 1792, to the Indian towns, to invite the Indians to treat and make peace. The Indians, flushed with the signal victory which they had gained the year before over St. Clair, refused to treat of peace, and put to death Hardin and Truman, and all who accompanied them. On the 27th of February, 1793, Congress passed a law giving to the widow and children of Colonel Hardin four hundred and fifty dollars a year for seven years, and to the widow and child of Major Truman three hundred dollars a year for a like time. The whole sum given to the widow and children of Colonel Hardin amounted to \$3,150, and that to the widow and heirs of Major Truman to \$2,100. On the 14th of May, 1800, Congress again took the subject under consideration, and gave to each of the children of Colonel Hardin one hundred dollars a year, until they respectively attained the age of twenty-one years; and also the same sum to the daughter of Major Truman. From the information given to the committee as to the number and ages of Colonel Hardin's children, they received about \$2,800 in addition to the \$3,150 previously granted them. How much was received by the daughter of Major Truman, under the law of 1800, could not be known, as there was no person before the committee who could state her age when the last law passed. The fate of those two officers, Hardin and Truman, was known to Miller and General Wayne in 1794, when Miller went with the flag. The chances were ten to one against his life. He was receiving only the wages of a spy; those gentlemen got one guinea a day each; the eyes of the nation were upon them; they had before that time filled high offices in the army; an officer occupies a position that gives him every incentive to confront danger, and look death in the face. But when a poor and obscure soldier perils his life, it is alone the lure of adventure, and the love of bold and glorious actions; such intrepidity ought to be rewarded. Miller had more to dread when he set out with the flag than Hardin and Truman. Up to their death, the Indians had respected the flag of the white man; their death told Mr. Miller that the flag of the United States would be no protection. Hardin and Truman lost their lives, and the Government derived no benefit therefrom. Miller saved his life, and contributed greatly to the preservation of the American army, and to the achievement of the victory that followed, which, at the

time, was hailed by the people of the United States with joy and triumph, and now forms a part of the history of the American people of which they are justly proud.

Deeply impressed with the importance of the services of Mr. Miller, and believing he was not fully compensated in his lifetime, the committee are of opinion that further provision should be made for the children of Mr. Miller, and for that purpose report a bill.