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John W. Crane

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H.R. Rep. No. 514, 29th Cong., 1st Sess. (1846)

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JOHN W. CRANE.

MARCH 27, 1846.

Read, and laid upon the table.

Mr. DANIEL, from the Committee of Claims, made the following

REPORT :

*The Committee of Claims, in the case of John W. Crane, referred to said committee, report :*

That they have examined the papers referred to them, and believing the petitioner's claim to be without the sanction of any of those principles upon which the government usually award indemnity for property destroyed by an enemy in time of war, and, if allowed, would tend to introduce a sort of guaranty or insurance on the part of the United States altogether new and unheard of, they unanimously recommend its rejection. Not only does the petitioner ask remuneration for horses and other property alleged to have been taken from his ancestor by the Creek Indians, but of which there is no sufficient proof, and, if true, may have been the result of an infraction of those regulations designed to preserve peace with the Indians, and afford security to our frontier settlements; but he seeks to obtain indemnity for alleged losses sustained in horse swapping and trafficking with the Indians. Among the items composing the aggregate demand of \$1,800 against the United States, are the two following, viz :

"To boot in a horse swap with a Creek Indian	-	-	\$100 00
"To a debt which said Crane took from Joseph Cook, on John Sullivan, an Indian countryman, whose property was kept by said Indian after his death	-	-	100 00"

For a more full understanding of the nature of the claim, the committee refer to the annexed report from the Committee of Claims of the last Congress, and, in accordance with it, recommend the adoption of the following resolution :

*Resolved*, That the prayer of the petitioner ought not to be granted.

JANUARY 16, 1844.

*The Committee of Claims, to whom was referred the memorial of J. W. Crane, report :*

That this claim was examined by the Committee of Claims at the 3d session of the 27th Congress, and an unfavorable report was made thereon, (see report No. 200,) which is hereunto annexed and made part of this report.

There is no additional evidence offered in support of this claim; and the committee can find nothing, upon a re-examination of the case, to induce them to dissent from the views presented in said report. They therefore recommend to the consideration of the House the following resolution:

*Resolved*, That the petitioner is not entitled to relief.

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FEBRUARY 22, 1843.

*The Committee of Claims, to whom was referred the petition of J. W. Crane, report:*

That the petitioner sets forth in his memorial, that he is the son and one of the legal heirs of Lewis Crane, deceased; and that the said Lewis Crane was a resident of the country owned by the Creek tribe of Indians in the year 1793 or 1794, and for some ten years previous to that time; that the said Lewis Crane was called on and did act as pilot for the army of General Twiggs, of Georgia, when prosecuting hostilities against said tribe of Creek Indians about the year 1793 or 1794; in consequence of which, the said Lewis Crane became exceedingly obnoxious to said tribe of Indians, and was, therefore, compelled to abandon his home and property, which was taken and destroyed by the said Indians; for which he has never received any compensation, and therefore indemnity is now claimed by his heirs.

The only evidence offered in support of this claim, besides the oath of the deceased, is the deposition of Caldwell Eastes, appended to a duplicate account or list of property lost, and said to be a substitute for an account of said property alleged to have been sent on to Washington for settlement. The testimony of this witness is vague and indefinite. He says he was acquainted with Lewis Crane at the time the loss is said to have taken place; that amongst other property the said Crane had a "fine gray horse, which he afterwards saw in the possession of the Creek Indians;" but does not say how the horse got into their possession—whether it was by purchase on the part of the Indians, or otherwise. But if all that is set forth by the petitioner were proved, it would only go to show that the petitioner's father was an intruder upon the Indians' territory, where he settled himself with his property, out of the protection of the laws of his own country, for the avowed purpose of trading with them, and, no doubt, availing himself of the advantages arising from the ignorance and necessities of these people. Such losses as these are matters of calculation by all those who leave the protection of their own laws, and place themselves under the laws and within the power of a savage people, with the hope of gain. Should such lose their property, as in this case, no one but themselves is to blame; nor can such losses ever be recognised as the basis of a claim on the United States.

As to the services alleged to have been rendered to the United States troops under General Twiggs, as "pilot" or guide: if they were required, and were rendered, they were no doubt paid for at the time; as all such services have been heretofore paid for by the officer requiring them. If he rendered himself obnoxious to the Indians, by acting as spy or guide to the United States troops, he did it for a compensation no doubt equal to the risk he should run, and with a full knowledge of the effect it would pro-

