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### Colonel John Hardin -- Heirs of. (To accompany bill H.R. no. 272.)

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COLONEL JOHN HARDIN—HEIRS OF.

[To accompany bill H. R. No. 272.]

APRIL 15, 1856.

Mr. QUITMAN, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred House bill No. 176, for the relief of the heirs of Jane Irvine, widow of the late Col. John Hardin, have, according to order, had the same under consideration, and submit the following report:*

The committee have examined the report made on the same case at the last session of Congress by Mr. Faulkner, from the Committee on Military Affairs, and deem the same so full and conclusive, as to the measure of relief which should be allowed to said heirs, that they herewith annex the same as a part of this their report, and recommend to the House the passage of the accompanying bill in lieu of the one referred to them.

“The history of a man so noted as was Col. John Hardin is so well known to the people of this country, to which he extended so much of his devotion as to sacrifice his life in its service, as to preclude the necessity of the committee going into any minute detail of his career and services. Previous to the expedition in which he was killed, he was an ensign in a militia company in the memorable expedition, in the year 1774, of Governor Dunmore, of Virginia, against the Indians; he was afterwards one of a company commanded by Captain Zack Morgan, during an engagement of which with the Indians he was wounded in the groin by a ball, which was never extracted to the day of his death. Still suffering from the effect of that wound, he was with Governor Dunmore on his march to the Indian towns. He next joined the regular army, with the command of a second lieutenant; he was then attached to Morgan’s rifle corps, and was principally on the lines until he resigned a first lieutenant’s commission, in 1779, occupying always, during his last service, a high place in the regard of General Daniel Morgan. After performing many gallant deeds in these and other positions, which deeds illustrate the pages of American history, he left the army, and went to Kentucky during the next year, 1780, located some land warrants, and afterwards returned to his old home in Virginia, and removed his family to Kentucky in 1786. He

was afterwards quartermaster in the Wabash expedition under General Clark. In 1789 the numerous depredations committed by the Indians in that locality induced him to cross the Ohio with a strong band of militia, which had a warm engagement with a band of Shawnee Indians, who were defeated, which caused the suppression of depredations in that vicinity after that time. In fact, he was in every Indian expedition which was formed after his arrival in Kentucky, except that of General St. Clair, which he was prevented from joining on account of his having accidentally wounded himself.

“In 1792 the hostile Indians northwest of the Ohio became so troublesome, and committed so many outrages, that it was the policy of the government to make peace with them, if possible. In order to do this, it was necessary to find a man of more than ordinary courage, firmness, and sagacity, to be the bearer of the white flag, or, in other words, the messenger to invite them to peace. Colonel John Hardin was selected by General Wilkinson, then the commander at Fort Washington, for the reason, as the general says himself, in his letter, *‘I wish you to undertake the business, because you are better qualified for it than any man of my acquaintance.’* Notwithstanding the expedition was looked upon as almost certainly fatal to the undertaker, it was not in Colonel Hardin to evade the performance of a mission the success of which would be of such incalculable advantage to his country. The last letters received from Colonel Hardin previous to his death show that he himself had little hopes of returning to the bosom of his family. In the very last letter that he wrote, he says: *‘But oh, my dear love, as I write and meditate on myself, to think I have left a peaceful, safe, plentiful, and so dear a family, and thrown my life into the hands of a cruel and savage enemy, I cannot prevent the tears flowing of my eyes at present.’* He had, indeed, thrown his life into the hands of a cruel and savage enemy; for, says Marshall’s History of Kentucky, ‘towards the close of the year, what had been apprehended with great anxiety—the death of Colonel John Hardin, who had been sent with overtures of peace to the Indians—was reduced to a certainty. The particular manner of that death has not been ascertained with any certainty of detail. What has been learned is, that Colonel Hardin, attended by his interpreter, on his route toward the Miami villages, arrived at an Indian camp, about a day’s journey from where Fort Defiance was afterwards built by General Wayne, and nearly the same distance from a town inhabited by Shawnees and Delawares; that he was well received by the Indians in camp, but had not been long there before five Delawares came in from the town; upon learning which, the Colonel proposed to them to go with him the same evening to the place. They, however, refused to go back that day, but seemed peaceably disposed, and he concluded to camp with the Indians the ensuing night, which he did without molestation. In the morning, however, without provocation or particular reason, a parcel of them shot him to death. They seized his horse, gun, and saddle-bags, expecting, no doubt, in addition to the two former, that they would find money and presents in the latter. His companion they made a prisoner, and, taking him with them on the road towards Sandusky, murdered him by the way.’ Thus terminated the career of this remarkable man.

“His heirs now come before Congress claiming the sum of two hundred dollars per annum, from the date of his death, in 1792, to that of his widow in the year 1829.

“This claim is founded upon a promise made by General Wilkinson to Colonel John Hardin, the information of which promise is conveyed to his wife in the letter before alluded to, written just previous to his departure on the mission which ended in his death. In that letter he says: ‘Should I fall a sacrifice in this important attempt, the General has promised me to be your steady friend, and that your yearly supply from government shall not be less than two hundred dollars during your natural life.’ The original of this letter, as well as others written by Colonel Hardin, were exhibited in the committee-room by the Hon. Richard H. Stanton, of Kentucky, and copies thereof are filed with the papers.

“The high character of Colonel John Hardin as a man of honor, whose word was his bond, precludes the suspicion that he would have thus written to his wife, if General Wilkinson had not made him such a promise, and satisfies the committee that the promise was made, and that the government was obligated to pay his wife the amount stipulated during her natural life.

“Indeed, the previous legislation of Congress would seem to indicate a disposition upon the part of the government to recognise such an obligation as that made known in the letter of Colonel Hardin, although they may not then have been apprized of the precise extent of that obligation, (as the letter referred to was not known to his children until within the last twelve years;) for, on the 27th of February, 1793, an act of Congress was approved, giving to his widow and orphan children the sum of four hundred and fifty dollars per annum for seven years. This action of Congress, less than a year after the confirmation of his death, when the facts of the case must have been fresh in the public mind, proves conclusively that the government at that time fully appreciated the duty it owed to the widow and children of Colonel Hardin. Again, in the year 1800, when the provision made for them under the previous act had ceased—in fact, but one month after the annuity provided for had been stopped under the limitations of the act—Congress again acknowledged the obligation due by the government to the heirs of Colonel Hardin, by passing a law giving to each of his sons and daughters the sum of one hundred dollars per annum until they shall have respectively attained the age of twenty-one years; the last payment under this act having been made on the 23d of March, 1812, up to which time the widow and children had received, in the aggregate, the sum of five thousand five hundred and twenty dollars and ninety-four cents.

“The committee is not of the opinion that the obligation of the government to the widow and children of Colonel Hardin was exhausted by the provisions of the two acts mentioned. General Wilkinson promised Colonel Hardin that, in the event of his fall, his widow should receive not less than two hundred dollars per annum during her natural life. Has this been done? Clearly not; for the sum of two hundred dollars [per annum] from the date of his death to the end of her life would have amounted to seven thousand four hundred

dollars ; whilst the amount paid to the widow and children, in all, only amounts to the sum of five thousand five hundred and twenty dollars and ninety-four cents. The government at the time of the passage of those acts was poor ; it could not fully satisfy all of its obligations ; it showed its high degree of estimation for the services of Colonel Hardin by doing what it did for the widow and children, but it has never fully cancelled the obligation which was clearly due by it to them.

“The committee being of this opinion, report a bill giving to the heirs of Colonel John Hardin the difference between the amount received by his widow and children, under the two previous acts of Congress, and the sum of two hundred dollars [per annum] from the date of his death to the date of the death of his widow.”