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John Johnson. (To accompany bill H.R. no. 263.)

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JOHN JOHNSON.

[To accompany Bill H. R. No. 263.]

MARCH 2, 1860.

Mr. ETHERIDGE, from the Committee on Indian Affairs, made the following

REPORT.

The Committee on Indian Affairs, to whom was referred the petition of John Johnson, of Ohio, have had the same under consideration, and they hereby adopt as their report that which was made at the last session of the last Congress, and which is in the following words and figures, to wit:

The petitioner, Colonel John Johnson, was appointed Indian agent for the United States amongst the Shawnee Indians in the year 1818. Including services rendered in a similar capacity amongst the Delawares, Senecas, and Wyandots, by the order of the Secretary of War, he served as agent till the year 1829, making a period of *eleven* years. During all this service Colonel Johnson, as is abundantly shown, conducted himself in a manner highly satisfactory to the government, and was esteemed as a most valuable officer. His great influence with the several Indian tribes with whom he held intercourse, added to his familiarity with frontier life, enabled him to render essential service to the government. And this service has been acknowledged in almost every form of testimonial which could be furnished, by some of the most distinguished of our public men who were in a condition to form a correct appreciation of his character.

The 9th article of the treaty of September 29, 1817, made with the Wyandot and other Indian tribes, provided that the United States should "appoint an agent to reside among or near the Wyandots," who should also "execute the same duties for the Senecas and Delawares on the Sandusky river." It also provided for the appointment of an agent for the Shawnees, whose agency should include the reservations at Wapaghknetta, at Lewiston, at Hog creek, and at Blanchard's creek.

By act of Congress, March 3, 1819, the appointment of these *two* agents was provided for, *each* of whom was to receive a salary of \$1,200 a year. Colonel Johnson, however, was the only agent appointed, and the services of both agencies were fully performed by

him. But he was only paid one salary, that is, \$1,200 a year, during his service. The remaining appropriation was not drawn from the treasury, inasmuch as it was deemed by the Secretary of War, who then had a general jurisdiction over Indian affairs, inexpedient to pay more than one salary to the same officer, notwithstanding the performance of such extra duties as those imposed upon Colonel Johnson. As agent for the Shawnees his salary was paid him, and he now asks in the petition referred to the committee that he be paid an additional sum of \$1,200 a year for his services rendered as agent for the Wyandots during the eleven years of his Shawnee agency.

The committee do not think this claim should be allowed. They think it would establish a bad precedent and lead to much and dangerous abuse. They, however, at the same time think that Colonel Johnson should not go unrewarded for the important services performed for the government during the time that these onerous and double duties were imposed upon him by the Secretary of War. It appears by the accounts of disbursements rendered by Colonel Johnson that during the eleven years of his service he paid out to and for the use of the Wyandot Indians the sum of \$307,582 72. When it is considered that he resided at some distance from the place where this money was disbursed, and the great difficulties in transporting such large sums of money in the portions of Ohio where these Indians resided between the years 1818 and 1829; and when it is also considered that he discharged the duty of making these large disbursements honestly and faithfully, and wholly without remuneration, the committee are of opinion that he should be now paid a liberal and just compensation therefor. This they think would be a commission of two and a half *per cent.* upon the aggregate sum disbursed by him, or \$7,689 56, which in their opinion should be allowed him.

While Colonel Johnson was engaged in rendering the services already enumerated amongst the Shawnees, Wyandots, and Seneca Indians, he was instructed by Mr. Calhoun, as Secretary of War, to act also as agent for the Delaware Indians, who then resided in Indiana, about two hundred miles from the residence of Colonel Johnson in Ohio. The letter of Mr. Calhoun is dated March 9, 1819, and contains the following paragraph, to wit:

“You are also requested to act as agent for the Delawares until their removal west of the Mississippi, conformably to the treaty concluded with them at St. Mary's, in Ohio, on the 3d of October, 1818.”

The duties thus imposed upon Colonel Johnson were performed by him, and subjected him to much inconvenience and doubtless to some expense in consequence of the distance he was compelled to travel. They continued from the time of the appointment by Mr. Calhoun till the Delawares were removed west of the Mississippi, that is, for a period of *five* years. Colonel Johnson has made only a charge of \$300 per year for this service, and the committee think it a just and reasonable one, and that it should be allowed, \$1,500 being the aggregate allowance for the whole service.

During the time of the service of Colonel Johnson as agent, and in consequence of his position upon the extreme frontier, removed from the immediate vicinity of any military post, he was exposed to

great annoyances and subjected to great expense in consequence of the frequent visits of the Indians to his home. During these visits, with their interpreters and others who accompanied them, they had to be entertained and they and their horses fed at his private expense, as there was no fund set apart for that purpose. Colonel Johnson states, and the committee have no reason to doubt it, that for similar expenses and annoyances during the administration of Mr. Jefferson he was allowed *one dollar* per day. But he has not charged so much for these services, being now content to receive \$150 per year for the eleven years of his service, or an aggregate sum of \$1,650. The committee think this also a just and reasonable charge, which should be allowed; and they are confirmed in this view of it by the fact that General Cass, who was, during the time, superintendent of Indian affairs, and had a knowledge of the expenses to which Colonel Johnson must have been subjected, when Colonel Johnson's account was submitted to him in 1829, certified that the account, in his opinion, was "*true and the charge reasonable.*"

The foregoing are all the items embraced in the petition of Colonel Johnson and the account accompanying it, the allowance of which the committee have deemed it expedient to recommend. He asks compensation for discounts paid by him on public drafts in 1812, 1813, and 1814, during the monetary embarrassments of those years. But the committee do not think this should be paid, for the reason that it is supported alone by the statement of Colonel Johnson. And so also of a charge for damages, expenses, and protests on bills of exchange drawn by him on the Secretary of War for money for the public service, and of another charge for provisions furnished to Indians.

The committee are not inclined to question, in any degree, the integrity and veracity of Colonel Johnson, but think that it would be a very bad and dangerous precedent, which might lead to immense impositions upon the government, to allow the payment of money out of the treasury upon the unsupported statement of the party who was to receive it. For this reason they think these last items of charge should not be allowed.

Colonel Johnson asks to be paid *interest* upon the amount paid by him for discount on drafts, damages, expenses, and protests of bills. But as the committee have not deemed it expedient to recommend the payment of the *principal* of these charges, there can be no possible claim for interest. It may not be out of place, however, for the committee to say upon this subject that, in their opinion, interest should never be paid by the United States upon any claim of a character similar to this. Although adherence to this rule may work occasional injury to particular individuals, yet a departure from it would accumulate the indebtedness of the government to a ruinous extent.

The committee, therefore, by way of recapitulation, will state that they have allowed commissions for disbursement of \$307,582 72, amounting to \$7,689 56. Also \$1,500 for the services performed as Delaware agent, by order of Mr. Calhoun, Secretary of War; and \$1,650 for feeding Indians, &c., as certified by General Cass. These sums make an aggregate of \$10,839 50, for the payment of which sum they report a bill, with a recommendation that it do pass.