

2-25-1873

Letter from the Secretary of the Interior, relative to the claim of Christopher Weidner for depredations in October, 1868, by Cheyenne and Arapaho Indians

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



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

Recommended Citation

H.R. Exec. Doc. No. 235, 42nd Congress, 3rd Sess. (1873)

This House Executive 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.

CHRISTOPHER WEIDNER.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

RELATIVE TO

*The claim of Christopher Weidner for depredations in October, 1868, by
Cheyenne and Arapaho Indians.*

FEBRUARY 25, 1873.—Referred to the Committee of Claims and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington City, February 21, 1873.

SIR: In compliance with the terms of the seventh section of the act approved May 29, 1872, entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1873, and for other purposes," I have the honor to transmit herewith the claim of Christopher Weidner for compensation on account of depredations committed by Cheyenne and Arapaho Indians.

A letter (copy inclosed) dated the 15th day of February, 1873, from the Commissioner of Indian Affairs, reporting the nature, character, and amount of said claim, is accompanied by the evidence presented in support thereof, and shows the action taken by that officer, under the rules and regulations prescribed by this Department for the investigation of such claims. All of which is respectfully submitted for the consideration of Congress, as contemplated by said seventh section of the act aforesaid.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The Hon. SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 15, 1873.

SIR: I have the honor to submit for the action of the Department a claim of Christopher Weidner for \$1,650, the value of seven mules and four horses, alleged to have been stolen from him at his ranch in Picketon County, Kansas, by Cheyenne and Arapaho Indians.

The claim, in the judgment of this Office, is clearly established by the testimony adduced, and it is respectfully recommended that the claimant be allowed, as a full indemnity for his loss, the sum of \$1,250, being \$150 for each mule, the estimated average value of mules heretofore given in regard to claims of this character, and for each of the horses, described by two of the affiants as "ponies," \$50.

Very respectfully, your obedient servant,

R. C. CLUM,
Acting Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

CLAIM OF CHRISTOPHER WEIDNER.

STATE OF KANSAS, *County of Shawnee, ss :*

Christopher Weidner, being duly sworn, deposes and says, that he is and for one year last past has been a resident of the county of Picketon, State of Kansas, at Pawnee Fork, four miles east of Fort Larned, and that he resided with his family in the county and State last named on the 2d day of October, A. D. 1868, and at that time, about sunrise, a party of Indians, supposed to be Cheyennes and Arapahoes, made an attack on his ranch and drove off seven mules, worth \$150 each, and four horses, worth \$150 each—whole value \$1,650—all of which were the property of this deponent; and he further says that the above values are reasonable and fair, and not above the market-value at the time and place of the above loss; and that he has not recovered any portion of said property, nor received any pay therefor; and that he has not before made any written application for payment of the same; and deponent says he has not sought any private revenge or redress against said Cheyenne and Arapaho Indians on account of said depredations, nor on any account whatever. And deponent further solemnly swears that he is now, and always has been, a true and loyal subject of the United States; that he has never borne arms against the Government of the same, nor has he in any way or manner, either directly or indirectly, given aid, comfort, or assistance to the enemies, foreign or domestic, of the United States of America; and further this deponent says not.

C. WEIDNER.

STATE OF KANSAS, *County of Shawnee, ss :*

Subscribed in my presence and sworn to before me, a notary public, in and for the county of Shawnee, State of Kansas, this 24th day of November, A. D. 1868.

[SEAL.]

WM. P. DOUTHITT,
Notary Public.

STATE OF MISSOURI, *County of Cass, ss :*

Mary Weidner and Stephen B. Weidner, both of the county of Pike-ton, State of Kansas, being each first duly sworn, do each depose and say, that they are personally well acquainted with Christopher Weidner, the claimant herein named; that they have each carefully read the fore-going affidavit, and know the contents thereof, and that the same is true of their own knowledge; and that the mules and horses named were taken and run off as therein stated; and that the value therein charged is fair and correct; that their knowledge of the above facts is derived from being at the ranch at the time.

her
MARY + WEIDNER.
mark.
STEPHEN WEIDNER.

HENRY JERARD,
H. K. KIRKPATRICK,
Witnesses.

Subscribed and sworn to before me this 2d day of December, A. D. 1868. Given under my hand and official seal.

[SEAL.]

A. J. BRIGGS,
Clerk Cass County Court.

STATE OF KANSAS, *County of Shawnee, ss :*

Cicero Weidner, of the county of Pike-ton, State of Kansas, being first duly sworn, deposes and says, that he is personally well acquainted with Christopher Weidner, the claimant herein named, that he has care-fully read the foregoing affidavit, and knows the contents thereof, and that the same is true of his own knowledge, and that the mules and horses named were taken and run off as therein stated, and that the value therein charged is fair and correct; and that his knowledge of the above facts is derived from being at the ranch at the time.

CICERO WEIDNER.

Subscribed in my presence and sworn to before me, a notary public in and for said county of Shawnee, this 24th day of November, A. D. 1868.

[SEAL.]

WM. P. DOUTHITT,
Notary Public.

I certify on honor that, to the best of my knowledge and belief, the within claim is correct and just; and that, as far as I have investi-gated the same, I believe the said depredations to have been committed by the Indians accused, viz, the Arapahoes and Cheyennes.

E. W. WYNKOOP,
United States Indian Agent.

United States to Christopher Weidner, Dr.

For property taken by Cheyenne and Arapaho Indians on the 2d day of October, A. D. 1868:

To 7 mules, \$150 each, value.....	\$1, 050 00
To 4 horses, \$150 each, value.....	600 00
Total amount.....	<u>1, 650 00</u>

STATE OF KANSAS, *Fort Larned, ss :*

Personally appeared before me, the post-adjutant for the post of Fort Larned, Mr. Henry O. Beal, who, being duly sworn, testifies as follows: That between daylight and sunrise on the morning of October 2, 1868, seven mules and four ponies belonging to Mr. Christopher Weidner were run off by Indians, supposed to be Arapahoes and Cheyennes, from a ranch four miles from the post of Fort Larned.

HENRY O. BEAL.

Sworn and subscribed to before me this 9th day of November, 1868.

C. L. UMBSTAETTER,

First Lieutenant Third United States Infantry, Post-Adjutant.

STATE OF KANSAS, *County of Shawnee, ss :*

James S. Morrison, of the county of Pikerton, State of Kansas, being first duly sworn, deposes and says, that on the 1st day of October, A. D. 1868, he was in the employment of Colonel E. W. Wynkoop, United States Indian agent at Fort Larned, as scout; that on the day last named there was, according to report, a fight at Fort Zarah, thirty-five miles east of Fort Larned, with about one hundred and fifty Indians; that on the day following he went with General Hazen, and at his request, and was present at the examination of the body of an Indian killed in that fight, and that from the clothing, weapons, and general appearance of the Indian, he was an Arapaho, according to the best of his knowledge and belief; and from all the circumstances, he believes the Indians who had the fight at Fort Zarah were the same who took the mules and horses of Mr. C. Weidner from his ranch at Pawnee Fork, on the 2d of October, A. D. 1868. And further this deponent says not.

J. S. MORRISON.

Subscribed in my presence, and sworn to before me this 24th day of November, A. D. 1868.

P. Q. BONEBRAKE,

County Clerk.

STATE OF KANSAS, *Fort Larned, ss :*

Personally appeared before me, the post-adjutant for the post of Fort Larned, Mr. George Schryver, who, being duly sworn, testifies as follows: That between daylight and sunrise on the morning of October 2, 1868, seven mules and four ponies belonging to Mr. Christopher Weidner were run off by Indians, supposed to be Arapahoes and Cheyennes, from a ranch four miles from the post of Fort Larned.

GEORGE SCHRYVER.

Sworn and subscribed to before me this 7th day of November, 1868.

C. L. UMBSTAETTER,

First Lieutenant Third Infantry, Post-Adjutant.

Know all men by these presents that I, Christian Weidner, of the county of Pikerton, State of Kansas, have made, constituted, and appointed, and by these presents, do make, constitute, and appoint, W. D. Blackford, Washington, District of Columbia, my true and

lawful attorney for me and in my name, place, and stead, to ask, demand, collect, and receive payment for a certain claim against the Government of the United States of America, for certain property taken and destroyed by the Kiowa, Cheyenne, and Arapaho Indians, at Pawnee Fork, on the 1st of August and the 2d of October, A. D. 1868, amounting to \$4,038.25, and to give good and sufficient receipts therefor, giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in the premises, as fully, to all intents and purposes, as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall do lawfully, or cause to be done by virtue hereof; and in consideration that my said attorney has agreed to prosecute my said claim without cost or charge to me, unless the same, or some part thereof, shall be paid, I have agreed and do hereby make this power of attorney irrevocable.

In witness whereof, I have hereunto set my hand and seal this 24th day of November, A. D. 1868.

C. WEIDNER, [SEAL.]

STATE OF KANSAS, *County of Shawnee, ss :*

On this 24th day of November, A. D. 1868, before me, a notary public in and for said county of Shawnee, personally appeared C. Weidner, to me known to be the identical person who executed the foregoing power of attorney, and acknowledged that he executed the same for the purposes therein named.

Witness my hand and notarial seal the day and year last above written.

[SEAL.]

WM. P. DOUTHITT,
Notary Public.

OFFICE OF CHEYENNE AND ARAPAHO AGENCY,
Indian Territory, Secondmonth 1, 1872.

ENOCH HOAG, *Superintendent Indian Affairs :*

The claim of Christopher Weidner, for a depredation alleged to have been committed by Cheyennes and Arapahoes on the 2d of October, 1868, was presented to the chiefs and head-men of the Cheyenne tribe in council, for investigation. After carefully reviewing the facts in the case, the Cheyennes deny any participation in the depredation set forth in the claim. Satisfaction was demanded therefor.

From all I have been able to learn, the Cheyennes had no part in the above-described depredation.

Respectfully,

BRINTON DARLINGTON,
United States Agent for Cheyennes and Arapahoes.

CHEYENNE AND ARAPAHO AGENCY, INDIAN TERRITORY,
Secondmonth 10, 1872.

• ENOCH HOAG, *Superintendent Indian Affairs :*

The claim of Christopher Weidner, for a depredation alleged to have been committed by Cheyenne and Arapaho Indians on the 2d of Oc-

tober, 1868, was submitted to the chiefs and head-men of the Arapaho tribe in council, for investigation. After a careful explanation of the nature of the claim, the Arapahoes deny any knowledge of the outrage. Satisfaction therefor was demanded.

I have no reason to doubt this statement.

Respectfully,

BRINTON DARLINGTON,
United States Indian Agent for Cheyennes and Arapahoes.