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Henry Hegwer. Letter from the Secretary of the Interior, relative to the claim of Henry Hegwer for depredations committed by Cheyenne Indians in 1867.

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HENRY HEGWER.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

RELATIVE TO

The claim of Henry Hegwer for depredations committed by Cheyenne Indians in 1867.

JANUARY 25, 1872.—Referred to the Committee of Claims and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 25, 1872.

SIR: The claim of Henry Hegwer, on account of depredations committed on his property in 1867 by Cheyenne Indians, is herewith submitted for the consideration and action of Congress, under the fourth section of the act making appropriations for the Indian Department, approved July 15, 1870. (Statutes at Large, vol. 16, p. 360.)

A copy of the report of the Commissioner of Indian Affairs, dated the 20th instant, is also herewith transmitted in connection with the claim.

Very respectfully, your obedient servant,

C. DELANO, *Secretary.*

Hon. JAS. G. BLAINE,
Speaker of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 20, 1872.

SIR: I have the honor to submit herewith, for your decision, a claim of Henry Hegwer, amounting to \$2,129 50, for certain horses and other property taken or destroyed by Cheyenne Indians in June, 1867.

The claim was filed in this office April 28, 1868, and was subsequently presented by the proper agent of the Government to the Cheyennes in council. The agent, B. Darlington, reports that the Indians disavowed any knowledge of the claim.

The testimony adduced consists of the affidavits of five persons, who were in the service of claimant at the time of the depredation; they corroborate what claimant says in his deposition as to the act and

property lost, and in regard to the value placed upon the property they express their belief that it is fair and just.

I am of the opinion that claimant is entitled to compensation for the loss actually sustained, but in my judgment the amount charged is too large. I suggest that the following values of the different articles mentioned in the account would be reasonable and a sufficient indemnity: \$150 for each horse; \$50 for the colt; ax, \$1; corn, \$4 per sack; pork, 20 cents per pound; log-house, \$200; smoke-house, \$75; stable, \$100, and corral, \$50. Rejecting the charge for part of a wagon-bed, &c., the claim would then amount to \$1,558.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

CLAIM OF HENRY HEGWER.

CHEYENNE AND ARAPAHO AGENCY,
Eighthmonth 14, 1871.

ENOCH HOAG, *Superintendent Indian Affairs:*

At a council of the leading chiefs of the Cheyenne tribe of Indians, the application of Henry Hegwer, of Ellis County, Kansas, for payment for property taken or destroyed by them in June, A. D. 1867, on Plum Creek, southwest of Fort Harker, was explained to them. They unanimously disavowed any knowledge of the transactions therein stated. Ed. Guerier, the interpreter, stated that Charles Bent, the alleged leader of the expedition, was at Chisholm's ranche, on the North Fork of the Canadian River, at time said depredation was committed.

I apprehend the applicant is mistaken in the parties.

Respectfully,

BRINTON DARLINGTON,
United States Indian Agent.

STATE OF KANSAS, EXECUTIVE DEPARTMENT,
Topeka, April 13, 1868.

SIR: I certify on honor that I am personally acquainted with Henry Hegwer, of this State, and that he is loyal to the Government. He served in the Army during the late war, and was a lieutenant in the Eighteenth Kansas Battalion during the past summer, where he served with distinguished gallantry.

Yours truly,

S. J. CRAWFORD,
Governor of Kansas.

Hon. N. G. TAYLOR,
Commissioner Indian Affairs, Washington, D. C.

STATE OF KANSAS, *County of Ellis:*

Henry Hegwer, of the county aforesaid, being duly sworn, says: That on the 16th day of June, A. D. 1867, and for some time previous, he was living sixteen miles southwest of Fort Harker, on Plum Creek, five miles above the mail station; that he was there with the sanction of the military authorities of Fort Harker; and that he was furnishing meat to Parks & Lane, contractors on the Union Pacific Railroad, eastern division, and to Charles Cordaro, who was keeping a mess-house at Fort Harker for Government employes; that on the morning of the 16th of June, 1867, between day-break and sunrise, we were in my house eating breakfast, when I heard horses running past the house, and I raised up and saw the Indians; I took my gun and went out, and the Indians shot arrows at me, and I returned fire, when the five men in my employ, viz, George Bewzar, Martin D. Umberger, Philip Schermerhorn, Daniel Marten, and John P. Jones, came out; the Indians retreated, and we followed them about one

hundred yards from the house, when about fifteen or twenty Indians came from the brush near and got between us and my horses, of which I had ten, and lanced the ropes; we rallied on them and saved two of my horses, the Indians taking away eight, viz: one pair of bay horses, seven years old, sixteen hands high, of the value of \$400; one pair of brown mares, one four and the other seven years old, about fifteen hands high, of the value of \$375; one pair of cream mares, one five and the other eight years old, of the value of \$300; one brown saddle-horse, six years old, of the value of \$175; and one yearling colt, of the value of \$75; that we left immediately for Fort Harker, and were attacked four times on the way to the fort; that we were obliged to abandon my log-house, smoke-house, stable, horse-coral, parts of a wagon, a wagon-seat, double-trees, neck-yoke, ax, two sacks of corn, and one hundred and twenty pounds of pickled pork, all of which were of the value of \$804 50; that the same was all destroyed by the Indians; that I have never recovered any of the horses; and that the value of the above-named property is true and just; that I have never received any pay for the same either from the Government or Indians; that these depredations were committed by Cheyennes, led by Charles Bent, whom I knew personally. I also knew them by their dress and hair.

And further says not.

HENRY HEGWER.

Sworn to and subscribed before me, at Hays City, Ellis County, Kansas, this 30th day of March, A. D. 1868.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

J. M. CONNOR,
County Clerk, Ellis County, Kansas.

THE UNITED STATES TO HENRY HEGWER,

Dr.

To the following property taken and destroyed by Cheyenne Indians, June 16, 1867:

| | |
|---|-----------------|
| To 1 pair of bay horses | \$400 00 |
| To 1 pair of brown mares | 375 00 |
| To 1 pair of cream mares | 300 00 |
| To 1 brown saddle-horse | 175 00 |
| To 1 yearling colt | 75 00 |
| To part of wagon-bed, seat, double-trees, neck-yoke | 30 00 |
| To 1 ax | 2 50 |
| To 2 sacks of corn, at \$6 per sack | 12 00 |
| To 120 pounds pickled pork | 30 00 |
| To 1 log dwelling-house | 400 00 |
| To 1 smoke-house | 125 00 |
| To 1 stable | 125 00 |
| To 1 horse-coral | 80 00 |
| Total | <u>2,129 50</u> |

STATE OF KANSAS, Shawnee County, ss:

Henry Hegwer, being first duly sworn, deposes and says that he is now, and ever has been, a loyal citizen of the United States; that he has never borne arms against the Government of the United States of America, nor has he, in any way or manner, either directly or indirectly, given any aid, comfort, or assistance to the enemies, foreign or domestic, of the United States of America.

And further deponent says not.

HENRY HEGWER.

STATE OF KANSAS, Shawnee County, ss:

On this 20th day of April, A. D. 1868, before me, a notary public in and for said county and State, personally appeared Henry Hegwer, and, after having first subscribed the foregoing affidavit, made oath that the statements therein contained were true.

Witness my hand and notarial seal the day and year last aforesaid.

[SEAL.]

A. L. WILLIAMS,
Notary Public.

Know all men by these presents that I, Henry Hegwer, of the county of Ellis and the State of Kansas, have made, constituted, and appointed, and by these presents do make, constitute, and appoint, W. D. Blackford, of the city of Washington, D. C., my true and lawful attorney, for me and in my name, place, and stead, to demand, ask, collect, and receipt for the payment of a certain claim made by me against the Government of the United States, for the destruction and forcible taking of my property by the Cheyenne Indians on the 16th day of June, 1837, 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 and about 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 lawfully do or cause to be done by virtue hereof.

HENRY HEGWER.

In witness whereof I have hereunto set my hand and seal this sixth day of April, one thousand eight hundred and sixty-eight. In my presence.

[SEAL.]

J. W. CONNOR,
County Clerk of Ellis County, Kansas.

STATE OF KANSAS, *County of Ellis :*

Martin D. Umberger, of the county aforesaid, being duly sworn, says: That he was in the employment of Henry Hegwer on the 16th day of June, A. D. 1867, at his ranch on Plumb Creek, when his horses were taken and his ranch destroyed by Cheyenne Indians; and that he has examined the affidavit of said Henry Hegwer, and that the same is correct in every particular; and that the value set on the property lost by said Henry Hegwer and taken by the Indians is fair and just, as he verily believes.

MARTIN D. UMBERGER.

Sworn to this 3d day of March, A. D. 1868, before me, a notary public.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

[SEAL.]

J. W. CONNOR,
County Clerk, Ellis County, Kansas.

STATE OF KANSAS, *County of Ellis :*

P. J. Schermerhorn, of the county aforesaid, being duly sworn, says: That he was in the employment of Henry Hegwer on the 16th day of June, A. D. 1867, at his ranch on Plumb Creek, when his horses were taken and his ranch destroyed by Cheyenne Indians; and that he has examined the affidavit of said Henry Hegwer, and that the same is correct in every particular; and that the value set on the property lost by said Henry Hegwer and taken by the Indians is at the lowest cash value, and is fair and just, as he verily believes.

P. J. SCHERMERHORN.

Sworn to this 30th day of June, A. D. 1868, before me, a notary public.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

J. W. CONNOR,
County Clerk, Ellis County, Kansas.

STATE OF KANSAS, *County of Ellis :*

George Bewzar, of the county aforesaid, being duly sworn, says: That he was in the employment of Henry Hegwer on the 16th day of June, A. D. 1837, at his ranch on Plumb Creek, when his horses were taken and ranch destroyed by Cheyenne Indians; and that he has examined the affidavit of said Hegwer, and that the same is correct in

every particular; and that the value set on the property lost by said Hegwer and taken by the Indians is fair and just, as he verily believes.

his
GEORGE + BEWZAR.
mark.

Attest: M. E. JOYCE.

Sworn to this 30th day of March, A. D. 1868, before me, a notary public for Hays City, Ellis County, Kansas.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

J. W. CONNOR,
County Clerk, Ellis County, Kansas.

STATE OF KANSAS, *County of Ellis* :

John P. Jones, of the county aforesaid, being duly sworn, says: That he was in the employment of Henry Hegwer on the 16th day of June, A. D. 1867, at his ranch on Plumb Creek, when his horses were taken and his ranch destroyed by the Cheyenne Indians; and that he has examined the affidavit of said Henry Hegwer, and that the same is correct in every particular; and that the value set on the property lost by said Henry Hegwer and taken by the Indians is at the lowest cash value, and is fair and just, as he verily believes.

JOHN P. JONES.

Sworn to this 5th day of April, A. D. 1868, before me.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

[SEAL.]

J. W. CONNOR,
County Clerk, Ellis County, Kansas.

STATE OF KANSAS, *County of Ellis* :

Daniel Marten, of the county aforesaid, being duly sworn, says: That he was in the employment of Henry Hegwer on the 16th day of June, A. D. 1867, at his ranch on Plumb Creek, when his horses were taken and his ranch destroyed by Cheyenne Indians; and that he has examined the affidavit of said Henry Hegwer, and that the same is correct in every particular; and that the value set on the property lost by said Henry Hegwer and taken by the Cheyenne Indians is at the lowest cash value, and is fair and just, as he verily believes.

DANIEL MARTEN.

Sworn to this 5th day of April, A. D. 1868, before me.

[SEAL.]

M. E. JOYCE,
Notary Public.

I do hereby certify that M. E. Joyce is a notary public in Ellis County, Kansas.

[SEAL.]

J. W. CONNOR,
County Clerk, Ellis County, Kansas.