

University of Oklahoma College of Law
University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

2-20-1838

Report : Mr. White

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



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

Recommended Citation

S. Doc. No. 219, 25th Cong., 2nd Sess. (1838)

This Senate 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.

IN SENATE OF THE UNITED STATES.

FEBRUARY 20, 1838.

Submitted, and ordered to be printed.

Mr. WHITE submitted the following

REPORT:

The Committee on Indian Affairs, to whom was referred the account of Caleb Atwater, of the State of Ohio, have had the same under consideration, and ask leave to submit the following report:

No evidence whatever was furnished the committee to substantiate the account, except the certificate of the claimant himself, who had been a commissioner to aid in negotiating a treaty with some of the Indian tribes in the year 1829, and now claims \$328 80, for travelling from the State of Ohio to Washington, attending before a committee to give explanations relative to said treaty, and then returning home. The chairman of the committee well remembered having seen the claimant in Washington, and conversing with him while the treaty was under consideration; but at whose instance he had attended, or whether he had been compensated, the committee were not informed; they, therefore, instructed their chairman to ask of the Secretary of War any information his department could furnish on the subject. In answer to an application made in pursuance of this instruction, the chairman received the letters hereto attached, marked Nos. 1, 2, 3, and 4.

From these documents, it appears the claimant has received, at several times, for his services in relation to the treaty which he aided in negotiating, about the sum of \$1,777 00; and that of this sum, \$245 00 were paid him for travelling from, and to, Ohio, and attending before the committee. Had anything more been due for these services, it is reasonable to suppose it would have been demanded and paid.

The committee recommend the adoption of the following resolution:

Resolved, That the account presented by Caleb Atwater for pay as a witness before the Committee on Indian Affairs is unjust, and ought not to be paid.

No. 1.

WAR DEPARTMENT,
February 19, 1838.

SIR: The enclosed report of the Commissioner of Indian Affairs, and accompanying papers, contain the information in reference to the account of Caleb Atwater, (herewith returned,) desired in your letter of the 8th instant.

Very respectfully,
Your obedient servant,
J. R. POINSETT,
Secretary of War.

HON. HUGH L. WHITE,
*Chair. Com. on Indian Affairs,
United States Senate.*

No. 2.

WAR DEPARTMENT,
Office Indian Affairs, February 16, 1838.

SIR: In compliance with your direction to report upon the claim of Caleb Atwater, Esq., transmitted by the honorable H. L. White, in his letter of the 8th instant, I have the honor to submit a copy of the report from this office, of the 15th December, 1836, to the then Secretary of War on the subject, and a copy of a letter from the War Department to Mr. Atwater, of date the 13th of October, 1836. These, it is presumed, will furnish all the information desired by the committee.

Very respectfully,
Your most obedient servant,
C. A. HARRIS,
Commissioner.

Hon. J. R. POINSETT,
Secretary of War.

P. S.—The sum of \$245, paid him in 1831, (see report above referred to,) not only embraced his expenses for travelling to this city and returning home, but also his expenses while attending before the committee.

No. 3.

WAR DEPARTMENT,
October 13, 1836.

SIR: In answer to your letter of August 22, I have the honor to inform you that I have presented your account to the President, who directs me to make known to you, that he has carefully looked into and considered, but cannot allow it, inasmuch as the travel and attendance to this place,

charged by you, were never authorized by this department, and as your actual expenses during the period you attended here have already been paid.

Very respectfully,

C. A. HARRIS,
Acting Secretary of War.

CALEB ATWATER, Esq.,
Circleville, Ohio.

No. 4.

WAR DEPARTMENT,
Office Indian Affairs, December 15, 1836.

SIR : In obedience to your directions, I have the honor to report, in reference to the first question contained in the letter of the honorable Thomas Ewing, of the 12th instant, that Caleb Atwater, Esq., who was, in 1829, a commissioner for holding treaties with the Indian tribes, (and not Indian agent, as stated by Mr. Ewing,) has not received any compensation for remaining at Washington during the session of Congress succeeding the date of the treaty, partly negotiated by him. Repeated demands have been made by Mr. Atwater for compensation for remaining here, and his applications have always been refused ; the last time, a few weeks since, by the President himself, on the ground that no evidence was produced or could be found that he had been requested to do so. In reference to the second question, I have to state, that Mr. Atwater received, in 1829, while in this city, on an account stated by himself, the sum of \$977, and had previously received from the commissioner, at the treaty ground, \$315, making \$1,292 for per diem and travelling expenses. In 1831, on a claim for travelling to Washington and returning home, he was allowed the further sum of \$245, and in 1832, a still further sum of \$240, claimed for per diem while negotiating the treaty, and not included in the first account, making in the whole \$1,777.

Very respectfully,

C. A. HARRIS,
Commissioner.

HON. B. F. BUTLER,
Secretary of War ad interim.