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John L. McCarty.

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Recommended Citation

H.R. Rep. No. 1045, 25th Cong., 2nd Sess. (1838)

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JOHN L. McCARTY.

[To accompany bill H. R. No. 879.]

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JULY 6, 1838.
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Mr. E. WHITTLESEY, from the Committee of Claims, made the following

REPORT :

The Committee of Claims, to whom was referred the claim of John L. McCarty, report :

That, as early as 1820, on the recommendation of Colonel Meigs, Mr. Calhoun, then Secretary of War, directed that suits be instituted to test the validity of entries made on Cherokee land under the laws of Tennessee. It appears that Charles Lewis was counsel in four cases. His account bears date at April term, 1824; and he charged in the four suits \$160. In 1829, December 30, Mr. Eaton, then Secretary of War, admitted the validity of the claim, and stated an appropriation had been asked of Congress to cover arrearages, and, if granted, that Colonel Montgomery, then Indian agent, would be authorized to draw on the Department to pay this account.

On the 13th of May, 1834, Mr. Herring, Commissioner of Indian Affairs, addressed a letter to Mr. Cass, then Secretary of War, requesting him to ask for an appropriation to cover these fees, with other arrearages. It appears that Mr. Lewis, on the 13th of April, 1830, assigned the claim to John L. McCarty, for a full consideration, on the condition that no difficulty should arise in obtaining the money.

The original account is not presented; but a copy is certified, by Nathaniel Smith, superintendent of Cherokee removals, to be a true copy of the original, in the hands of Mr. McCarty.

The original should be produced. The committee think the claim should be paid on the production of the original account, and evidence that Mr. McCarty is the assignee of the claim; and a bill is herewith presented accordingly.

Thomas Allen, print.