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7-7-1838

Samuel Douthet et al.

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H.R. Rep. No. 1067, 25th Cong., 2nd Sess. (1838)

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SAMUEL DOUTHET ET AL.

JULY 7, 1838.

Read, and laid upon the table.

MR. GRAHAM, of North Carolina, from the Committee on Indian Affairs, submitted the following

REPORT :

*The Committee on Indian Affairs, to which was referred the petition of Samuel Douthet and Polly Ann Douthet, report :*

That the petitioners allege they are lawfully married ; that Polly Ann Matlow is the only heir-at-law of Malachi Matlow, deceased ; that the Cherokee Indians, then before the close of the Revolution, and when they were allies with Great Britain, attacked a Fort Jamison, in South Carolina, and killed Malachi Matlow, and stole one negro slave called Cyrus, five horses, and other property not named, amounting to one thousand and fifty dollars ; that no satisfaction has ever been made for the injury and damages aforesaid.

This transaction is represented as having taken place near the close of the Revolution, and the antiquity of the claim involves it in some doubt and suspicion after so great a lapse of time. The petitioners state, the commissioners now sitting under the treaty of New Echota have rejected their claim, and pray that said commissioners may be directed by an act of Congress to allow their claim, and pay over to them the sum due them. The committee cannot see upon what principle the Congress of the United States have any right to change the provisions of the treaty of New Echota, without the consent of the Cherokee Indians ; and therefore ask to be discharged from the further consideration of said petition.

Thomas Allen, print.