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Basil Brown.

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H.R. Rep. No. 524, 25th Cong., 2nd Sess. (1838)

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BASIL BROWN.

FEBRUARY 2, 1838.
Read, and laid upon the table.

Mr. PENNYBACKER, from the Committee on Indian Affairs, made the following

REPORT:

The Committee on Indian Affairs, to which was referred the petition of Basil Brown, report :

That the petitioner sets forth in his petition that, at the treaty between the United States and the Miami Indians, held at the forks of the Wash, in the State of Indiana, in October, 1834, he furnished, for the use of the Indians, nine head of horses, at one hundred dollars each, which, by authority of the commissioner on the part of the United States, were taken into possession by the Indians; and that the sum of nine hundred dollars was promised him by the commissioner, to be paid on the ratification of the said treaty.

Mr. Marshall, the commissioner referred to, has certified that the nine head of horses were furnished at the price mentioned, which were to be paid for on the ratification of the treaty; and if the treaty should not be ratified, the purchase-money was to be paid by the Miami tribe of Indians, out of their annuity.

On the — day of October, 1837, the treaty referred to was ratified by the Senate, having been amended in several important particulars, but not affecting the merits of this case.

Now there is no affidavit before the committee of the facts contained in the certificate of Mr. Marshall; and, it appearing that Mr. Marshall transcended his instructions in furnishing said horses, and it not appearing that the said Brown has ever made application to the said Indians for the payment of said money, the committee are constrained to report unfavorably upon the petitioner's claim.