

SUSANNA MARBLE AND OTHERS.

MARCH 12, 1878.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BEEBE, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 3325.]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 856) for the relief of Susanna Marble and others, heirs of Abel S. Lee, respectfully submit the following report:

In 1872, and for some time previous thereto, Abel S. Lee, with his family, a wife and four children, resided in Buchanan County, Texas, on a pre-emption claim of 160 acres of land, duly made under the laws of Texas. On Sunday, June 9, 1872, while the family were engaged in devotional exercises in their own house, they were attacked by a band of Kiowa Indians. The father, who was sitting in the door of his house, was shot and instantly killed. The savages, eight or nine in number, then rushed into the dwelling and killed the mother and Rebecca, one of the daughters, aged thirteen years. The house was plundered, and such articles as could not be conveniently carried away were destroyed. A portion of the stock was taken, part was killed, and the rest, which was left to run wild, was wholly lost to the heirs, the present claimants. The three children named in the bill were carried into captivity, and so held for a number of months, when, by the intervention of an Indian agent, they were released. During their captivity they suffered almost indescribable cruelties and indignities. The foregoing facts, with others too horrible for recital, are fully proven by the evidence submitted, and the value of the property taken and destroyed is conclusively established. The outrage was entirely without provocation, the home of the Lees being many miles from the reservation, and they having been always a peaceful and law-abiding family. As originally submitted, this claim embraced a demand for \$25,000 for the loss to the children of the care and support of the parents and as indemnity for the sufferings sustained during their captivity; but this has been abandoned, and the claimants now only ask to be reimbursed, out of the annuities or other funds paid by the government to this tribe, for actual losses. By treaty stipulations with this tribe the payment of such claims is expressly provided for, and we are clearly of the opinion that the present is a case emphatically calling for the enforcement of the provision. The claim was duly examined, and its allowance, except as to interest, recommended by the honorable Commissioner of Indian Affairs, on the 6th of March, 1875.

The bill should, we think, be so amended as to specify that the sum awarded be paid out of funds due or to become due to the tribe by members of which the depredation was committed, instead of from the General treasury, and also so as to give the names of all of the heirs or claimants. We therefore submit the accompanying amendment and recommend its adoption, and that the bill, as so amended, be passed.

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