

Shawnee Copy  
Hon. J. Clark  
Wash, Mar 29, '69

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Leaves letter and  
statement of John  
Heitzmann, def.  
in case from Jo-  
sephus Pawnee,  
a Kiamia Indian

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Rec'd Mar 29, '69

See letter to J. Babbatt  
Dec. 2, 1868

Land E 206

John Heitzman wishing  
to purchase the Land  
Patented by Josephus Pascal  
Shawnee Indian. Supposed to  
be dead in California went  
to his Uncle Pascal Fish to  
ascertain from him who the  
right heirs to Josephus' Land  
were he told me his Brother  
Lucas and Sister Mary were  
the only surviving heirs then,  
I was not satisfied with his  
information but went to God  
Shannon who knows more of  
Indian laws and regulations  
than most other lawyers in  
Lawrence. He told me the same  
as Pascal Fish, but Mr. Abbott  
was not allowed to make out  
Deeds, I got a warranty Deed  
made out before a Justice of Peace  
bearing date 18 January 1864.  
I built a dwelling house the following

March which will be 5 years  
next March and moved on it,  
during the Summer of 1851 when  
Mr Taylor was appointed Agent  
and had orders to make out  
Deeds I went to him told him  
how I was situated that I  
wished to have a proper Deed  
made out and wished him to  
write to Washington to know whether  
they allow him to make out a  
Deed for the two hundred acres  
and also to ascertain who the  
right heirs were he promised to do  
so and told me to come again  
in two or three weeks and he  
would know all I went the time  
appointed and he had done  
nothing he said he forgot all  
about it. I then went to the  
Indian Council They decided  
as follows, That Mr Brother  
Lucas Pascal the Sister Mary

Pascal and another Sister  
Elizabeth had deceased her Child  
Charles were the only heirs  
that by Mr <sup>paying</sup> Lucas Pascal  
Mary <sup>Pascal</sup> their Year for the Land  
and lodging four hundred Dollars  
in the Agent Mr Taylor's hand  
for the absent Indian in case  
he should not be dead as supposed  
and come home that it should be  
left for two years and should he  
not return during that time it  
should go for the benefit of <sup>that</sup>  
the Son of Elizabeth Pascal  
George Swaiside the named  
Husband of Elizabeth Pascal.  
They would not admit as heir  
as he never was married to <sup>ed</sup>  
Elizabeth Pascal, but had coar-  
sed her from her lawful ~~husband~~  
John Bigknife and as they did  
not know whether the Child  
was the offspring of Swaiside or  
Bigknife they did not so much  
as make Swaiside Guardian

I have complied with their  
decision have paid the two  
hundred Dollars with Mr. Fay, to  
for which I hold his receipt.  
During the time I was arranging  
the above one August Giesmis  
went to Fort Scott 80 miles  
from this and searched up George  
Lionside and got a quit claim  
Deed from him, and since this  
fall has I smuggled a Deed  
through in Shawnee, the Indians  
having forgot all about the names  
of the ~~names~~ in the former ar-  
rangement, until I went forward  
and reminded them, if necessary  
I can forward the Affidavit of  
the Indians then in council to  
the above facts, I have at least  
two thousand Dollars improvement  
on the place. The Agent and Super-  
intendent are all newly come and  
knew nothing of the above arrangement

Hon<sup>r</sup> Sydney Clarke  
Please call  
on the Sects of the interior  
has Mr Abbott got my Deed,  
without being cancelled, if he has  
got it cancelled please stop  
Giesmis Deed if not to late,  
if not cancelled and get in the  
office try to get it and I should  
you succeed in getting it all right  
then remark on Giesmis Deed  
being there, if you are enquired  
of what Mr Abbott's reason  
was for putting in a protest  
against it, if you think it right  
to do so you may tell them what  
I believe to be truth, it is a spec-  
imen think.

Yours obliged  
John Hitzman