

Washington City

June 29th 1857

Sir,

The undersigned would respectfully represent to your Excellency - that about two years ago, a fracas took place at the plantation of Col P. P. Pitchlynn on Mountain Fork, Choctaw Nation, between two citizens of the United States and two sons of Col Pitchlynn in which one former was shot through the hand.

From the best information we have been able to obtain, which we believe to be entirely reliable, the circumstan-

ces were as follows: Two white men, travellers, called at Col. Pitchlynn's having with them whiskey & being under its influence and freely gave some of it to Col Pitchlynn's sons. - The two travellers had a sick horse -

Young Pitchlynn requested the owner of the horse to take him away, (it being manifest that the horse would die) stating to the owner that he (Pitchlynn) had no time to sweat up over to haul away a dead horse; -

The white man replied, very insultingly, "You are too saucy for a damned Indian - and I will do as I please, about that" where upon Leonidas Pitchlynn struck the owner of the horse, and a fight ensued, in which

the other white man took part. — Seeing this Pushmataha Pitchlynn, seized a gun and rushed out to the reserve and support of his Brother Leonidas, with a view to intimidate the whitemen, at the same time aiming the gun above the man's head, he without any intention to shoot him. — The man threw up his hands, suddenly and received the charge through the palm of one hand extended above his head. If Pushmataha Pitchlynn had desired or intended to kill the man he could have easily done so, subsequent to the affray. — an indictment was found by the grand jury of the United States Court at Van Buren, based upon the ex-parte testimony of the whitemen — both of whom he it remembered had been engaged in the affray. The Pitchlynn's gave bail for their appearance at Court: —

Subsequently, overtures were made to the Pitchlynn's by the white man — the principal witness on the part of the United States, to the effect: that for a consideration in money to be secured to him, he would not appear against the Pitchlynn's — which was promptly rejected by them. They did not feel conscious of having violated the law and refused to do so by becoming parties to an agreement

which of itself would evidenced an intention to violate the laws of the United States. — The trial came on at the May term of the United States District Court for the western district of Arkansas. — There being no witnesses to the Affray for the parties — the whitemen had the two young Pitchlyns at their ~~mercy~~ mercy — and the result was a conviction upon the charge of assault with intent to kill — and a sentence against each of them to three years imprisonment in the Penitentiary.

There was no premeditation or malice in the matter, — the affray was a sudden ^{one} and induced by the insulting language of the owner of the sick horse. — The two young Pitchlyns are themselves almost whitemen — had no prejudices or ill feeling toward whitemen — and they, as well as their father, were proverbially hospitable and kind to citizens of the United States, who travelled through the Choctaw Nation, — frequently extending the hospitality of their father's house to strangers from the United States, and always without charge or remuneration. — The two young Pitchlyns have been recently married which adds greatly to the distressing circumstances of the case.

The Father of these young men has endeavored to fit them to be useful citizens and gave them the best education he could afford. He, as well as his numerous & highly respectable family connections feel that their young relations have been unjustly dealt with, they keenly feel the ~~stain~~ race fix'd upon their name and family by the incarceration of the two Pitchlyns, and hope that your ~~excellency~~ Executive Clemency toward them and remit the remainder of the punishment inflicted by the Court under the stern and unyielding ~~rules~~ which governed and controlled its decision. We feel confident that clemency in the case will ~~with~~ result beneficially not only to the young men, but towards the people of the United States in cementing kind and fraternal feelings between them and our people.

To
James Buchanan
President of the
United States
of America

We are sir, your obt. Servts,
Sampson Holton
& Wm Lamb