

MONTANA WAR-CLAIM.

TESTIMONY

IN RELATION TO

INDIAN WAR-CLAIMS

OF

The Territory of Montana.

MAY 18, 1872.—Ordered to be printed.

TESTIMONY OF M. H. INSLEY.

WASHINGTON, D. C., May 10, 1872.

M. H. INSLEY duly sworn and examined.

By Mr. DONNAN:

Question. Were you in Montana Territory in the spring of 1867, in May?—Answer. Yes, sir.

Q. State whether the governor of that Territory showed you any authority for calling out troops for the protection of the people.—A. I have here copies of telegrams furnished me by the Governor of Montana Territory, at my request, under the official seal of the Territory. They purport to be the authority that he had for calling out and subsisting the troops.

[The following are the telegrams furnished.

WASHINGTON, D. C., May 4, 1867.

In answer to your telegram of April 28, in relation to Indian invasions, I am instructed by the Secretary of War to inform you that authority has been given by this Department to Lieutenant General Sherman to call out, organize, officer, and subsist such militia force in Montana Territory as he deems necessary for the protection of that Territory against hostile Indians. Any suggestions you may make to General Sherman at Saint Louis, on matters relating to this subject, will receive his attention.

Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant General.

General T. F. MEAGHER, *Acting Governor Montana Territory.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI.

Saint Louis, Missouri, May 7, 1867.

If Indians enter the valley of the Gallatin organize eight hundred volunteers and ride them out. Those troops should only be used until the regulars reach the Yellowstone.

W. T. SHERMAN,
Lieutenant General.

Official copy respectfully furnished by mail.

A. C. NICHOLS,
Assistant Adjutant General.

FRANCIS MEAGHER, *Acting Governor Montana Territory, Virginia City.*

SAINT LOUIS, MISSOURI, *May 24, 1867.*

Muster in a battalion of eight hundred men at the cost of the United States, for two months. Equip them as you can best until the arms *en route* reach Fort Benton. Move quickly to the threatened point, when the danger will either disappear or be removed. Let the men furnish their own horses at 40 cents per day, and be rationed by contract. When the service is rendered I will order payment by regular paymaster.

W. T. SHERMAN,
Lieutenant General, Commanding.

Colonel W. H. LEWIS, *Virginia City, Montana Territory.*

M. H. Insley, being first duly sworn, deposes and says that the foregoing are true and correct copies of dispatches as furnished to him by the governor of Montana Territory, in 1867, and certified to as correct by the governor, with the official seal of the Territory affixed thereto.

M. H. INSLEY.

Sworn to and subscribed before me this 9th day of May, 1872.

[SEAL.]

H. CLAY JOHNSON,
Notary Public.]

Q. Did the governor of that territory show you the original of either or all of these telegrams?—A. He showed me the books in which they were copied—all this correspondence, with others; all that he had, the telegrams sent to Washington, with the replies. He exhibited all his books to me, all the orders pertaining to calling out troops, and furnished his authority, at my request.

Q. Why did you ask for this authority?—A. Because I did not want to invest my money if there was any question as to the payment for the supplies. I was very particular about it. The governor furnished that authority for calling out the troops, and gave me these assurances that the Government would assume the liability; that he was fully authorized.

Q. I understand you never saw the original telegrams claimed to be sent to General Sherman?—A. Yes, sir; I saw the telegram that Colonel Lewis had. Colonel Lewis furnished the governor with a copy of this dispatch. It was recorded in his books; and Colonel Lewis exhibited his telegram, with others, to me, and had a copy of it tacked up in the banking-house of A. Hanan & Co., in Virginia City. While we were discussing it, as it was a matter of a good deal of interest to us, Colonel Lewis said that was an answer sent by General Sherman to muster in these troops. He said, "There, gentlemen, is authority for you; that is sufficient."

Q. Did you furnish the entire amount of supplies in kind, for which you claim payment in this case?—A. I furnished every single thing, every single pound, to the best of my knowledge and belief, for which I have received my vouchers. These articles consisted of bacon, flour, coffee, sugar, the Regular Army rations. Everything I furnished I could have sold for gold, and I believe for more than I was allowed by General Hardie. I wish to call attention to one thing. The most of these articles were transported from the Missouri River to Virginia City, nearly two thousand miles. From Leavenworth, Kansas, I sent a train of six mule teams, in 1867, loaded with groceries, for the purpose of selling them to the miners and the people of that Territory. I did not have the flour. The proposals called for about five hundred sacks of flour, and I had to buy flour, for which I paid \$12.50 in gold. I bought this of a merchant. For this I have been allowed, I believe, \$12. I have waited for that five years. Money up in that country was worth 5 per cent. a month. I bought Saint Louis flour, which was an extra lot; I was to receive \$19 in vouchers.

Q. General Sherman in his report, October 1, 1867, says: "For the further consideration of this matter I refer to General Terry's report herewith, and only allude to it here to show that the United States are not in any measure responsible for the call of volunteers in Montana, which Acting Governor Meagher made, in spite of the decision to the contrary by the rightful Department of the Government." Now I want to ask you whether the original dispatch which you saw in the hands of Colonel Lewis was identical, or if not so, very nearly identical, with this which I hand you.

[The dispatch was as follows:

SAINT LOUIS, MISSOURI, *May 24, 1867.*

Colonel W. H. LEWIS, *Virginia City, Montana Territory:*

Muster in a battalion of eight hundred men at once, at the cost of the United States, for three months. Equip them as best you can till the arms *en route* reach Fort Benton. Move quickly to the threatened point, when the danger will either disappear or be removed. Let the men furnish their own horses and arms at forty cents per day, and be rationed by contract. When the service is rendered I will order payment by the regular paymaster.

W. T. SHERMAN,
Lieutenant General, Commanding.]

A. This is the telegram which was furnished me by the governor. There might be a difference of a word or two, but the purport was the same. It was furnished me by the governor of the Territory as a true copy of a dispatch received by him.

Q. The point is this: did the original telegram, which you saw, order the governor to muster in a battalion of eight hundred men at the cost of the United States?—A. It ordered Colonel Lewis to muster in eight hundred men. I will say further, that, desiring to be fully satisfied, I went to the telegraphic operator and asked to see a copy of this dispatch. He looked at his records and furnished me a copy. He said it was a public matter, and there was nothing wrong in his doing so. I had that copy which he furnished me for a long time, but I have misplaced it.

Q. Have you ever received any pay from the United States Government, in any amount, as a remuneration?—A. Never; but I have spent a good deal in paying hotel bills and trying to get some action of Congress. I would like to say that everything that I put in was the same as gold, and I should never have put in a dollar if I had not fully believed the Government of the United States had ordered it. Further than that, Colonel Lewis assured me that it was his belief that the Government would pay for the supplies furnished and the services rendered. On that assurance I went into it. I furnished transportation and paid my teamsters \$2 a day in gold, and kept my wagons in repair, every stick of hard timber for which had to be taken with me from Missouri River, 1,500 or 2,000 miles. My wagon-master I paid \$150 a month in gold. I kept my own mules shod, &c. Everything furnished was staple articles—coffee, sugar, flour, soap, salt, beans, &c., and I could have gone out and sold them for gold at any time.

By the CHAIRMAN:

Q. State what business you had been engaged in previously?—A. I was merchandising in Leavenworth, and I sent goods up to Montana on speculation. It was a customary thing with freighters to send goods to the mining regions for sale.

Q. Had you ever freighted up there before?—A. I had been interested in freighting to Salt Lake, with another man. We had about fifty teams employed. One object I had in going was to sell my train. I thought I could load the train and then sell both the load and the train when I reached Montana Territory. I have evidence filed with the Committee on Territories in the Senate, before whom this question was pending for a year or more, that parties there offered to take my bills and to pay me \$17,000 over the first cost of the goods, which would have been what I would have realized as profit.

Q. They offered to take the goods at invoice price and pay you \$17,000 in advance?—A. Yes, sir.

Q. How long before you furnished them to the Government?—A. The fall before.

Q. What amount of flour did you buy?—A. About five hundred sacks.

By Mr. DONNAN:

Q. What was the original amount claimed by you on the vouchers?—A. The original amount was about \$42,000 for commissary supplies.

Q. What was the value of the flour?—A. I purchased about five hundred sacks.

Q. Was that included as a part of the \$40,000?—A. Yes, sir.

By the CHAIRMAN:

Q. Did you furnish anything else besides that?—A. Yes, sir; I furnished transportation.

Q. What was the nature of the transportation?—A. Six mule teams. We hauled the supplies from Virginia City down to where they were in the service.

Q. Did they find any enemy there?—A. I saw three men brought in who were shot to pieces.

Q. Were they Indians or white men?—A. White men.

Q. State what you know about actual hostilities there?—A. The only men I saw killed were these three. I saw them brought in from across the Yellowstone.

By Mr. DONNAN:

Q. Were they soldiers of this command?—A. No, sir; they were citizens.

By the CHAIRMAN:

Q. What was the extent of the marching at that time?—A. They had to patrol the country all the time. I suppose they had to go to Fort Parker, from Virginia City, which is about one hundred and twenty-five miles. Most of the supplies were taken from Virginia City to where this command was.

Q. Were there eight hundred troops in the field?—A. No, sir; about four or five hundred.

Q. How was this transportation made?—A. I transported the supplies back and forth for the relief of the volunteers. This force was made up of volunteers, and the volunteers were supplied until General Sherman sent the regular troops to relieve the volunteers, which was on the last days of September, when the regulars marched in and the volunteers marched out.

TESTIMONY OF WILLIAM H. CLAGGETT.

WASHINGTON, D. C., May 10, 1872.

WILLIAM H. CLAGGETT duly sworn and examined.

By Mr. DONNAN:

Question. State your name, residence, and position.—Answer. William H. Claggett Deer Lodge, Montana. I am a Delegate in Congress from that Territory.

Q. Were you a resident of Montana in 1867?—A. I was at that time engaged in the business of mining.

Q. Let me call your attention to the report of General Sherman of October 1, 1867, in which he states that the Gallatin Valley had not been invaded by hostile Indians at all in May of that year, and that the only murder committed was that of one man at Boseman, more than sixty miles from Gallatin Valley, and that this was the only act of hostility that occurred; and let me ask you to state what you know on the subject?—A. So far as personal knowledge is concerned, I cannot say much, but can speak only of matters of common notoriety. At that time Red Cloud was the chief of the Sioux Indians, at the head of about four thousand fighting men, as was understood, and during the winter of 1866-'67 parties were continually coming in from the Indian country with the report that as soon as the grass grew in the spring Red Cloud would run the whole population out of the Gallatin Valley. This was apprehended by the people during the latter part of the winter. At that time, so far as my knowledge goes, and I am satisfied it is correct, there was not a soldier in Montana Territory outside of Fort Union, five or six hundred miles distant on an air-line from the settlements, and by river navigation it was nine hundred miles below Fort Benton.

In the spring of 1867 many Indian raids were committed in the Territory. I was mining about thirteen miles from Deer Lodge, the county-seat, and there was a raid made into the gulch where I was mining, and they carried off several hundred horses, in fact, every hoof except two. They came right in and up to the settlements. Stock was also run off from the vicinity of Blackfoot and Lincoln Gulch, in my county, which were not in an exposed locality. When it was rumored that the Government was proceeding to organize a military expedition it was believed by the military authorities and the people that the effect would be to drive these Sioux Indians right upon our unprotected frontier; and, taking this in connection with the rumors that had prevailed in the winter of 1866-'67, it was apparent to our people that there was little required to drive them right upon us, as they seemed to be more than willing to come without driving. The next thing heard of was the killing of Boseman, and another man—Tom Coover—was also wounded. There were three or four accounts published in the papers in reference to finding bands of Indians hovering around Gallatin Valley; whether true or not, I do not know; but the reports were believed to be true. The people began to call upon the governor for protection, and before he called out troops large numbers of men had mounted their horses and gone into the valley to afford temporary protection while troops were being raised, and as they went there they found the citizens rushing out pell-mell into the vicinity of Helena, about sixty-five or seventy miles distant. They camped around on the hills near Helena for some time. It seems to me that some of them staid there for two months. The citizens opened their houses and entertained them as well as they could.

The next thing I remember about it was Major Lewis coming up, and in the mean time Governor Meagher began to call for troops. Telegrams were published in the papers which I have seen here in the report of the Senate committee, but there was considerable doubt as to whether the authority had been given to the governor to call these troops out.

As a matter of current information, I may state as the reason of this doubt that the year 1865, or before I moved to Montana, a large number of our people had been killed on the Missouri River, and Governor Edgerton had called out some volunteers. They had gone out to furnish protection to the citizens and they had never received a dollar for their services. The consequence was that when Governor Meagher called for troops the people refused to respond. They said that if they went they would go on their own responsibility, without any connection with the Government. There was, therefore, a slowness in volunteering, and in the mean time the people who had gone into the valley were furnishing temporary protection until the volunteers could be raised.

After awhile came this dispatch from General Sherman to Colonel Lewis, and, when that dispatch was made known the question was settled in the minds of the people as to authority, and they began to get the men. I saw, in the testimony of Colonel Lewis before a Senate committee, that he states that the only actual hostilities he knew of when in Montana was the murder of Boseman. The committee will bear in mind that Colonel Lewis testified as to the condition of things when he was there; the number of people killed in the Indian country transpired afterward. How many of these outrages were happening in the Indian country was not known at that time. The Crows were driven back by the Sioux, and made common cause with the whites. On the 7th day of September, 1867, I left Fort Benton on a steamboat, and started down the Missouri River for the States. We were some

two months getting to Fort Union, and for about six weeks of that time the 385 men, women, and children on board had nothing to eat except what they got in the woods with their rifles, the boat having run out of provisions shortly after starting. We had to keep out hunting-parties continually for the purpose of getting game. I was out hunting most of the time myself, and that gave us full information in reference to that section of the country as to the presence or absence of hostile Indians. We lost three of our passengers while hunting in the river bottoms. One was killed and scalped within a cable's length of the boat. Two others, who went out to hunt, never came back. There was but one settlement between Sioux City and Fort Benton, and we found that every wood-yard but one on the upper river had been abandoned and the yards destroyed by Indians, the men having been killed or driven off. We found one only that was kept, which was, I think, three or four days' travel below the mouth of the Muscle-Shell River. There were three men there, one of whom got on board the boat as a passenger, fearing to remain. As we were often delayed by shoals, the little Mackinaw boats, filled with miners going east, would run down by us, and we would make inquiry of them as to the men left at the wood-yards. Five or six of these little boats came down one night while we were lying on a sand-bar, and we learned that four or five days after we passed the wood-yard the Indians had captured the two men left there, stripped them, cut off their secrets, and turned them loose to bleed to death. One of them died in consequence of the mutilation by the Indians within about five miles of the wood-yard, and the other wandered about nine miles to the bank of the river and was picked up, and had only time to relate the circumstances of his capture and mutilation before he died. We heard of thirteen men in all who were killed on the Missouri River while we were passing down to Fort Union.

One word with reference to Indian wars generally. If we take the idea of an Indian war as involving regular stand-up fighting between bodies of men, I doubt if there is any such thing as an Indian war. Whenever you are prepared to go to attack them they are never to be found. I have seen it stated that when General Sully went after the Indians in Minnesota, in 1862, the expedition cost the Government forty millions of dollars and only two Indians were killed. We cannot have a war with the Indians in which they will stand up and be killed like men, but they will come and make their attacks when they can catch you napping, and there is no way to subdue them but to track them down in their winter-quarters. If they would fight, in the sense of fighting, as in an ordinary war, the question of Indian hostilities would be settled very soon. It is this continual sense of danger and the necessity for standing guard, as it were, all the time that renders the Indians such a terror to the people in exposed localities.

So far as the dispute about calling out these troops is concerned between General Sherman and Governor Meagher, I do not know which is right. There seems some conflict as to whether he (Meagher) was authorized by General Sherman to call out the troops. I have heard it stated that General Sherman's telegram was charged by him to have been changed by Governor Meagher so as to read "threatened invasion," instead of "invasion" of Gallatin Valley. If we had waited until the valley was actually invaded, the people would all have been scalped before any troops could have been raised or have reached the place.

By the CHAIRMAN :

Q. State the extent of Gallatin Valley.—A. It is about 50 miles long and an average of about 20 miles wide.

Q. How long would it take to sweep that?—A. With a large force of Indians, about ten hours.

Q. Are the Indians mounted?—A. Yes, sir; and they have some very fine horses.

Q. What distance will they go in a day?—A. They will go, if pressed, for two days, scarcely without getting out of the saddle, or until their horses drop. Their ponies are very hardy, and if necessary, I think, they can make 200 miles without stopping to camp. War parties, encumbered with plunder, can easily make 100 miles in twenty-four hours.

There has been a good deal said in connection with these claims with reference to the action of the territorial authorities. The committee will bear in mind that these territorial authorities were nothing more nor less than Governor Thomas Francis Meagher, appointed by the General Government without consulting the people of the Territory, and to all intents and purposes a Federal officer. Our people had no control over his appointment or retention in office, nor over his appointments on his military staff. While governor his habits on the point of sobriety were exceedingly exceptional; and if there was any lack of careful preparation and management in raising and supplying these volunteer troops, it should be borne in mind that the whole affair was under the control of the governor, who was the only territorial authority we had. We had to do the best we could with the authorities which the Federal Government saw fit to send us. We had to take things as we found them, and if the best use was not always made of the supplies which were furnished, those who furnished them were not to blame.

These people furnished that money in supplies, which was worth 5 per cent. a month. Money is now worth in Montana from 2½ to 3 per cent. a month on gilt-edged paper, with the best of security; and if these men were paid every dollar for which they put in their claims, instead of the amount recommended by General Hardie, they would not get one-half

as much as the amount recommended by General Hardie plus five years' interest at current rates would amount to.

One thing should be considered, viz, that, whatever may have been the case on the question of authority to call out these troops, we did the work which it was the duty of the Government to do, and we relieved that Government of the expense. Since then the Government itself has established posts at Fort Parker, Fort Shaw, Fort Ellis, and Camp Baker, on our eastern frontier, Forts Parker and Ellis on the very spots camped on by the volunteers, all of which goes to show the propriety of the selections we made, and that there was an absolute necessity of throwing out a line of mountain posts to guard our frontier.

Q. Do you know how much money these men expended?—A. General Hardie reports something over \$500,000. I think myself they expended more, say \$700,000.

Q. What leads you to that conclusion?—A. Because I know the cost of things at that time. I paid that summer \$1.50 per pound for butter, 75 cents per pound for sugar, in gold dust, which was a more costly currency than gold coin, and other articles cost in the same proportion.

Q. Do you know that those articles which you have named were furnished?—A. I do not know what particular articles were furnished. I assume that the staple articles afforded by the markets of the country were furnished. In arriving at the sum total I take as a basis the report of General Hardie. I am satisfied, from what I can hear of the prices arrived at by him, that the prices of the supplies and provisions would come to a larger figure. At the time these difficulties occurred in Montana our supplies nearly all came up the Missouri River, which was navigable for only one trip in the year to Fort Benton, the head of navigation, some 3,200 miles above Saint Louis. Our merchants, therefore, had to buy supplies for a year in advance, and when money was worth 5 per cent. per month they had to charge enormous prices to get their money back with current rates of interest. Besides this, freights were very high, this being the only way to get our goods, except by wagoning them from Leavenworth to Omaha, a distance of some sixteen hundred miles, (which was sometimes done in order to take advantage of the exceptionally high prices in the spring;) the consequence was that every spring the markets were almost entirely bare, and prices up to the time the boats got up the river unusually high even for that country. The boats usually got up from the middle of June to the last of July. My recollection is that many of these supplies were furnished before the arrival of the boats and while these exceptionally high prices prevailed.

The people who furnished these supplies have suffered greatly from not getting their money. Many of them were poor men who turned in everything they had. I know several instances of the kind. I call to mind just now a particularly hard case, that of a miner whose whole property consisted of some nineteen horses. He turned them all in at current prices, and has been prospecting ever since, carrying his blankets from place to place on his back, too poor even to buy a cayuse. The interest on \$500,000 at 5 per cent. per month comes to \$300,000 per annum. If you average the interest for five years at 4 per cent. per month, it will amount on the amount recommended \$200,000 per annum, or \$1,000,000 in all.

By Mr. DONNAN:

Q. From what you know of the surrounding circumstances, had not this battalion of men been raised do you think there would have been an extended hostile Indian incursion into that portion of the Territory?—A. I have not a doubt of it. From what I know about Indian matters, and signs of Indian raids, I have not a shadow of doubt that if the volunteers had not been collected and the preparation made for defense it would have been as it was in Minnesota.

Q. Was this battalion of volunteers effectual in preventing it?—A. Undoubtedly. There are continually half-breeds and renegade whites who convey information from the Indians to the whites, and *vice versa*. It was known that the Indians were preparing for the raid, and were all around; and had it not been for the information, doubtless carried to them, that we were prepared to meet them, there is every reason to believe we would have had a sweeping massacre that year along our exposed border.

MONTANA WAR-CLAIMS.

TESTIMONY

IN RELATION TO

INDIAN WAR-CLAIMS

OF

The Territory of Montana.

MAY 18, 1872.—Ordered to be printed.

TESTIMONY OF INSPECTOR GENERAL HARDIE.

WASHINGTON, D. C., *May 10, 1872.*

Inspector General JAMES A. HARDIE duly sworn and examined.

By Mr. DONNAN:

Question. Please state your name and position.—Answer. James A. Hardie; an inspector general in the Army of the United States.

Q. State to the committee, as fully as you can, the action you have taken, under orders from the War Department, in pursuance of an act of Congress of the 15th of July, 1870.—A. I was directed by the Secretary of War, in the summer of 1870, to assume the duties of the investigation with which he was charged by the act referred to. There were no papers at that time in the possession of the War Department which gave an idea of the extent of the claims and their nature, much less the names of the claimants and the circumstances under which the claims occurred. I proposed to the Secretary, while at Keokuk, to proceed at once, in order to take advantage of the season, to Montana, and investigate the claims on the spot. I went upon the assumption that the territorial authorities, especially the quartermasters and commissaries, had kept their books and accounts in such order that I could learn there what the precise claims were—become thoroughly posted upon the whole of these accounts by inquiries there—and then, upon my return to the East, I could receive such official papers which were then in the hands of some committees of Congress, and therefore could not reach me before I left. I thought I would thus have these duplicates, and all the information necessary for a thorough investigation. I went then, in the autumn of the year 1870, to Montana. I questioned, in conversation, everybody that I met in traveling through the Territory. I got a great deal of interesting information in regard to the characters of individuals, the names of claimants, the character of the transactions, how the quartermasters did their business, whether anybody connected with the territorial government had made money out of these transactions; and, if so, how, and where the parties were; and, in fine, learned primarily much matter essential to the investigation. I passed some two or three weeks in Helena, making inquiries pretty extensively there, calling upon individuals to bring forward their claims, going to the books of the merchants and finding out from them pertinent matter. At first I could not reach the books or accounts of the territorial quartermaster and commissary. Governor Ashley and Governor Potts told me there were no papers of these officers on file. I found that all the official records had been referred to the territorial legislature to get some action on the subject. But instead of being returned, they had been retained by the chief quartermaster, and were on the point of being taken out of the Territory, I suppose, for his personal protection. I finally secured all these papers, and among them all the books and accounts, all the official correspondence, telegrams, and everything which had passed between the territorial authorities and the Gen-

eral Government in regard to the call for these troops, and which has been published in various forms. I brought them out of the Territory. About that time the annual agricultural fair was being held in Helena, and I took advantage of the occasion to examine people from all parts of the Territory.

By the CHAIRMAN:

Q. Do I understand that you got all the original telegrams?—A. The original telegram, *as sent*, would probably be in the handwriting of the sender, and would be filed and in the office whence it was sent. I saw the papers that reached Helena and Virginia City, and I afterwards had copies under the authentications of the War Department, which copies had been before Congress, and which came down to me in the ordinary course. I perceived no difference in them from those that I give in this report. All these papers were destroyed in the fire in Chicago, October 8, 1871. I had borrowed the papers from Governor Potts, with the intention of sending them back. I had found them for him, and was making the investigation for the benefit of the Territory as much as for the public service; they were in my office when burned up.

Referring to the fair, I had there an opportunity of conversing with witnesses from all parts of the Territory. I saw officers and soldiers, clerks and civil employés, who had been in the volunteer service, and heard their stories. At Helena, at Virginia City, at Bozeman, and elsewhere, I examined claimants, as well as witnesses in their behalf and in behalf of the United States. I became, by degrees, pretty thoroughly acquainted with the claims. I ascertained from this wide variety of sources who absolutely furnished property, or rendered services, or rented property. I examined also into what was the condition of the property furnished, and the prices that should be allowed. I afterward examined all the quartermasters and commissaries, and the governor, Green Clay Smith, thoroughly on all the accounts; one commissary alone could not be found.

With regard to the subject of prices there is considerable dissatisfaction among the claimants. I have tried to be just; and, to show how far I have been successful, I will state how I came to fix the prices allowed. I got the newspapers of Helena and Virginia City in which the quotations of the period when the articles were got were given from time to time, of all the principal articles. They were very full quotations, more so than are usually found in our ordinary country papers. A claimant, a merchant in Virginia City, was one who contributed the prices-current to the paper there. Finding him to be a man of truth, I assumed his reports of prices to be fair. I also had the quotations in Helena. I went also to the books of merchants, and saw what they had been selling goods to others for. I noticed a great difference in prices at different times, particularly in articles where there was a temporary scarcity, and especially at retail; but I had copious *data* as to the rates ordinarily current. From all these sources I came to the conclusion as to the rates which should be fixed for the articles. I had much matter on this and other topics given under oath. Besides this testimony collected in various ways, I had the report of Colonel Lewis, who was the officer sent by General Sherman at the time, who reported the prices at which the principal articles could then be obtained. I had other papers also, drawn from the examinations of the officials there, as to prices, &c. These I collated, and from them constructed, as I have said, a scale of prices.

The matter of the value of horses caused me the greatest difficulty, as in regard to them and the article of forage there was the greatest opportunity for exorbitant charges. I found horses put in for \$200 to \$220, and on the question of their value there was a great diversity of testimony. Some put in horses that were half broken; some few were broken, taken from the livery stables. Many were unbroken Indian ponies. Besides other and direct proof on this point there were the blacksmiths' bill for shoeing, which were very large. Blacksmiths testified it was as much as a man's life was worth to shoe some of the horses. But there was a middle streak of the horses that was pretty good; some half-breed horses good enough for any service. The average of all was about fair and no more.

One witness, I may note, was keeping a tavern and had a ranch on the road from Helena to the Yellowstone, through which all the detachments went down and came back. I asked him about the value of a certain group of horses which he saw, which was a large item of charge in one of the claims, and in fact saw most of the stock going and coming from Helena to the Yellowstone. I said to him: "You saw all those horses, did you?" "Yes, sir; I saw them all." "What kind of horses were they?" He described them to me as I have described them. I said, "What was the value of the horses?" He said, "I would not like to say." Now, I said, "if I should allow \$60 as the value of the horses, on an average for the lot, don't you think that would be satisfactory?" This witness is a man of courage and of truth, and his expression in reply was, "They would laugh down in their boots if they could get that." Those horses were put in at \$217 each. Out of a hundred horses, perhaps ten would be worth \$75 or \$100; but out of the lot fifty would not be worth \$30 apiece.

My examination with regard to the quality of the horses extended to all the different bands, or groups, or as far as possible to individual horses. They were bought all over the Territory. One party came from Deer Lodge, and others from other directions, being brought in in small bands, generally, from time to time.

After thus thoroughly examining into the character of the horses, I fixed upon \$80 as a

standard for horses. Claimants are dissatisfied, but I am sure, in my own mind, that it is a liberal allowance. If any man could prove that his lot of horses was worth more than the standard of \$80, he might come with his proof; but I now recollect none that have satisfied me that they were worth more. I reported that sum, therefore, to the Secretary of War, and he adopted it with the other items of the standard as fixed by me.

Q. As to the number of horses, was there any discrepancy?—A. I examined that pretty thoroughly. I found none.

By Mr. DONNAN:

Q. You have given the amount charged for each horse; can you state the aggregate amount allowed?—A. I could calculate it easily. There were 848 horses furnished, and the stock was brought in at from \$217 to \$220. I allowed \$80.

Q. That was considerably less than 50 per cent?—A. Yes, sir; there was a larger reduction in the price of horses than in that of any other item. The prices found just for other articles are stated in my reports and the papers herewith; and this is the most important reduction.

These purchasing departments commenced their purchases without any money, and all the credit they had was based on the assumed assurance of the United States authorities that all their purchases would be paid for by the United States paymasters. At first the merchants did not like this; but finally they got what they thought to be sufficient assurances, as we have seen, and thereupon they commenced to furnish goods. There were some contracts made at that time, among them one very extensive one for forage. The quartermasters knew enough of the forms of service to satisfy themselves that the United States forms would be the best for making out vouchers; that such vouchers would thus more readily pass current, besides being more easily settled ultimately at the Treasury. The first purchases made by the quartermaster at Helena, for which vouchers were issued, were taken up by the chief quartermaster and chief commissary at Virginia City, and were approved by the governor under an order issued to that effect, and new vouchers issued. Thereafter all vouchers were issued at Virginia City. Thus they would have to be issued, in the case of disbursing officers not resident in Virginia City, upon memoranda or *data* sent in by the absent officers. Many of the transactions were extended over the season, and they were closed up at Virginia City in the autumn and winter. To that place the officers then repaired and made up their accounts. Then the opportunities of improper practices in squaring returns to meet cases of issues of vouchers for property never received, or of issuing additional irregular vouchers, occurred. How they were taken advantage of appears in the reports from me to the Secretary of War of last year, and this. I refer the committee also to those reports for a full history of this investigation, and of an account of all the general matter essential to the disposition of the subject before them.

WASHINGTON, D. C., May 16, 1872.

Inspector General JAMES A. HARDIE recalled.

By Mr. DONNAN:

Question. Proceed with your statement.—Answer. An inspection of the papers filed in this case show the following different classes of claims: claims found just—for property delivered, services rendered, &c.—with prices deemed equitable assigned; claims rejected, and claims suspended.

Q. You speak of claims for services rendered. I want to call your attention to the limitation of authority excluding the personal service of the men.—A. I called the attention of the Secretary of War to that. It was concluded that the intention of the law was to exclude military personal service, and not to exclude civil personal service, such as that of teamsters, laborers, and others, without whom the military service could not be conducted. As, for example, it would be perfectly useless to purchase property without having the means of getting it into the hands of the troops by hiring teams and drivers. It would be useless for the officers to purchase stock for the use of the troops and not to have herders to take care of them, or not to have a place like Virginia City or Helena corals to put them in. So that there is a necessary connection between supplies and the labor and storage, &c., essential to the proper distribution and care of it. I have not admitted, because I know it was not the intention of the statute to admit, taking the report of the Senate committee in connection with it, anything for military personal service whatever. If we take into consideration the number of men maintained, and the amount of service rendered, with all the reductions that I have made, (which has created a good deal of dissatisfaction among the claimants,) the expenses still appear to be very large. But then it must be taken into consideration that the country was distant. It was a mining country. Supplies only found their way there for the maintenance of the mining population. The market is rarely overstocked with anything. People cannot afford to send their trains out there loaded with freight on such distant and uncertain speculations. A sudden demand for anything will make a corner in any particular article. There is no doubt, for instance, that the price of

horses ran up owing to the fact that there was a great demand for them. I have taken that into consideration in making the price \$80 for each horse. Thus prices in some articles would vary very much during the season, and it therefore might be possible that the claimants purchased some property, especially where deliveries were extended over a considerable period, at a fraction higher rate than has been allowed. But, as I have before testified, my scale was constructed from the usual and ordinary market quotations of the papers; from the inspection of books of the merchants, and ascertaining what they sold for to others, and from inquiries made of them. I obtained some of these statements under oath—many not recorded—from men accustomed to dealing for years in the Territory—freighters, laborers, merchants, ranchmen, all sorts and conditions of people.

By Mr. TERRY :

Q. Considering the sudden emergency and great demand, did you put your figures high enough to cover even that state of things?—A. My instructions and the terms of the statute were to find out precisely the value of the property or service; and I think I have, as nearly as practicable. I may have erred, but it has not been my intention to do anything other than strict justice. Wherever I could ascertain the ruling price at a period identical with delivery, I have allowed it, but in most cases it was impracticable. Recurrence has been had to the standard fixed; many commodities have, indeed, few or no fluctuations in value, from their nature.

Q. Have you stated the number of troops?—A. I can give it exactly. There was a fluctuation in the recruiting. At first they got a good many recruits, who came in and were informally enrolled; but the people would not give them supplies, and they went off. Then, as soon as the telegrams came in, and it was said that the Federal officers actually assumed the expenses, then the recruiting went on.

I extract from my report :

"On the 24th of April, 1867, the acting governor, (Meagher.) yielding to the mainly genuine but not well-founded alarm of the settlers, called for six hundred volunteers for three months' service in the Gallatin Valley and on the Yellowstone River, and appointed sundry recruiting officers to enlist and command the troops, and various staff officers to organize and supply the force. From this time to the early part of July, it is not certainly known, with the want of regular muster-rolls for that period and from the unreliability of of the ration-returns, how many men were actually in the service, but it is calculated that there were not more than eighty men at the end of April. During May there were probably 150, and from that time until the middle of July the number probably was about 250. During this period there were in service an average of fifty line and staff officers, among the upper grades of whom there was a disproportionate degree of rank. This number includes only those who performed the service. The acting governor's call, of the 24th of April, is addressed to the patriotic feelings of the community, to arouse them to come to the relief of their brethren in the Gallatin Valley, seeing that the Federal authorities had not listened to their calls for help. Upon the spur of the moment volunteers came forward; but, as merchants and others, finding little prospect of payment by the Federal authorities, and knowing the Territory could not pay, were unwilling to furnish supplies in sufficient quantities, some who had enlisted became discouraged and left, and recruiting was slack under the discouragement. During the month of May, and especially toward its close, the correspondence between the governor, the Lieutenant General, and the War Department, officially described in the report of the Senate Committee on Territories, was assumed to exhibit the facts of the recognition on the part of the United States of the call for militia and of an engagement to pay the necessary expenses incurred therefor. As the community became satisfied that such was the case, those having supplies became less reluctant to sell. Some came forward and took large contracts, and others sold in considerable quantities to the purchasing departments, and recruiting became more brisk. About the middle of July Governor Green Clay Smith arrived at the capital, and thereupon reorganized the troops, giving them a regimental organization. At the end of July the numbers reported present and absent were 32 officers and 481 men; aggregate, 513.

"As the term of service of these three months' volunteers was about expiring, the men manifested great anxiety to be re-enlisted for a period to embrace the coming autumn and winter. Though the settlers had recovered from their alarm, they naturally encouraged the plan, and the governor, apparently convinced that the troubles threatening the settlement of the Territory by Indian invasion had not been brought to a termination, issued a proclamation on the 31st of July, calling for the service of 800 men for six months from the 1st of August, and inviting the old force to re-enlist. They did so, and at the end of August there were 32 officers and 409 men reported; an aggregate of 441. At the end of September there were 32 officers and 391 men; an aggregate of 423."

Q. Was the service continued from April to September?—A. Yes, sir.

Q. Who ordered its disbandment?—A. The governor of the Territory.

Q. The Government refusing to recognize them?—A. Yes, sir. All the time, from the commencement to the end. General Sherman never designed to recognize them. But there is a telegram, which was alluded to in the testimony of Colonel Insley, a copy of which I had, which was avowed by the territorial officers as having committed the Government fully as much as the telegrams that have been presented in the Senate committee's report.

By Mr. HAY :

Q. Did you see a copy of the Sherman telegram?—A. No, sir.

By Mr. DONNAN :

Q. Is this the telegram you refer to ?

The telegram was examined, and is as follows :

“To FRANCIS MEAGHER, *Acting Governor Montana Territory, Virginia City :*

“If Indians enter the valley of the Gallatin, organize eight hundred (800) volunteers and drive them out. These troops should only be used until the regulars reach the Yellowstone.

“W. T. SHERMAN,
“Lieutenant General.”

A. Yes, sir ; and I had copies of this from General Sherman's headquarters. But, as I said before, the historical matter had not been especially committed to me. The field of the investigation was pointed out by the statute, to ascertain the property expended and the value of it and the persons furnishing it. But in the mean time I investigated the whole thing. The evidence and information I collected sustains the Senate committee's report and General Sherman's report of October 1.

Q. Do you know for what period the articles of supply—forage, for instance—came in ; whether actually limited to the time the troops were in service, or whether it extended beyond that period?—A. When Governor Green Clay Smith yielded to the demands of the men to have their force continued in service on the Yellowstone, they began to make large preparations, particularly in regard to hay. I was in the valley of the Gallatin, and I ascertained that they had indeed collected a large quantity of hay on the other side of the Yellowstone. It was claimed that there were 182 tons. It was destroyed by being abandoned when the expedition left in September. That had been collected before ; and a couple of hundred of them took the stock and everything and deserted, headed by their officers, and went off on their own hook, prospecting. The rest of the men brought in what property was left, but the hay was abandoned. There was a very great destruction and waste of property ; and the hay was never paid for. A man there, who had a band of stock ranging on the other side of the Yellowstone, told me that while on his way to Powder River country he saw the stack of hay, and that his cattle went to it and ate as much as they wanted. He said he thought there must have been over 80 tons of the hay.

By Mr. TERRY :

Q. Had that hay been gathered in the Territory?—A. It was gathered by Mr. Black ; there is no doubt of that. I found out from various sources that he had people there employed to do the work ; in fact, he got one of the quartermasters to superintend it. I found out he had bought a mowing-machine and sent it down, which was a rare thing in that country. He had that in operation, and as it was a good place to put up hay, there is no reason why he should not put up any desired quantity.

By Mr. DONNAN :

Q. Did you ascertain whether any of the property of the Government had been turned over to individuals employed in the service of the Government, not in a military capacity?—A. I think the soldiers took most of the property. What was not taken out of hand by them was sold at Virginia City and distributed to them ; and at Helena a distribution was made of the property among the soldiers, and a deduction of the valuation amount thus distributed was made on their final statements. No property now occurs to me as having been improperly held, or passed into hands of the civil employés. A team, which I now recollect of, is deducted from the account of the man who held it—this was a four-mule team, very much worn, which the chief quartermaster sold at public sale to a merchant in Helena, being public property, in payment of a private bill, the sum received being a little over \$200.

By Mr. TERRY :

Q. Have you had an opportunity of knowing something about the cost of maintaining regular forces in these Territories? I wish to know if you can state how much more, in proportion to the number, was the cost of this expedition than that of regular troops?—A. In answer to that question, I have said in my report as follows : “Major Lewis, the regular officer sent by the military commander to Montana to inquire into the necessity for volunteers and to muster them into the United States service, if needed, made what seems to have been a careful estimate of the cost of equipping and supporting a battalion of 400 troops for six months, and placed the amount at about \$414,000 ; but his estimates were admittedly liberal, so as to insure the covering of all possible expenses, and the number of men contemplated by him were not in service for the time named. It would, I think, be a liberal estimate to put the number of men, reduced to a six months' term, at 250, and \$258,750 would be a full estimate of their expense, if the usual customs and economies of the Government service had been observed.”

By Mr. DONNAN :

Q. State to the committee what class of claims you have suspended, and explain the rules of your action in regard to such suspension.—A. I have suspended claims to the amount of \$56,172.01. I have partially suspended claims to the amount of \$41,941.91. I mean by partially suspended claims, claims where deliveries were only partly allowed. For instance, the claim of L. M. Black. I found there had been received from him hay and forage all through the country ; that there was no sort of doubt but that there had been received at least half of the hay and two-thirds of the short forage ; but I was not certain as to the balance, which was suspended for want of proof. I have suspended, in fact, all vouchers wherein I could not obtain sufficient information or proof, after search, to justify me in determining the question whether the deliveries claimed to have been made were actually made, either fully or partially. One group of vouchers was suspended, not because it was not ascertained that there had been some deliveries of property, but because I couldn't ascertain with sufficient definiteness what had been delivered to justify me in making any award. In view of the fact that the property was put in in the name of the brother-in-law of a quartermaster whose testimony I could not get, nor any other corroborative testimony, I thought this claimant should be made to come forward and prove his claim thoroughly before any awards could safely be made. I have suspended one claim for \$15,000, where it was not proved that the property had been delivered to my satisfaction, and I found a doubt existing in the mind of the chief commissary of subsistence as to its being a proper charge at the time. Other vouchers were suspended because there were names of persons inserted in the vouchers who really had not furnished the property, and the quartermaster in giving the explanation was not sufficiently clear; that is to say, the quartermaster issuing the voucher said that he would frequently purchase property of persons coming in, a horse or a saddle at a time, or other goods, and then group the purchase together and issue a voucher to some one person. There would be not so much objection to this if that were merely a form used in good faith, and if the circumstances were clearly and satisfactorily explained and the fact established that the property was delivered and the transaction a *bona fide* one.

Q. State what class of vouchers you have rejected, and explain to the committee the rules governing your action in such rejection.—A. As illustrations of my mode of procedure under this head, I rejected one voucher for \$240, which was issued for the pretended purchase of a horse, whereas it was money drawn by the chief quartermaster, Cummings, from a bank in Helena; J. J. Atchinson, late cashier of the First National Bank, Helena, was the claimant. This officer, as well as the other officers indulging in irregular practices, set up that the money thus derived was in payment of expenditures incurred by them in the public service. As already reported, I could not, however, get from these parties a statement of the amount which the United States was indebted to them, or any account, in this connection, of expenditures or the receipts. Deliveries of forage, during May, by the contractor at Virginia City, L. M. Black, were not admitted by me, and were subsequently withdrawn by him. His contract took effect in June, and the circumstances were well known to be such that it was impossible for him to have made any deliveries in May except by taking up sub-vouchers of others who had made deliveries under his contract; but he could not give definite information on that head, and I was obliged to reject all these vouchers. A voucher was issued for a horse for public purposes, but it turned out that the horse was borrowed, and when not returned it was charged as an officer's horse. I rejected vouchers for three horses in the name of T. Chimidlin. I asked him if he had sold these horses. He said he never had. I rejected ten vouchers of A. Hanauer. They purported to have been issued for forage delivered to the Government during the summer of 1867. I ascertained that he had not furnished any forage at all. I desired to know how it came about that he received such vouchers as these, and that they were afloat in his name with his signature to the receipt to give them currency. He told me he was forced to consent to this issue to get a settlement of the balance of his claim from the quartermaster. He told me frankly that he had not furnished any property thereon. The full amount of these vouchers is \$15,783.80. I rejected one voucher of Dr. Hovaker for \$826 for medical services, who had a commission from the governor as a surgeon, and was, therefore, a military officer. His claim was not within the sphere of my examination. Another claim of F. E. Patton of \$150, said to be so much material furnished, I ascertained, upon examination, to be really a claim for a small house burned by the troops. One claim for \$1,291.25 of Lamb & Payne was duplicated, and was thrown out. One claim of \$7,260 of Nelson Story for provisions was rejected, because nothing whatever was furnished on the voucher, Mr. Story so testifying to me; nor did he before know of its existence. One claim of \$75 was thrown out for services not rendered as stated. One claim of W. Herman of \$150 for rent was rejected, because there were no premises rented from him as charged; but the voucher was given for furniture, Herman being a cabinet-maker. The explanation was that the quartermaster was entitled to an office as commissary of subsistence, and also as quartermaster; that he had a sort of right to these offices as something in the nature of a perquisite. He performed all his duties in one office. It was claimed that the furniture was furnished for the public service, but it could not be traced. I rejected another group of vouchers, amounting to about —, because the property had not been received. The vouchers, had been issued to W. W. Watkins under the following circum-

stances: Watkins was a livery-stable keeper in Helena. The stock of parties would be brought to his corral and would be fed and charged so much per head for feed and attendance and everything in the livery-stable line. In making out vouchers for what was really furnished by him, they were made out so much for the amount of hay estimated to have been furnished, so much for corral rent, and so much for the hire of a corral-master. Three vouchers, not enumerated in the list rejected, for property absolutely furnished, were admitted at reduced rates, it having been ascertained that there was no doubt as to the general fairness of the bill with a deduction. Colonel Fiske, quartermaster in Helena, on giving him these vouchers at settlement, said to Mr. Watkins: "I have expended a great deal of money. I am out of pocket considerably for the public service, and I have no way of reimbursing myself except by taking advantage of the saving of forage. The troops have not used all the forage they would be entitled to according to the allowance of the regulations. There has been a great saving in consequence of the stock being put to grass during the summer, and if you will consent to my issuing two or three vouchers for forage, (the amount not stated,) it will only be a mere form, and I can dispose of the vouchers; and if you will authorize me to sign and receipt for them it will be a great convenience to me, and be of no sort of consequence to anybody else, as it is a mere form, and I shall thus be able to re-imburse myself." Mr. Watkins told me under oath that he did not know anything about that kind of business at all; but that he supposed Colonel Fiske knew about it, and he thought it was a simple matter, and nothing wrong in it, and he did authorize him to issue these vouchers. He was perfectly astonished, however, when I told him there must have been so large an overissue of forage vouchers in this case. Mr. Watkins frankly said that he had not furnished the material at all, and I rejected the claims outright. I have seen the vouchers. They were signed with Watkins's signature, he having authorized Fiske to write his name.

Q. Did Watkins sign the receipt?—A. He authorized Fiske to sign a few to a small amount, and Fiske filled them up to a large amount, and sold them throughout the community, the whole amounting to about \$25,000. The number of vouchers in all is seven.

By the CHAIRMAN:

Q. Did you inquire what he got for it?—A. Yes, sir; he told me he got about ten cents on the dollar for them. He was assistant quartermaster of the Territory of Montana; not a United States quartermaster. If he had been a United States officer I should have preferred charges against him.

By Mr. DONNAN:

Q. Please explain the Couch and Drew claim.—A. This was explained by reading from the written report under head of transportation:

"Of the amount charged under this head, \$24,725.76 is for transportation of the territorial quota of small-arms, artillery, and ammunition delivered to the Territory by the General Government, from Sun River, near Fort Benton, to the capital, a distance of somewhere near two hundred and twenty miles. As this ordnance property had been delivered within the limits of the Territory to a territorial agent, at the expense of the United States, it is hardly considered just that the United States should be chargeable with after freight. Besides, the charge of sixteen cents per pound freight is extravagant."

Upon coming to make the awards, as required by statute, I brought this case directly to the attention of the Secretary of War, and asked him for instructions, stating that although I had made that report, still the subject had not been noticed, except as in connection with the general subject of these claims; but I felt that I had made a decision in this case, which, perhaps, was not in my province to make. The Secretary directed me to collect and report the facts in this as well as in the other cases, leaving the judgment thereon to Congress. This is in the list of claims allowed, the price being cut down from sixteen cents per pound freight to ten cents.

The report in the case was read, showing performance of the work, and the attending circumstances.

By Mr. DONNAN:

Q. What is the usage of the United States in the distribution of the quota of arms to States and Territories, as to paying the freight thereon?—A. The usage is, I learn from the Ordnance Department, to pay the freight.

Q. What material composed this quota?—A. I have learned from the Ordnance Office, as well as in Montana, that the material was six 12-pounder mounted howitzers, carriages, appliances, ammunition, &c.: two thousand five hundred rifle-muskets, accouterments, ammunition, &c.; value, \$67,561.50.

By Mr. STOUGHTON:

Q. What service did these troops render to the Government?—A. Garrison service, principally, in the Yellowstone Valley. They made scouts of no great value to the Government. The whole organization rendered no more important service than, by their presence in the Yellowstone Valley, in preventing the Sioux from coming in that direction. Such, at least, are my impressions with regard to the military services and of the expedition.

By Mr. DONNAN :

Q. If there had been no such expedition, would there have been danger of a hostile incursion of the Indians in that section of the Territory?—A. Perhaps my testimony on this subject is not valuable; but I am inclined to think that if the Crow Indians had been properly managed they would have been a barrier between the Sioux and the settlements until regular troops came, and thus the volunteer troops would not have been absolutely necessary to protect the settlements against an Indian incursion.

Q. Under the circumstances, and with the Crow Indians not properly managed, would there have been danger?—A. My opinion on this point is not valuable. It would be conjecture.

By Mr. TERRY :

Q. Do you wish to make a further explanation in regard to certain vouchers referred to that have been burned?—A. A list of vouchers which have not been replaced since the fire is with the report. As I stated in the report, the appropriation named by the Secretary of War is believed to be sufficient to pay all the vouchers which are good. Some of those vouchers I know are good, and as I cannot state them fully, I have not been able to report upon them. I intend to report on them as fast as they come in to the Secretary of War.

WASHINGTON, D. C., May 20, 1872.

JAMES A. HARDIE recalled.

By Mr. DONNAN :

Question. State any additional facts within your knowledge which may affect these Montana claims.—Answer. There is no fact within my recollection at present which may be essential to the adjustment of these claims, or which affects the proper consideration of the subject, beyond those reported by me in the printed reports and other documentary matter in the hands of the committee, and the evidence given by me before them.

The amount of awards that I find is \$513,000. About that amount will extinguish all just claims.

As the committee direct, I take up the list of claims which I have examined and reported upon, and remark as follows:

No. 1 is that of Joseph H. Allen, for \$1,750, for rent. This rent was for offices. I visited the buildings and ascertained that the offices were absolutely rented; but he charged too much. He was allowed \$1,000.

The next four vouchers are in the name of Anthony S. Jay. He was a clerk; and I knew very well that he rendered the service of a clerk to the chief quartermaster in the field; and I knew he rendered the service during the time claimed, with the exception of a portion of the month of May. He told me they allowed pay to commence on the 1st of May, and he did not commence until some time after that. I allowed him, instead of \$300 for the first two months, \$225. The rest of the amount claimed for pay was reasonable, \$150 a month.

The next is J. W. Alley; the amount claimed, \$4,597; the amount allowed was \$3,363.40.

I may say generally that the clothing was generally charged about 33½ per cent. too high. But it was difficult to fix the value, because "a coat" might mean anything worn for such a garment. And where it was difficult to fix the prices, I had to take the articles at the prices quoted at the time.

Thomas H. Alden claimed for service. This service was rendered, and I cut down the claim from \$750 to \$500.

R. Alden claimed for service \$540; service rendered, \$450, allowed.

W. P. Armstrong furnished beds.

Bruce & Wright, of Virginia City, had a claim for \$1,177 for printing blanks and publishing advertisements. The service was actually rendered, but the price was too high; \$588.50 allowed.

George Booker had a claim for service of \$720. The service was rendered as wagon-master. The amount awarded is \$480.

Martin Blakely, for transportation, charged \$2,376, and was allowed \$1,584.

John Blake furnished fuel. He claimed \$1,125, and was allowed \$675.

N. J. Bond had seven vouchers. He absolutely furnished a considerable quantity of stock, articles of outfit, and some provisions, and furnished trains also. Most of his vouchers are sold, and in most cases the awards have been made to the lawful owner, the question of ownership here being not ascertained or in dispute.