

IN THE SENATE OF THE UNITED STATES.

MAY 7, 1888.—Ordered to be printed.

Mr. PASCO, from the Committee on Claims, submitted the following

REPORT:

[To accompany bill S. 355.]

The Committee on Claims, to whom was referred the bill (S. 355) for the relief of John E. Fenimore, submit the following report:

This claim is based upon some affidavits made by J. E. Fenimore and others, in which it is alleged that the claimant was in Oregon in 1847, at the time of the Cayuse Indian war; that he was pressed into service by General Gillem; and that he and his journeymen were compelled to work at the saddlery and harness trade for nearly three months, making saddles, bridles, pistol-holders, and other equipments for the Army, to be used in the war against the Indians. Fenimore further says that he was never paid for this work, and that it was worth \$400, for which amount he received certificates or vouchers.

He afterwards went to California, where, in 1849, his vouchers were destroyed, with his other effects.

He further says that he never knew of the provisions made by Congress for the settlement of this class of claims, and the first demand he appears to have made against the Government for these services was in March, 1887.

The commission which had authority under the statute to audit these claims has long since ceased to exist, and the claim was rejected when presented to the Treasury Department. According to the statement of the claimant himself, he allowed nearly forty years to pass without demanding compensation for this work; there is no documentary evidence to sustain it; the records of the War Department do not throw any light upon it; it rests solely upon *ex parte* affidavits.

Under these circumstances the committee do not feel justified in making a favorable report, and recommend that the bill be indefinitely postponed.