

HENDERSON C. LEACH.

FEBRUARY 26, 1884.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. S. W. PEEL, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 921.]

*The Committee on Indian Affairs, to whom was referred the bill (H. R. 921) for the relief of Henderson C. Leach, having had the same under consideration, beg leave to submit the following report:*

This bill is founded upon depredation committed on claimant by the Sioux and Cheyenne Indians while at work with teams on the Kansas Pacific Railroad in 1871.

The claimant testifies that he was engaged with six mules, three two-horse wagons, and three sets double harness; that he was attacked by a band of Sioux and Cheyenne Indians, and was by force of arms driven from his property; that he used all means in his power consistent with his personal safety to recapture the property but failed; that the mules were worth \$300 each; that the wagons were worth \$150 each, and that the harness were worth \$50 per set; that the property has never been returned to him; that he has not been paid for said property, nor any part thereof.

William Johnson, of Arapahoe County, Colorado, and Jacob Robison, of Marion County, Missouri, each testify that they are personally well acquainted with claimant, and the property alleged to have been lost; that they were present at the taking, and that said mules, wagons, and harness were taken from claimant as by him alleged, and that each article of property was worth the amount sworn to by him; that they have no interest whatever in said claim. The evidence of claimant and witnesses to the taking and value is direct and positive.

The honorable Commissioner of Indian Affairs, in his letter to the honorable Secretary of the Interior of March 24, 1877, which is appended hereto as a part of this report, says that the proof as to the alleged taking is direct and positive, but that, in his opinion, the property lost is greatly overvalued; that he thinks that \$150 each for the mules, \$75 each for the wagons, and \$25 per set for the harness is a fair valuation for the property—aggregating \$1,200—which amount the committee is of the opinion is too large, and are of the opinion that \$125 each for the mules, \$50 each for the wagons, and \$25 per set for the harness is a fair valuation for said property—aggregating \$975.

Therefore your committee recommend that the sum of \$1,200 as claimed in said bill be struck out and \$975 be inserted in lieu thereof, in full satisfaction for said depredation, and as amended that the bill do pass.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, March 24, 1877.

SIR: I have the honor to submit herewith the claim of H. C. Leach for \$2,400, on account of a depredation alleged to have been committed by Sioux and Cheyenne Indians in 1871.

The claimant avers in his sworn declaration that he was employed to do grading on the Kansas Pacific Railroad, and was thus at work with six mules, three sets of harness, and three wagons in the month of June, 1871, when he was attacked by said Indians, who stole and carried away said mules, harness, and wagons; that the mules were worth \$300 each, the harness, \$50 per set, and the wagons, \$150 each; and that every effort was made to prevent the capture, and also to recapture the property, but all to no avail.

He adduces the affidavits of two eye witnesses, William Johnson and Jacob Robinson, who fully corroborate his averments, and swear that they know them to be true, as they were present at the time; and that the value placed on said stolen property by the claimant is a fair and just one.

Lieut. C. A. Johnson, United States Indian agent, reports in the case, March 8, 1877, that the Sioux, Cheyenne, and Arapahoe Indians at the Red Cloud Agency state that they know nothing about the particulars of the alleged theft.

The testimony in this case is positive and fully corroborative of the allegations of the claimant, as to the fact of the depredation. In the opinion of the office the valuation of the property is much too high. I think a fair valuation would be \$150 each for the mules, \$25 per set for the harness, and \$75 each for the wagons, thus making in all \$1,200, and I recommend that the claim be allowed for that amount.

Very respectfully,

J. Q. SMITH,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

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