

UNPAID ACCOUNTS IN INDIAN BUREAU.

FEBRUARY 8, 1882.—Referred to the House Calendar and ordered to be printed.

Mr. AINSLIE, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 1364.]

The Committee to whom was referred the bill (H. R. 1364) to authorize the auditing of certain unpaid accounts in the Indian Bureau by the accounting officers of the Treasury, have had the same under consideration, and now submit a report thereon as follows:

A similar bill was introduced in the Senate on January 12, 1880 (Senate bill 1001, second session Forty-sixth Congress), and passed that body on the 12th day of June, 1880. A similar bill was introduced in the House on the 12th day of January, 1880 (House bill No. 3458, second session Forty-sixth Congress), and favorably reported to the House on April 6, 1880, from the House Committee on Indian Affairs, and is as follows, to wit:

[H. R. Report No. 753, 46th Congress, 2d session.]

The Committee on Indian Affairs, to whom was referred bill H. R. 3458, having had the same under consideration, beg leave to make the following report thereon:

It appears there are now many claims filed in the Indian Department and with the accounting officers of the Treasury for services and supplies furnished at various Indian agencies, which services and supplies seem to have been furnished in good faith, and which were actually needed in carrying out the policy of the government with regard to the Indian service, and which supplies and labor were absolutely necessary to the subsistence of the Indians who received them; but that they were obtained and liabilities created therefor in excess of appropriations then made for such purposes. From information obtained from the department, it seems these claims are generally small, but owed to persons who cannot well afford to lose a small sum when honestly due them. The bill proposes to direct the accounting officers of the Treasury to audit and allow these claims where the services and supplies shall be found to have been actually applied to the benefits of the Indians. The bill seems to be just in its provisions, for if the supplies furnished and services were not necessary and applied to the benefits of the Indians, the accounting officers will have no authority to allow them; and if they were furnished in good faith and were necessary to the service, and the Indians got the benefit of them, they ought to be paid for. A letter from the Commissioner of Indian Affairs, in which he recommends the passage of this bill with certain amendments, is hereunto annexed and made a part of this report.

The committee therefore report the bill back with amendments to the House, and commend that the amendments be adopted and that the bill do pass.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, March 23, 1880.

SIR: I acknowledge the receipt of your letter of the 11th instant, in which you inclose, at the request of Hon. J. Whiteaker, the bill (H. R. 3458) "to authorize the

auditing of certain unpaid accounts in the Indian Bureau," and in which you request an expression of the views of this office on the bill and the proposed amendments noted thereon.

In reply I have to state that the legislation proposed by the inclosed bill is a just and necessary measure, and would afford relief to a large number of creditors who have filed valid claims, and have been deprived of their just dues for services rendered and supplies furnished for the Indian service for want of necessary appropriations to meet the same.

Regarding the proposed amendments, as indicated in lines 6, 7, 8, and 9, I respectfully recommend the following, viz: that lines 6, 7, and 8 be changed to read "in the fiscal year 1879 and prior years," and in line 9 to insert the word "its," so as to read "or its agents."

I would also recommend that the title of the bill be amended by adding the words "and accounting officers of the Treasury," for the reason that a large percentage of the claims in question are now in the office of the Second Auditor of the Treasury for examination.

The bill is returned herewith.

Very respectfully,

R. E. TROWBRIDGE,
Commissioner.

A. H. GALLAWAY,
Clerk House Committee on Indian Affairs, House of Representatives.

This bill was on January 12, 1882, referred to the Treasury Department for examination and report, and on January 17, 1882, the Assistant Secretary of the Treasury transmitted the report as follows, to wit:

TREASURY DEPARTMENT, *January 17, 1882.*

Hon. GEO. AINSLIE,
House of Representatives:

SIR: Referring to your letter of the 12th instant, addressed to the Second Comptroller, asking for examination and report on House bill No. 1364, first session, Forty-seventh Congress, "to authorize the auditing of certain unpaid accounts in the Indian Bureau by the accounting officers of the Treasury," I have to invite your attention to the views of the Comptroller upon the subject inclosed herewith.

Very respectfully,

H. F. FRENCH,
Assistant Secretary.

TREASURY DEPARTMENT,
SECOND COMPTROLLER'S OFFICE,
Washington, D. C., January 16, 1882.

Hon. GEO. AINSLIE,
House of Representatives:

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, inclosing House bill 1364, entitled "A bill to authorize the auditing of certain unpaid accounts of the Indian Bureau, by the accounting officers of the Treasury," and requesting a report or an opinion as to whether the legislation therein proposed is a just and necessary measure to afford relief to the creditors of the United States, who have filed valid claims, or have been deprived of their just dues.

In reply I respectfully state that there are many claims pending in the office of the Second Auditor, and in this office, for goods furnished and services rendered under direction of officers of the Indian Bureau, which remain unpaid because it does not appear that any appropriation existed at the time the goods or services were ordered. The most of these accounts are for supplies which have been furnished in good faith, and for the benefit of the Indians; and it is believed that it is unlawful to audit and allow these claims without further legislation.

I think that justice to the claimants and to the United States demands their payment, and that the legislation proposed by the said bill will afford the needed relief.

I therefore reply in the affirmative, that I think the legislation proposed is a just and necessary measure.

Very respectfully,

W. W. UPTON,
Comptroller.

This same bill was, on January 12, 1882, submitted to the Hon. Commissioner of Indian Affairs, who, on January 17, 1882, submitted a report thereon as follows, to wit:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 17, 1882.

Hon. GEORGE AINSLIE,
House of Representatives, City:

SIR: I have the honor to be in receipt of your communication of the 12th instant, enclosing bill H. R. No. 1364, "To authorize the auditing of certain unpaid accounts in the Indian Bureau by the accounting officers of the Treasury," which bill you state has been referred to you by the House Committee on Indian Affairs, and in which you request a report as to whether the said bill is a just and necessary measure, and which, if enacted into a law, would afford relief to creditors of the United States who have filed valid claims before the Interior Department, and who have been deprived of their just dues for services rendered and supplies furnished for the Indian service. In reply I have to advise you that the legislation proposed is in every sense a just and necessary measure, and, if enacted into a law, would afford relief to a large number of creditors who have been deprived of their just dues for services rendered and supplies furnished for the Indian services, under authority of this bureau or its agents, on account of limited appropriations made by Congress. On the 23d day of March, 1880, my predecessor recommended similar legislation, as set forth in bill H. R. No. 3458, and the views therein expressed are concurred in by me. I respectfully recommend the following change in the title of bill 1364, viz: Strike out after "unpaid" the words "accounts in," and insert in lieu thereof the words "claims against." The inclosures submitted with your letter are respectfully returned.

Very respectfully,

H. PRICE,
Commissioner.

Your committee respectfully recommend the following change in the title of said House bill No. 1364, viz: Strike out after "unpaid" the words "accounts in," and insert in lieu thereof the words "claims against;" also strike out "accounts" in line 5 and insert "claims." Your committee therefore report the said bill No. 1364 back with said amendments to the House, and recommend that the said amendments be adopted, and that the said bill as so amended do pass.

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