

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

*In compliance with a Senate resolution of January 6, 1873, reports relative to expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities in the year 1856.*

JANUARY 9, 1873.—Ordered to lie on the table and be printed.

WAR DEPARTMENT, *January 8, 1873.*

The Secretary of War has the honor to transmit to the Senate of the United States, in accordance with its resolution of the 6th instant, all reports and information made to or in the possession of the War Department touching the subject embraced in Senate bill numbered 511, entitled "A bill to amend an act entitled 'An act to provide for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities therein in the year eighteen hundred and fifty-six,' approved March second, eighteen hundred and sixty-one."

WM. W. BELKNAP,  
*Secretary of War.*

WAR DEPARTMENT,  
*Washington, D. C., December 3, 1872.*

SIR: I have the honor to transmit, through you to the Second Comptroller, two important reports, of date, namely, one December 2, 1871, the other November 28, 1872, both accompanied with the papers upon which they are based. I at the same time return certain settlement certificates pertaining to Oregon and Washington Indian war claims of 1855-56. These certificates and claims are specially referred to in the last report above mentioned, and in the schedule therewith.

The reports show fraudulent transactions in Oregon Indian war claims of 1854, and exhibit the results of examinations made, pursuant to orders, by First Lieutenant Thomas H. Bradley, Twenty-first Infantry, brevet captain, United States Army, whose views, as presented in these reports, have received my approval.

The Auditor's recommendations were placed before me, in 1871, without a doubt of their correctness, and they therefore promptly received my two separate approvals, one of which has since been canceled.

These papers are transmitted to you for your information, and to the Comptroller in accordance with the requirements of the act of March 30, 1868.

Very respectfully, your obedient servant,  
 WM. W. BELKNAP,  
*Secretary of War.*

The Hon. the SECRETARY OF THE TREASURY.

## OREGON INDIAN WAR CLAIMS, 1853-1856.

DEVELOPMENTS OF IRREGULARITIES, IF NOT OF FRAUD, IN CONNECTION WITH CLAIMS RECENTLY APPROVED.

WAR DEPARTMENT,  
 Washington, D. C., December 2, 1871.

SIR: Certain Oregon Indian war claims of 1854, which bear your approval for the expenditure of some thousands of dollars of public money, have been returned to you by the Second Comptroller of the Treasury, with a doubt expressed concerning their correctness and justice.

The papers in the case have, with others, been referred to me for examination, and in view of the extraordinary facts elicited in scrutinizing them, I have the honor to submit the following report:

The claims referred to as the Oregon Indian war claims of 1854, have come to light under an act of Congress of January last, extending the provisions of an act of July 17, 1854, which last mentioned I quote:

That the Secretary of War be, and he is hereby, authorized and directed to adjust and settle, on just and equitable principles, all claims for services rendered in the late war with the Rogue River Indians in Oregon, known as the Rogue River Indian war, according to muster-rolls of the same; also for subsistence, forage, medical stores, and expenditures, as well as for any other necessary and proper supplies furnished for the prosecution of said war; and that, on such adjustment, (the same shall) be paid out of any moneys in the Treasury not otherwise appropriated.

The extending act gives the following:

"That the act of Congress entitled 'An act to authorize the Secretary of War to settle and adjust the expenses of the Rogue River Indian war,' approved the 17th of July, 1854, be, and the same is hereby, extended to the two companies of Oregon volunteers, commanded by Captains Jesse Walker and Nathan Olney, called into service to suppress Indian hostilities in Oregon in 1854." [NOTE.—Became a law ten days after January 21, 1871, without the President's approval.]

The persons who, since January 31, 1871, have most prominently appeared as general claimants or attorneys in these cases, are: 1, William C. Griswold; 2, B. F. Dowell; 3, Jesse Robinson. Regarding the first two: Their principal claims were filed when, or directly after, the law of 1871 came into existence; they were earnestly pressed for immediate settlement, and they were settled by payment during the first twenty days of April, 1871. So it is only in reference to claims filed by Robinson that a doubt is expressed by the Comptroller.

The three cases will, however, be dealt with in this report, and I will now proceed in regular order to observe the comparative peculiarities of the two laws, the character of papers and principles, as well as the sound custom or practice that governed the settlement of such claims filed

under the old law ; the character of the later papers, and the inexcusable departure from the former custom or practice in treating, lately, upon the claims filed under the new law ; and, finally, the discrepancies in a pecuniary point of view existing against the Government to-day because of such departure.

The old law applies to the expenses of several volunteer companies employed, say from August 8 to November 2, 1853. The new law applies to the expenses of two companies, employed as hereafter specified in 1854. Both laws were evidently made to pay for services rendered and for supplies furnished in nearly the same locality, and to cover periods of time only one year apart. B. F. Dowell, esq., and the Third Auditor noticed these facts, and the former suggested and the latter recommended that a certain report\* and a decision† thereon made under the old law, would give a proper basis for the settlement of claims presented under the new law. The result of that suggestion or recommendation will presently appear. In order to determine what precedents (bearing upon these claims of 1854) are in existence, and to ascertain what portion of such precedents may be properly applied to these claims, one must first trace and comprehend the actions had upon cases of 1853. With that view I have carefully read everything found or collected at this office in reference to the old cases, and from that course I have discovered the following :

1st. That claims presented under the old law, even shortly after the Rogue River Indian war had ended, were closely analyzed and scrutinized, both at the Treasury offices and at the War Department, before allowances were made thereon ; and that such investigations of the claims were anticipated by General C. S. Drew, who was quartermaster-general of Oregon in 1853 and 1854, and who, in an official report of December 30, 1854, wrote : "a rigid accountability is in all cases enjoined by the Government in the execution of vouchers and returns requiring care and method."

2d. That before any of the claims of 1853 were allowed and paid, abstracts or lists purporting to embrace all the items and amounts outstanding on account of the war, together with estimates of the forces employed, of time of service, of rations, of subsistence and forage issuable under the Army regulations, sworn evidence, and other detailed information were obtained and used as necessary to settle the accounts "on just and equitable principles" under the law.

3d. That, after the foregoing points were obtained, all charges clearly proved as just were promptly allowed at proper rates ; but such charges as were at all of a questionable character were suspended or disallowed until undoubtedly proved to be correct.

4th. That when C. S. Drew, upon whose certificates the accounts of 1854 principally rest, was relieved from duty as quartermaster-general of the Territory in June, 1855, he clandestinely carried away the valuable vouchers and papers pertaining to that office, including accounts of the Rogue River war ; that his successor in office, John F. Miller, reported "that any necessity for this abstraction or concealment should exist is a proof that they (the papers and accounts pertaining to said office) should be thoroughly inspected and strictly scrutinized," and finally that on the 27th July, 1855, the governor of Oregon officially wrote to the First Comptroller of the Treasury, "that no Treasury drafts for the payments of the expenses of Rogue River war will hereafter be deliv-

\* Third Auditor's, November 2, 1854.

† Secretary of War Davis's decision, January 2, 1855. See paper A, hereunto annexed.

ered from this (the executive) office, unless we are satisfied of the correctness of the expense."

To readily exhibit something of the apparent caution exercised by United States officials in settling the claims of 1853, and, at the same time, to furnish precedents to be specially referred to hereafter, extracts from certain old reports, made at the Third Auditor's Office, and the decisions of the Secretary of War thereon indorsed are hereunto annexed, marked A, B, C, D, E, and F.

About one year after the existence of the Rogue River war it became necessary to employ certain irregular troops to suppress the "hostilities" which are referred to in the act of January, 1871. The troops specially referred to in this act consisted of two companies. The first-mentioned, Captain Jesse Walker's, was composed, including himself, of seventy-four volunteers; many of them were enrolled at Jacksonville, Oregon, August 3, 1854, and some few of them were enrolled shortly after that date. This company was, in a co-operative manner, armed, equipped, and furnished with animals and supplies by individuals connected with it, by the citizens of Oregon, and by the territorial authorities. (It is difficult to determine, from the evidence before me, which one of the three classes has the greatest number or amount of claims against the Government.) The members of this company were all discharged November 6, 1854, though the discharge in Sergeant Hill's case subsequently received pen erasures on the roll, and the maximum time of service in any one case was ninety-six days. The second-mentioned company, Captain Nathan Olney's, was composed of thirty-seven volunteers, organized at "The Dalles," Oregon, on the 29th of August, 1854. With the exception of purchases, amounting to about \$350 or \$400, made by the captain, this company was furnished with animals, saddles, camp-equipment, provisions, arms, ammunition, &c., by Major G. J. Rains, of the United States Army. The members of this company were discharged on the 18th October, 1854, the maximum time of service in any one case being fifty-one days. (See paper I.)

These troops, and certain expenses connected with their employment, appear to have remained unpaid up to January last, and as the former accounts for the Rogue River Indian war were settled through the War Department, the recent law was so worded to authorize the Secretary of War to settle the later accounts, so nearly linked with the others. Senator G. H. Williams, in writing to the Secretary of War under date of February 7, 1871, stated that "B. F. Dowell is one of the principal and original claimants, and he is familiar with these claims. He appeared before the committees of both Houses of Congress, and he stated to the committees that the quartermaster and commissary accounts showed the date and amount of everything, and that the total amount of these claims which was included and intended to be paid by this act was between \$45,000 and \$46,000." (See papers G, H, I, J.)

The Senator's letter made reference to Mis. Doc. 47, H. R., 2d session 35th Congress, which document I have carefully read, and the substance of what is therein found as bearing upon these claims is embraced in the papers herewith marked K and numbered 1 to 6. On the 14th of April last, certain claims which were presented for payment under "this act," and which amounted to \$33,844.83, in favor of Benjamin J. Drew and B. F. Dowell, (the former having an attorney, W. C. Griswold, esq.,) were allowed and paid upon a decision as follows:

The foregoing accounts, as stated by the honorable Third Auditor of the Treasury, are hereby approved, and settlement will be made accordingly.

WM. W. BELKNAP,  
Secretary of War.

On the 24th October last, certain other claims, which were also presented under "this act," and which amounted to \$20,993.38, in favor of Jesse Robinson, were allowed upon a decision similar to the above, but instead of being paid, as were the first, they have been returned to this Department with a letter from the Second Comptroller inviting attention to the following:

These vouchers do not appear to have been made out and issued according to the dates mentioned. The paper upon which they are written appears to have been put to use recently, if not made at a much later date than 1854. All of them are made out by one person, C. S. Drew, Quartermaster-General, O. M. A. A. U. S. Q. M., upon blue paper. They appear to have come ready-made from his hand to the assignees.

One of the assignees is present and waiting the result of the examination, and the early attention of the Secretary is respectfully requested.

Thus it appears that while the recent act was intended to pay between \$45,000 and \$46,000 to include everything, there have already passed through this Department, as allowed, claims amounting to \$54,838.21, or \$8,838.21 in excess of the maximum amount "intended to be paid," and yet allowance for the services of the men and horses have not been included in the claims passed. The vouchers returned by the Second Comptroller are for \$20,993.38, which amount is included in the aggregate above; but luckily, perhaps, payment has not been made on these vouchers, and as suspicions are aroused concerning their validity, and as the amount at issue upon the claims filed, to say nothing of those to be filed, exceeds reasonable bounds, I, having obtained possession of all the papers so far found in connection with the accounts, purpose making this report full and complete as to the facts at hand, therefore now go back to the first cases presented under the late act, viz:

*Claims collected by Wm. C. Griswold, in the name of Benjamin J. Drew.*  
Amount \$15,556.50.

These were allowed and passed upon papers which, to any reasonable mind, must appear as most unsatisfactory vouchers for the payment of Government money.

Taking them in hand, the first paper is a power of attorney, dated October 23, 1858, from Benjamin J. Drew to William C. Griswold. It contains no statement whatever in reference to the correctness and justice of the claims, but in it Benjamin J. Drew specifically and positively states that true copies of his claims or demands are "hereunto annexed."

The "annexed papers" are copies of five vouchers, each bearing a written certificate "that the foregoing account is correct and just," &c., and in the same handwriting as appears in the body of the certificate each one concludes with these words and letters to wit: "(Signed) C. S. Drew, Q. M. General, O. M., A. A. U. S. Q. M. and C. S."

Next, after these copies of vouchers, appears an affidavit of one Henry A. Webster, stating that he believes the signatures to the above-mentioned vouchers to be the genuine signatures of C. S. Drew. This affidavit was taken in this city on the 2d of March, 1871, before Thomas J. Myers, notary public. At the bottom of it appears in pencil this note: "Although the vouchers annexed would seem to be copies, from the fact that they are worded (signed) C. S. Drew, &c., yet, upon comparison with the vouchers filed by B. F. Dowell, they are believed to be genuine.—C. Colne." And this concludes the evidence found, all of which is really worthless, for the following reasons:

First. Because the vouchers are copies, for Benjamin J. Drew positively stated the fact, and he certainly knew the signature of his own

brother; and the belief of individuals at this late day has little if any weight against such evidence.

Second. Because, these being copies, the originals were probably paid by C. S. Drew, who gave cash for some supplies and took vouchers therefor; and, it being generally to a claimant's interest to give original vouchers to his attorney, these copies were "annexed," either because the claimant feared some rascality, or because the original vouchers had by some means passed beyond his reach.

Third. Because no written evidence other than the copies of the certificates "(signed) C. S. Drew" is filed to establish the correctness and justness of the claims.

Fourth. Because not one atom of sworn evidence is filed to establish the correctness and justness of the claim.

Fifth. Because whenever the original vouchers are presented against the United States Government by C. S. Drew, or by any person other than B. J. Drew or William C. Griswold, and are accompanied with proper evidence to support them, the said Government is bound to honor them as in favor of the legal holder or assignee.

Sixth. Because, "when a claimant is paid through attorney, the power of attorney should bear date subsequent to certificate, and specify the exact amount to be paid, in order to comply with the acts of Congress July 29, 1846, and February 26, 1853."

In case it shall be said that these are good and sufficient vouchers, and that no others should have been required, I now go into a detailed report upon the items, taking them in regular order, first remarking, however, that none of them should have been allowed until the abstracts and reports referred to in C. S. Drew's letter (K 5) of December 30, 1854, were filed or otherwise satisfactorily accounted for.

1854.

Aug 3.	Item 1: 5,900 pounds flour for the use of Company A, Ninth Oregon militia volunteers, at 40 cents.....	\$2,360 00	
	Vouchers for similar supplies or services, at the same time, appear in favor of B. F. Dowell, who states in a letter of April 8, 1871, that he had to borrow money to buy supplies to feed these troops, and to fulfill his contract with C. S. Drew, the quartermaster. Dr. S. M. Armstrong swears that Dowell borrowed money "to buy supplies for the use of said company," and two men, viz, Alexander and Caldwell, swear that they sold certain articles to B. F. Dowell to enable him to fill a contract with Quartermaster Drew. Eben Emory swears that Dowell purchased of him (Emory) 2,000 pounds of flour to fulfill a contract for Walker's company. The contract above referred to is not filed, and the specific purpose for which it was made is not stated. In the absence of that contract, or of a full description of its nature and character, no claimant should have been paid for services or supplies which the contractor was probably bound to render or furnish, as the terms of contracts frequently exclude other than the contractor's bills for whatever class of service or supplies he agrees to furnish within a specified time and for a specific purpose.		
	In view of the foregoing facts, the amount of this item should have been suspended .....	\$2,360 00	
Aug. 3.	Item 2: For 745 pounds sugar, at 50 cents.....	\$372 50	
	Item 3: For 98 pounds coffee, at 75 cents .....	73 50	
	Item 4: For 398 pounds bacon, at 75 cents.....	298 50	
	Item 5: For 400 pounds salt, at 50 cents.....	200 00	
	Item 6: For 100 pounds powder, at \$3.....	300 00	
	As on item 1, should have been suspended .....		1,244 50
Aug. 3 to Sept. 14.	Item 7: For hire of 33 pack-animals 43 days, at \$4 per day each.....	\$5,676 00	

Sept. 15 to Oct. 14.	Item 8: For hire of 35 pack-animals, 30 days, at \$4 per day each.....	\$4,200 00
	equal to 33 animals from August 3 to October 14, 73 days each, and 2 animals from September 15 to October 14, 1854, 30 days each. As on item 1, and in addition: The appraised value of the animals is not stated, and it cannot therefore be actually determined, under the basis of settlement proposed, what amount was really twice such value. B. F. Dowell charges for 30 transportation animals for the whole time Walker's company was in service. His claim is supported by such evidence of employment as cannot well be doubted, while in no instance is anything found in these papers further than what appears on this voucher, referring to B. J. Drew's pack-train. Quartermaster C. S. Drew states (K 5) that "no relief or provision trains accompanied the expedition." In view of the above facts, coupled with a remembrance that the troops employed formed a total of only 74 men, (Captain Walker's company,) and that each man was mounted, it seems that these charges should have been thoroughly investigated and critically examined. A perusal of the paper hereunto annexed, marked D, will lead to a conclusion that no such allowance as 65 pack-animals at one time for one company could have passed the examiners of the accounts of 1853. From a paper herewith, marked C, it will be seen that Mr. Dowell had a pack-train in service in 1853, and concerning it the Third Auditor reported to the Secretary, August 2, 1856, stating "his account for the hire of his 16 mules was allowed upon your decision to double their value, estimating each at \$150, and to that extent, amounting to \$4,596, he had been paid by the United States."	
	The charges in Drew's accounts are for pack animals which are not closely designated as to kind, (mules or horses,) and as no appraised value appears to have been set upon the animals, the average value may be properly estimated from those of Walker's company, they being horses and mules.	
	This value is \$110 each, and 2 times 110 times 35 equals the amount which, under the evidence submitted and the basis of settlement, is positively all that could have been properly entertained, viz, \$7,700, and the excessive charge of \$2,176 should have been suspended, if not positively disallowed .....	\$9,876 00
Aug. 3 to Sept. 13.	Item 9: Hire of mule used by Geo. Peacock, 73 days,* at \$4 per day .....	\$292 00
	The certificate on the voucher states that this was necessary "for the purpose of mounting men enrolled in quartermaster's service, Ninth Regiment Oregon militia, as per muster-roll of Captain J. D. Mason, A. A. U. S. and Q. M. and C. S." The muster-roll referred to is not filed, therefore the appraised value of the animal is not conclusively determined. Taking the appraised value of 74 animals ridden by Walker's men, it is found that the average appraised value of each animal was a little less than \$110. Much more than twice this amount has been allowed on this item. The law of January, 1871, applies specifically to the expenses of two companies, not to a <i>regiment</i> , and not to Captain J. D. Mason's employes. That act hinges upon the law of 1854, which authorized settlement according to muster-rolls. No such settlement was made in this instance. (Excess, \$72.) This item should have been suspended, if not positively disallowed.....	292 00
Aug. 3 to Sept. 13.	Item 10: Hire of mule used by James R. Alfey, 90 days, at \$4, (excess, \$140).....	\$360 00
Aug. 3 to Sept. 13.	Item 11: Hire of mule used by John Jones, 73 days, at \$4, (excess, \$72).....	292 00
	As on item 9, should have been suspended, if not positively disallowed.....	652 00
Aug. 3 to Sept. 13.	Item 12: Hire of horse used by John A. Winkle, 43 days,* at \$4.....	\$172 00
Sept. 14 to Oct. 31.	Item 13: Hire of horse used by George Counts, 30 days, at \$4.....	120 00

\* Between these dates of service, even if they were inclusive, only 42 days could have been rightly charged and properly allowed, but an excess of that time was allowed. This amount, viz, \$160, or \$52 on each of the items 9, 10, and 11, and \$4 on item 12, should have been disallowed; and it should now be deducted from the total "suspended," and be added to the total "disallowed" on my report.—T. H. B.

Sept. 14 to Oct. 31.	Item 14: Hire of mule used by Alexander Valleys, 30 days, at \$4.....	120 00	
	As on item 9, except that more than twice the appraised value of the animals, as averaged for item 9, has not been granted. These items should have been suspended, if not positively disallowed.....		\$412 00
Oct. 13.	Item 15: Cash loaned C. S. Drew, certified as necessary for the payment of three quartermaster's men. "See muster-roll of Captain J. D. Mason, A. U. S. Q. M. Ninth Regiment Oregon militia, for service in connection with Company A of same regiment.....	\$720 00	
	The act of January, 1871, applies specifically to the expenses of two companies, but does not apply to a regiment nor to Captain J. D. Mason's employes. That act hinges upon the law of 1854 which authorized settlement according to muster-rolls. No muster-rolls are filed for Mason's employes, and no receipts are produced to show that C. S. Drew actually expended the money. This amount should have been suspended if not positively disallowed—(see indorsement of Secretary of War, in 1856, regarding money loaned in 1853, paper marked F herewith).....		720 00
	Thus it appears that even if the papers could have been, or were now, viewed as of satisfactory character, a proper examination and report upon the item alone would have left Drew's or Griswold's claims as follows:		
	Suspended for explanation.....	\$13,096 50	
	Disallowed.....	2,460 00	
	All of which has been allowed and paid.....		
	Total.....		<u>15,556 50</u>

*Claims collected by B. F. Dowell—amount \$18,288.33.*

These claims are supported by the original vouchers and by an abstract of the same certified to by C. S. Drew in November, 1854, and their correctness is verified by written and sworn statements, all in harmony and all in B. F. Dowell's favor, as "one of the principal and original claimants." It has, however, been the practice of the Treasury accounting-officers, as well as of this Department, to allow no payments to persons employed under contract until the original contract, or a certified copy thereof, appeared in evidence to substantiate the claim thereon presented by such persons. Positive evidence exists showing, without doubt, that Dowell operated in connection with Walker's company under a contract, yet the contract is not filed, neither is its nature or character in any way explained. All the items in Dowell's claims should have been suspended for the following reasons:

*First.* Because the original contract, or a certified copy thereof, or a description of the agreement, if such it was, under which he performed the services or furnished the supplies charged for, was not produced.

*Second.* Because the abstracts and reports referred to in C. S. Drew's letter of December 30, 1854, (K 5,) were not filed, or otherwise satisfactorily accounted for; and in their absence other accounts could not be understood. Quartermaster Drew's certificate on Dowell's abstract states that the services rendered or supplies furnished by this claimant, originally amounting to \$19,704.03, were for the use of Company A, Ninth Regiment, Oregon Militia, and that this is a "triplicate or abstract of the whole bills." (See remarks on the first item of Benjamin J. Drew's claim.)

While the foregoing points show that payment of any or all of Dowell's charges should have been suspended for explanation or for want of additional information, a proper examination of the items themselves, and a clear report thereon, will exhibit some singular revelations. (See remarks following for items 58 to 63.)

Aug. 3.	Item 1: for 50 pounds loaf sugar, at 75 cents.....	\$37 50	
	Item 2: for 25 pounds rice, at 62½ cents.....	15 62	
	for the use of hospital of Company A, (Walker's.)		
	For the reasons set forth in the foregoing general remarks, these items should have been suspended.....		\$53 12
Aug. 5.	Item 3: for 8 saddle-blankets, at \$4.....	\$32 00	
	As on item 5, and in addition. In items 65, 66, and 68, stoppages are claimed against certain men on account of blankets furnished, at \$32 per pair. For want of accountability for the property, or of explanations concerning the manner in which the "saddle-blankets" were disposed of, this item should have been suspended.....		32 00



Aug. 5.	Item 4: for two blank-books, at \$2 each .....	\$4 00	
	As on item 1, should have been suspended .....		\$4 00
Aug. 5.	Item 5: for 3 frying-pans, at \$4 .....	12 00	
	Property not perishable and not probably worn out or consumed during <i>three-months'</i> use should have been accounted for. In the absence of proof of proper account- ability for such property, this charge should have been suspended .....		12 00
Aug. 5.	Item 6: for 6 tin cups, at 75 cents each .....	4 50	
	Item 7: for 4 balls twine, at \$1 .....	4 00	
	Item 8: for 2 sacking-needles, at 50 cents .....	1 00	
	Item 9: for 47 gunny-sacks, at 50 cents .....	23 50	
	Item 10: for 2 coffee-boilers, at \$3 .....	6 00	
	Item 11: for 2 hammers, at \$3 .....	6 00	
	Item 12: for 2 rasps, at \$4 .....	8 00	
	Item 13: for 17½ yards drilling, at 50 cents .....	8 75	
	Item 14: for 2 axes, with helves, at \$10 .....	20 00	
	Item 15: for 1 coffee-grinder, at \$5 .....	5 00	
	As on item 5, should have been suspended .....		86 75
Aug. 5.	Item 16: for 1 box steel pens .....	4 00	
	Item 17: for 1 bottle ink .....	3 00	
	Item 18: for 4 quires paper, at \$1 .....	4 00	
	Item 19: for ½ dozen pencils, at \$3 .....	1 50	
	Item 20: for 4 pounds horseshoe nails, at \$1.50 .....	6 00	
	As on item 1, should have been suspended .....		18 50
Aug. 5.	Item 21: for 1 pair spring balances .....	4 00	
	As on item 5, should have been suspended .....		4 00
Aug. 3.	Item 22: for 2 boxes percussion caps, at \$5 .....	10 00	
	Item 23: for 6 pounds powder, at \$3 .....	18 00	
	Item 24: for 10 pounds shot, at 75 cents .....	7 50	
	Item 25: for 18 pounds lead, at 50 cents .....	9 00	
	As on item 1, should have been suspended .....		44 50
Aug. 3.	Item 26: for 23 frying-pans, at \$4 .....	112 00	
	Item 27: for 13 bread-pans, at \$3 .....	39 00	
	Item 28: for 2 large camp-kettles, at \$6 .....	12 00	
	Item 29: for 20 tin cups, at 75 cents .....	15 00	
	As on item 5, should have been suspended .....		178 00
Aug. 3.	Item 30: for 76 pounds beans, at 50 cents .....	38 00	
	Item 31: for 25 pounds sugar, at 50 cents .....	12 50	
	Item 32: for 207 pounds coffee, at 75 cents .....	155 25	
	Item 33: for 1,650 pounds flour, at 40 cents .....	660 00	
	Item 34: for 169 pounds of pork, at 75 cents .....	136 75	
	Item 35: for 27 pounds beef, at 30 cents .....	8 10	
	Item 36: for 34 pounds soap, at 75 cents .....	25 50	
	As on item 1, should have been suspended .....		1,026 10
Sept. 13.	Item 37: for 26 yards ducking, at 50 cents .....	13 00	
	Item 38: for 12 forage-sacks, at 50 cents .....	6 00	
	Item 39: for 2 blacksmith's rasps, at \$3 .....	6 00	
	Item 40: for 1 hatchet .....	4 00	
	Item 41: for 80 pounds rope, at \$1.50 .....	120 00	
	As on item 5, should have been suspended .....		149 00
Sept. 13.	Item 42: for 25 saddle-blankets, at \$4 .....	100 00	
	As on item 3, should have been suspended .....		100 00
Sept. 13.	Item 43, for 71 forage-sacks, at 50 cents .....	35 50	
	Item 44, for 4 balls twine, at \$1 .....	4 00	
	Item 45, for 2 sail-needles, at 50 cents .....	1 00	
	Item 46, for 2 saddle awls, at 50 cents .....	1 00	
	Item 47, for 1 coffee-grinder .....	5 00	
	Item 48, for 1 ax and helve .....	10 00	
	As on item 5, should have been suspended .....		56 50

Oct. 25.—Item 49, for 2,000 pounds flour, at 40 cents .....	\$800 00
Item 50, for 122 pounds coffee, at 75 cents.....	91 50
Item 51, for 100 pounds pork, at 75 cents.....	75 00
Item 52, for 43 pounds beef, at 30 cents.....	12 90
Item 53, for 55 pounds sugar, at 50 cents.....	27 50
Item 54, for 5½ gallons vinegar, at \$6 .....	33 00
Item 55, for 25 pounds rice, at 62½ cents .....	15 63
Item 56, for 50 pounds beans, at 50 cents.....	25 00
As on item 1, should have been suspended .....	\$1,080 53
Nov. 6.—Item 57, for hire of horse used by Dr. S. M. Armstrong, August 3, to November 6, inclusive, ninety-six days, at \$4 per day...\$384 00 Certified by Drew, as necessary "for the purpose of mounting S. M. Armstrong, surgeon and medical director of the Ninth Regiment, Oregon Militia," (see staff muster-roll.) Dr. Armstrong's affidavit, dated in 1858, states that he served as medical officer for Walk- er's company during the time specified, and rode a horse, the property of B. F. Dowell. The law of 1871 applies specifically to two companies only. It does not apply to an entire regiment nor to any staff-officers. No "staff muster-roll" appears; there- fore the actual appraised value of the horse is unknown. Tak- ing the appraised value of 74 animals ridden by Walker's men, the average value of each animal is found to be \$109.20, say \$110.00. Then suppose the expenses of the regimental staff-offi- cers were admissible under the act, this item was allowed and paid for \$164 more than what should have been allowable upon the evidence produced and upon the basis of settlement. The whole amount should have been suspended if not positively disallowed.....	384 00
Nov. 6.—Item 58, for hire of horse used by Squire Williams, August 3 to November 6, ninety-six days, at \$4 per day..... \$384 00 The muster-roll of the company shows that the appraised value of the horse used by private Squire Williams was \$90. The basis of settlement (i. e., the report of November 2, 1854, as indorsed January 2, 1855,) states: "The allowance for the hire of a horse or mule shall in no case exceed twice the appraised value of the animal." All that could properly have been allowed on this item amounted to .....	180 00
And the extraordinary and excessive charge of \$204 should posi- tively have been disallowed.....	204 00
REMARKS.—The auditor's report of March 22, 1871, recommended the adoption of the above specified "basis of settlement," and stated \$384 as the amount "which should be allowed" on this item, if the Secretary of War should adopt said recommendation as to the "basis of settlement," and in regard to this item, if in nothing more, the said report stands a falsity.	
Nov. 6.—Item 59, for hire of horse used by Isaac Miller, from August 3 to November 6, 1854, ninety-six days, at \$4 per day .....	\$384 00
The muster-roll of the company shows that the appraised value of the horse used by Second Lieutenant Isaac Miller, was \$85 00 The basis of settlement (i. e., the report of November 2, 1854, as indorsed January 2, 1855,) states: "The allowance for the hire of a horse or mule shall in no case exceed twice the appraised value of the animal." All that could properly have been al- lowed on this item amounted to .....	170 00
And the extraordinary and excessive charge of..... \$214 should positively have been disallowed.....	214 00
Remark as on item 58.	
Nov. 6. Item 60: For hire of three horses used by J. Hereford, Willis Ward, and V. H. Davis, from August 3 to November 6, 1854, ninety-six days, each, at \$4 .....	\$1,152 00
This expense, it is alleged in Quartermaster Drew's certificate, was "for the purpose of mounting men enrolled in quartermaster's service, Ninth Regiment Oregon Militia, (see quartermaster mus- ter-roll.)" Vincent H. Davis swears that he was blacksmith and farrier for Captain Walker's company during the above-mentio- ned time, that Dowell was entitled to pay for the use of the horse ridden by him, (Davis,) and that he is informed and be- lieves that B. F. Dowell furnished several other riding-animals for the quartermaster's hands. The names of J. Hereford, Willis	

Ward, and V. H. Davis do not appear on the roll of Captain Walker's company, and no quartermaster's roll is filed. The law of 1871 specifically applies to two companies only. It does not apply to a whole regiment or to any regimental non-commissioned staff-officers. The actual appraised value of the animals charged for in this item is unknown. Taking the appraised value of seventy-four animals ridden by Walker's men, the average value of each animal is found to be \$109.20, say \$110. Then suppose expenses of quartermaster's employés were admissible under the act, this item was allowed and paid for \$492 more than what was allowable upon the evidence and the basis of settlement. The whole amount should have been suspended, if not positively disallowed.....

\$1, 152 00

Item 61: For services of thirty transportation animals from August 3 to November 6, 96 days each, 2,280 days, at \$4.. \$11, 520 certified as necessary for the purpose of transporting army supplies for Company A, Ninth Regiment Oregon Militia. Services explained and sworn to by Vincent H. Davis, Isaac Miller, and Dr. S. M. Armstrong. Items 7 and 8 of Benjamin J. Drew's account charge \$9,876 for the use of pack-animals during the greater part of the time Dowell's train was employed, making together a train of sixty-five animals at the same time. Quartermaster C. S. Drew states that "no relief or provision-trains accompanied the expedition." In view of the above facts, coupled with a remembrance that the troops employed formed a total of only seventy four men, (Captain Walker's company,) and that each man was mounted, it seems that these charges should have been thoroughly investigated and critically examined. A perusal of the paper hereunto annexed, marked D, will lead to a conclusion that no such allowance as sixty-five pack-animals at one time, for one company, could have passed the examiners of the accounts of 1853.

From a paper, herewith, marked C, it will be seen that B. F. Dowell also had a pack-train in service in 1853, and concerning it the Third Auditor reported to the Secretary, August 2, 1856, stating, "Mr. Dowell's account for the hire of his sixteen mules was allowed, upon your decision, to double their value, estimating each at \$150, and to that extent, amounting to \$4,596, he has been paid by the United States.

The charge in the present account is for transportation animals, which are not clearly designated as to kind, mules or horses, and as no appraised value appears to have been set upon the animals, the average value may be properly estimated from those of Walker's company, they being horses and mules. This value is \$110 each, and  $2 \times 30 \times 100$  equals the amount which, under the evidence submitted and the basis of settlement, is positively all that could have been properly entertained, viz, \$6,500, and this and the excessive charge of \$4,920 should have been suspended, if not positively disallowed.

Total which should at least have been suspended..... 11, 520 00

Item 62: For services of B. F. Dowell as packmaster, August 3 to November 6, 96 days, at \$8 per day.....\$768 00

A charge similar to this was made by Dowell in the accounts of 1853, and it was then objected to, as will be seen in paper C herewith, though the evidence in that case was much stronger than is filed in this. There he was reported on a muster-roll of hired men employed in the quartermaster's department, and his account was certified to by C. S. Drew, acting assistant quartermaster and commissary of subsistence, as being accurate and just. "This, however, was not deemed sufficient authority upon which to base a claim," the latter not having been reported originally on the 2d of November, 1854, and the amount stood suspended August 2, 1856. It was submitted on that date to the Secretary of War to decide whether, in addition to the large amount allowed for the sixteen mules, the said claim should be entertained, and if so, to what extent. Another item, for the use of horse ridden by Dowell, was also submitted with the above, and in regard to the two the then Secretary of War gave the unfavorable decisions noted on the paper marked C, No. 1; but see subsequent decision, C, No. 3. As no quartermaster's roll was

	filed in support of this item it should certainly have been suspended, if not disallowed.....	\$768 00
	Item 63: For use of horse ridden by B. F. Dowell, from August 3 to November 6, 96 days, at \$4.....	\$384 00
	As on item 62, and in addition: Taking \$110 as the appraised value of the animal, this item was allowed and paid for \$164 too much, while the whole charge should have been suspended, if not disallowed.....	384 00
Dec. 1.	Items 64 to 68: Stoppages on muster-roll of Walker's company against G. Matthews, J. R. Hoggins, J. H. Clifton, Isaac Miller, and Squire Williams for various articles furnished....	\$467 33
	For the reasons stated for items 3 and 42, and in the general remarks to this claim, the amount of these items should have been suspended.....	467 33
	Thus it appears that a report on Dowell's claims would, upon the evidence submitted, have left them as follows:	
	Suspended.....	\$12,130 33
	Disallowed.....	6,158 00
	And it also appears that in regard to \$414 of the amount already paid, if in nothing more, the Third Auditor's report of March 22, 1871, stands a falsity.	
	Upon the claims of Drew & Dowell this was the total claimed.....	\$33,849 83
	This was the total allowed and paid.....	33,844 83
	This was the total disallowed.....	5 00
	NOTE.—This disallowance was caused by a reduction in the price of 20 tin cups, charged at \$1 each, being afterwards rated to correspond with others charged at 75 cents each.	
	After reviewing the foregoing facts in relation to the claims already paid under the late act and in relation to the caution exercised in former years in settling the claims of 1853, one may be prepared to examine and report "on just and equitable principles" for the Government as well as for the claimants concerning	
	<i>Various claims filed by Jesse Robinson.</i>	
	Amount claimed.....	\$22,003 56
	Upon this the Auditor reported this amount due claimant.....	\$20,993 38
	Making in items 9 and 12 an error against claimant of.....	10 50
	Leaving inadmissible this amount.....	999 68
		\$22,003 56
	The Third Auditor having reported "these vouchers are regular and complete," I have to state that, aside from his statement and Drew's simple certificate, they are not supported by any sworn or written evidence as to their correctness and justice. The suspicions expressed by the Second Comptroller are well grounded. No blue paper exactly of the kind upon which the vouchers are made appears in the former accounts signed by Drew, and I concur in the opinion that "these vouchers came ready made from his (Drew's) hand to the assignees." These claims having been allowed by the honorable the Secretary of War, I continue this report in the same tenor as that heretofore adopted in relation to claims paid. Before proceeding to note the items in regular order I have to remark, first, that none of them should have been allowed until the abstracts and reports referred to in C. S. Drew's letter (K 5) of December 30, 1854, were filed or otherwise satisfactorily accounted for; and, second, that nothing should have been allowed until Drew rendered his account showing what vouchers were paid by him from money borrowed. (See item 23 following.)	
Aug. 9.	Item 1. J. H. Davis, 2,780 pounds of hay, at 10 cents per pound.....	\$278 00
	Reduced, under the basis of settlement, to 6 cents per pound, thus leaving this amount disallowed.....	111 20
	And this allowed.....	\$166 80
	B. F. Dowell had a contract in connection with the furnishing of supplies for Walker's company, and in the absence of that contract or a full explanation of its nature or character, this item	

could not have been clearly understood to be a proper charge, especially as the certificate on Dowell's abstract applies to the "whole bills."

Drew's certificate states that the forage was necessary for transportation train of Company A, and as doubts should have existed, in passing upon the claims of Drew and Dowell, regarding the propriety of the employment of 65 pack or transportation animals at one time for one company, further explanation concerning the train, or the expenses connected therewith, should have been required on this item.

Walker's company had left Jacksonville at the time this hay was purchased, and it being apparent that the forage was not issued directly to that company, evidence should have been produced to show to what party and at what time issue was made. All charges for forage should have been fully explained, for the following reasons: First, Captain Walker's printed report of November 6, 1854, (p. 14, Mis. Doc. 47, H. R., 35th Cong., 2d sess.,) states, "There are beautiful, rich, and productive valleys on both sides of the mountains immediately north of the immigrant trail, abounding in the finest grasses, and also a great variety of wild herbs;" second, C. S. Drew's printed report of December 30, 1854, states: "The issue of forage has been exceedingly small, being less than one-third the amount allowed in regular service."

	For the reasons above stated this amount should have been suspended .....	\$166 80
Oct. 10.	Item 2: B. B. Griffin, 840 pounds hay, at 10 cents per pound, \$84; reduced under the basis of settlement to 6 cents per lb., thus leaving this amount disallowed.....	33 60
	And this allowed, \$50.40. As on item 1, should have been suspended .....	50 40
	Items 3 and 4: Zigler and Martin, 20 pairs horseshoes, at \$4 per pair .....	\$80 00
	15 pounds horseshoe-nails, at \$1.50 .....	22 50

Remarks on item 1 for Dowell's contract apply to these items, and, in addition, certified by Drew, that the articles were necessary for shoeing horses and mules of Company A.

The company had left Jacksonville at the time this purchase was made.

Drew's report of December 30, 1854, states that "the heavy expenditure connected with the quartermaster's department in the volunteer service of 1853 (Rogue River war) has, to a great extent, been avoided. The blacksmithing accounts, particularly of that year's service, amounted to a no inconsiderable sum, while such accounts in the present instance furnish but a small item of expense." Turning to the blacksmithing accounts of 1853, as found upon the report of November 2, 1854, their sum total is \$3,990, being for services of blacksmiths, for 1,320 horse and mule shoes, and for the necessary nails, all for eleven companies.

In the claims of 1854 the blacksmithing accounts pertain to the services of one company only, and instead of being but "a small item of expense," as asserted by General Drew, the opposite appears in the facts, that items 20 and 60 of Dowell's claim, together with items 3, 4, 11, 14, 56, 58, 81, 82, 87, and 88 of Robinson's claims for such expense, amount to \$2,657.50, the same being for services of blacksmiths and their horses, for 49 pounds horseshoe-nails, and for 620 horse and mule shoes. This latter number was sufficient to shoe 155 horses or mules all round, and a remembrance of this, coupled with the facts that there were only 74 animals for the company, and that in many instances, according to a custom which prevailed in California and Oregon at the time these expenses were incurred, as alleged, the hind-feet of horses and mules were but seldom shod, should have caused a close examination and report in reference to these extravagant charges.

In the absence of satisfactory explanation or evidence showing the positive necessity for so many and such large items where there should have been "but a small item of expense" on account of blacksmithing, this amount should have been suspended....

Nov. 1 to 6.	Item 5: William F. Wood, 4,102 pounds hay, at 10 cents..	\$410 20	
	Item 6: William F. Wood, 3,310 pounds barley, at 15 cents..	496 50	
	Item 7: William F. Wood, 4,140 pounds oats, at 15 cents..	621 00	
	Reduced upon basis of settlement to 6 cents per pound for hay, leaving this amount inadmissible.....		\$164 08
	And this allowed, \$1,363.62. As on item 1 should have been suspended.....		1,363 62
Sept. 20.	Item 8: William F. Wood, 1 king-bolt.....	\$4 50	
	Remarks on item 1 for Dowell's contract apply to this item, and, in addition, property not perishable, or not probably worn out or consumed during three months' use, should have been accounted for. In the absence of proof of proper accountability for such property, this item should have been suspended.....		4 50
Sept. 20.	Item 9: William F. Wood, 10 pounds cut-nails, at 75 cents..	\$7 50	
	In the auditor's report this amount is not extended or embraced in the total allowed; it therefore stands in error against the claimant. As on item 8, should have been suspended.....		7 50
Sept. 20.	Item 10: William F. Wood, 60 gunny-sacks, at 75 cents....	\$45 00	
	Reduced to 50 cents each, so as to correspond with rates in other similar items, leaving this amount inadmissible.....		15 00
	And this allowed.....	\$30.00	
	As on item 8, should have been suspended.....		30 00
Sept. 20.	Item 11: William F. Wood, 150 pairs horse and mule shoes, at \$4 per pair.....	\$600	
	As on item 4, should have been suspended.....		600 00
Sept. 20.	Item 12: William F. Wood, 6 papers tacks, at 50 cents.....	\$3 00	
	As on item 9, should have been suspended.....		3 00
Sept. 20.	Item 13: William F. Wood, 128 pounds rope, at \$1.50.....	192 00	
	As on item 8, should have been suspended.....		192 00
	Item 14: William F. Wood, 10 pounds horseshoe-nails, at \$1.50.....	15 00	
	As on item 4, should have been suspended.....		15 00
	Item 15: William F. Wood, 6,840 pounds hay, at 10 cents..	684 00	
	Item 16: William F. Wood, 4,500 pounds barley, at 15 cents	675 00	
	Item 17: William F. Wood, 3,800 pounds oats; at 15 cents.	570 00	
	Reduce, upon basis of settlement, to 6 cents per pound for hay, leaving this amount inadmissible.....		273 60
	And this allowed.....	1,655 40	
	As on item 1, should have been suspended.....		1,655 40
Aug. 3.	Item 18: William F. Wood, 1,000 pounds pork, at 75 cents.	750 00	
	Item 19: William F. Wood, 680 pounds beans, at 50 cents.	340 00	
	Item 20: William F. Wood, 180 pounds soap, at 75 cents..	135 00	
	Item 21: William F. Wood, 77 pounds candles, at \$1.50....	115 50	
	Item 22: William F. Wood, 40 gallons vinegar, at \$6.....	240	
	All for Walker's company.....		
	Vouchers for stores purchased in August, 1854, appear in favor of B. F. Dowell, who states, in a letter of April 8, 1871, that he had to borrow money to buy supplies to feed these troops and to fulfill his contract with C. S. Drew, the quartermaster. Dr. S. M. Armstrong swears that Dowell borrowed money "to buy supplies for the use of said company;" and two men, Alexander and Caldwell, swear that they sold certain articles to B. F. Dowell to enable him to fill a contract with Quartermaster Drew. Eben Emory swears that Dowell purchased of him (Emory) 2,000 pounds of flour to fulfill a contract for Walker's company. In the absence of that contract or of a full description of its nature and character, no claimant's charges should have been allowed for services or supplies which the contractor was probably bound to render or furnish, as the terms of contracts frequently exclude all bills, except the contractor's, for whatever class of services or supplies he agrees to furnish within a specified time and for a specific purpose.		
	Evidence of non-payment by Drew is not filed.		
	In view of the foregoing facts, these items should have been suspended.....		1,530 50
Nov. 23.	Item 23: William F. Wood, for cash loaned Quartermaster-General C. S. Drew, \$1,105, certified as necessary "for payment of services and supplies for expedition of Captain Jesse		

Walker's company." From this certificate, which is all the evidence filed in regard to this item, it is inferred that any or many of the smaller items in these claims may have been paid out of this money borrowed or "loaned," and that for such payment, so made, reimbursement may presently be demanded by Drew upon original and proper vouchers. (See remarks for item 25 following.)

In the absence of proper vouchers to show how this sum was disbursed, the amount should have been suspended, if not disallowed .....

\$1,105 00

Aug. 6.

Item 24: George C. Furber, medicine certified as necessary for the use of the sick and wounded of Company A .....\$30) 20  
 Filed with Dowell's claims is an affidavit dated April 26, 1858, made by Dr. S. M. Armstrong, stating, among other things, "that he received the medicines described in George W. Furber's bill, of Yreka, California; that he has a distinct recollection of comparing the medicines with the bill of the said Furber, at the time this deponent received the medicines in August, 1854, that the prices specified in the bill are high compared with other markets, but reasonable for Yreka or Jacksonville at the time, and that the greater portion of the bill of medicines could not be bought at the time in Jacksonville at any price, and the medicines were necessary for the use of said company, and the medicines were actually used up by this deponent for said company and indigent and sick emigrants."

Why George C. Furber's bill appears with Robinson's claim, while the sworn evidence to support a similar claim with the name of George W. Furber, appears with Dowell's accounts, is not explained, and on the papers no reference is made from one to the other. The bill presented has an air of newness, and bears no mark of similarity to such accounts as were made seventeen years ago, or of its having received the comparison referred to by Dr. Armstrong. The amount appears unreasonably large, when it is remembered that only one man of the company was "sick or wounded," and that he appeared on the disability list from October 11 to November 6 only. In view of these facts, coupled with the extraordinary statement of the doctor, that while the medicines purchased of George W. Furber were necessary for the use of the company, they were actually used up for it and indigent and sick emigrants, it is doubtful as to what portion of the original bill should have been allowed, even provided good evidence had been filed to show that it was correct and just, and had not been paid by Dowell under contract, or by Drew from funds borrowed; therefore the amount of this bill in favor of George C. Furber should have been suspended .....

309 00

Dec.

31. Item 25: B. T. Davis, for rent of office for quartermaster-general, acting assistant United States quartermaster and commissary of subsistence, from August 1 to December 31, at \$50 per month .....

\$250 00

Certified as necessary for the use of C. S. Drew, quartermaster-general Oregon militia, while on duty, on account of Company A, mounted volunteers, &c. (See "Abstract of miscellaneous expenditures.") The abstract referred to is not filed with these accounts. The law of 1871 specifically applies to two companies, not to the services and office expenses of every individual who belonged to the militia of the Territory, or who, under the governor, held a position of honor, trust, or profit.

In reference to these claims of 1854, the papers thus far found in possession of the United States authorities, aside from the approval of the Secretary of War, do not warrant any allowance on account of charges for the services of C. S. Drew, or for the expenses of his office as quartermaster-general; but, on the contrary, they warrant a suspension of all such charges for several reasons, among which are the following, viz:

1. The accounts alleged to have been rendered by him on the 30th December, 1854, have not been received by said authorities.
2. In June, 1855, he clandestinely carried away the valuable vouchers and papers pertaining to the office of quartermaster-general, including certain accounts of the Rogue River war, and it is supposed the retained copies of accounts of the Indian hostili-

ties of 1854, in connection with which claims are now under consideration, and it does not yet appear that said vouchers or papers have since been turned over to the proper authorities.

3. Moneys borrowed by him on account of the operations of Walker's company are not satisfactorily accounted for in the papers now in possession of the United States authorities. (See item 23.)

REMARKS.—On the 12th November, 1857, Benjamin T. Davis and other persons made and subscribed an affidavit, setting forth that "these witnesses have no interest in the claims for supplies, &c., furnished to Captain Jesse Walker's company, but make this affidavit at the request of the claimants, that justice may be done." (See page 35, miscellaneous document 47, House of Representatives, Thirty-fifth Congress, second session.)

Now, if Benjamin T. Davis had "no interest in these claims" on the 12th November, 1857, how could he have had an interest in them, as an original claimant, on the 26th June, 1871, when the power of attorney in favor of Chester Robinson was executed? In view of the foregoing facts this item should have been suspended

			\$250 00
Oct.	1.	Item 26: B. T. Davis, 4 reams paper, at \$20 .....	\$80 00
		Reduced to \$18 per ream, leaving this amount inadmissible .....	8 00
		And this allowed .....	\$72 00
		For the want of Dowell's contract and of evidence of non-payment by C. S. Drew, and also for the reason stated in the "Remarks" for item 25, this amount should have been suspended ..	72 00
Oct.	1.	Item 27: B. T. Davis, 6 quires cartridge paper, at \$1.50 .....	\$9 00
		Item 28: B. T. Davis, 16 dozen small envelopes, at 50 cents ..	8 00
		Item 29: B. T. Davis, 7 dozen large envelopes, at \$1 .....	7 00
		Item 30: B. T. Davis, 3 memorandum-books, at \$1 .....	3 00
		Item 31: B. T. Davis, 4 sheets blotting-paper, at 25 cents ..	1 00
		Item 32: B. T. Davis, 3 bottles black ink, at \$4 .....	12 00
		Item 33: B. T. Davis, 2 bottles red ink, at \$2 .....	4 00
		Item 34: B. T. Davis, 1 gross steel pens .....	4 00
		Item 35: B. T. Davis, $\frac{1}{2}$ dozen lead-pencils .....	1 50
		Item 36: B. T. Davis, 4 bottles mucilage, at \$1.50 .....	6 00
		Item 37: B. T. Davis, $\frac{1}{2}$ dozen penholders, at \$2 .....	1 00
		Item 38: B. T. Davis, 2 buckskins, at \$5 .....	10 00
		Item 39: B. T. Davis, 4 balls twine, at \$1 .....	4 00
		Item 32 reduced to \$9, leaving this amount inadmissible .....	3 00
		And this allowed, (on it and the remaining items) .....	\$67 50
		As on item 26, should have been suspended .....	67 50
		Benjamin T. Davis:	
		Item 40: for 90 pounds beans, at 50 cents .....	\$45 00
		Item 41: for 140 pounds sugar, at 50 cents .....	70 00
		Item 42: for 16 pounds salt, at 50 cents .....	8 00
		As on item 26, and in addition, (see remarks for item 18,) should have been suspended .....	123 00
Oct.	23.	Item 43: M. G. Kennedy, 9 cords wood, at \$8 .....	\$72 00
		Certified as necessary for use in quartermaster's and subsistence office, and in hospital connected with the service of Company A. (See abstract miscellaneous expenditures.) The abstract referred to and Dowell's contract are not filed.	
		The company was in the field at the date of this alleged expense, and as only one man was sick, and \$3.50 per day is charged in item 77 for his board, it is reasonable to suppose that no hospital existed in connection with Company A. The objections for item 25, in regard to expenses of Drew's office, are applicable to this item.	
		Should have been suspended .....	72 00
Oct.	23.	Item 44: M. G. Kennedy, 7,655 pounds hay, at 10 cents ..	\$765 50
		Item 45: M. G. Kennedy, 5,250 pounds barley, at 15 cents ..	787 50
		Item 46: M. G. Kennedy, 2,680 pounds oats, at 15 cents ..	402 00
		The charge for hay reduced to 6 cents per pound, leaving this amount inadmissible .....	306 20
		And this allowed .....	\$1,648 80
		As on item 1, should have been suspended .....	1,648 80



Aug	7. Item 47: M. G. Kennedy, 6 cords wood, at \$8 .....	\$48 00	
	As on item 18, should have been suspended .....		\$48 00
	M. G. Kennedy:		
Aug.	7. Item 48: for 1 wagon cover .....	\$25 00	
	Item 49: for 2 buckskins .....	10 00	
	Item 50: for 3 sides string-leather .....	24 00	
	Item 51: for 1 whip .....	5 00	
	Item 52: for 1 saw .....	5 00	
	Item 53: for 1 lantern .....	4 50	
	Item 54: for 6 spades, at \$5 each .....	30 00	
	Item 55: for 3 buckets, at \$6 each .....	18 00	
	As on item 8, should have been suspended .....		121 50
Aug.	7. Item 56: M. G. Kennedy, 190 pairs horse and mule shoes, at \$4 per pair .....	\$400 00	
	As on items 3 and 4, should have been suspended .....		400 00
Aug.	7. Item 57: M. G. Kennedy, 140 gunny-sacks, at 75 cents... Reduced to 50 cents each, leaving this amount inadmissible .....	\$105 00	
	And this allowed .....	\$70 00	35 00
	As on item 8, should have been suspended .....		70 00
Aug.	7. Item 58: M. G. Kennedy, 10 pounds horse-shoe nails, at \$1.50 .....	\$15 00	
	As on items 3 and 4, should have been suspended .....		15 00
Aug.	7. Item 59: M. G. Kennedy, 85 picket-pins, at \$2.50 .....	\$212 50	
	Item 60: M. G. Kennedy, 250 pounds rope, at \$1.50 .....	375 00	
	Item 61: M. G. Kennedy, 1 tent .....	75 00	
	As on item 8, should have been suspended .....		662 50
	M. G. Kennedy:		

Aug.	4. Item 62: for 1,250 pounds hay, at 10 cents .....	\$125 00	
	Item 63: for 7,394 pounds barley, at 14 cents .....	1,035 16	
	Item 64: for 1,000 pounds of oats, at 5 cents .....	150 00	

The charge for hay is reduced to 6 cents per pound, leaving this amount inadmissible .....

And this allowed .....

\$1,260 16

	As on item 1, should have been suspended .....		1,260 16
Aug.	4. Item 65: M. G. Kennedy, hire of 4-horse wagon, and team- ster one day, hauling supplies from store to camp.....	\$24 00	
	As on item 18, and in addition, (see remarks on item 66,) should have been suspended .....		24 00

Aug. 3 to Nov 6.	Item 66: M. G. Kennedy, hire of 6-mule team and har- ness, 96 days, each at \$4 .....	\$2,304 00	
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B. F. Dowell charged in item 61 of his account for 30 transportation animals for the whole time Walker's company was in service, and B. J. Drew charged, in items 7 and 8 of his account, for 35 pack-animals during a greater portion of the same time; so that said items, taken together with this one, show a total of 65 pack or transportation animals and one 6-mule team, all employed at the same time.

Quartermaster C. S. Drew states that "no relief or provision trains accompanied the expedition."

In view of the above facts, coupled with a remembrance that the troops employed formed a total of only 74 men, (Captain Walker's company,) and that each man was mounted, it seems that these charges should have been thoroughly investigated and critically examined. A perusal of the paper hereunto annexed, marked D, will lead to a conclusion that no such allowance as 65 pack-animals and 1 six-mule team at one time, for one company, could have passed the examiners of the accounts of 1853.

From paper herewith, marked C, it will be seen that, concerning a pack-train in service in 1853, the Third Auditor reported to the Secretary of War, August 2, 1856, stating claimant's "account for his 16 mules was allowed upon your decision to double their value, estimating each at \$150, and to that extent, amounting to \$4,596, he has been paid by the United States." The charge in this item is for 6 mules, and with a desire to act upon such "just and equitable principles" as were adopted in former cases of the kind, there being no report of value in this instance, let an examiner estimate each of these animals at \$150, double

	their value, and, under the evidence submitted and the basis of settlement, this is positively all that could have been properly entertained .....	\$1,800 00	
	And the excessive charge of .....	504 00	
	Should have been suspended if not positively disallowed .....		\$2,304 00
Oct. 12.	H. T. Templeton :		
	Item 67 : for 1,300 pounds flour, at 40 cents.....	\$520 00	
	Item 68 : for 100 pounds beans, at 50 cents.....	50 00	
	Item 69 : for 175 pounds sugar, at 50 cents.....	87 50	
	Item 70 : for 62 pounds soap, at 75 cents.....	46 50	
	Item 71 : for 37 pounds candles, at \$1.50.....	55 50	
Sept. 20.	Item 72 : for 280 pounds beans, at 50 cents.....	140 00	
	Item 73 : for 500 pounds sugar, at 50 cents.....	250 00	
	Item 74 : for 200 pounds salt, at 50 cents.....	100 00	
	Item 75 : for 90 pounds soap, at 75 cents.....	67 50	
	Item 76 : for 40 gallons vinegar, at \$6.....	240 00	
	As on item 18, should have been suspended .....		1,557 00
	D. C. Stevens :		
	Item 77. For board of First Sergeant William G. Hill, and one attendant, Isaac Miller, from October 26 to the 28th November, 1854, inclusive, each 34 days, total 68 days, at \$3.50 per day ....	\$238 00	
	The muster-roll shows that Hill was dangerously wounded October 11, 1854, and it bears pen erasures to cancel his discharge November 6, 1854, without any further explanation, except that from a tabular statement on the roll it appears that only one man was sick. (The sick man must have been Sergeant Hill.) The certificate of a physician, or other satisfactory evidence of continued disability, is not filed, and the charge of \$309.20 in item 24, for medicines, and that in item 43, for wood for hospital, are not satisfactorily explained. Isaac Miller was second lieutenant of the company, and nothing appears on the roll or on the papers filed to show that he was actually on duty as nurse. The company was discharged November 6, 1854, and charges for expenses thereafter incurred on account of its members should not have been entertained; therefore this amount should have been disallowed .....		154 00
	And for want of satisfactory explanation this amount should have been suspended .....		84 00
	D. C. Stevens.		
	Item 78 : for board of J. D. Mason and D. S. Wiggins, quartermaster's clerks, from November 7 to December 23, 1854, 94 days, at \$3.50.....	\$329 00	
	As on item 25, should have been suspended.....		329 00
	Items 79 and 80 : for hire of two mules ridden by cooks, with supply-train, between August 3 and November 6, total 169 days, at \$4.....	\$676 00	
	("See muster-roll quartermaster's employés.") No quartermaster's roll is filed. The men of the company, as well as those of a supply-train, should have done their own cooking. It is not clear that the services of the quartermaster's employés should have been recognized under the law of 1871, which applies specifically to two companies. The actual appraised value of the mules charged for in this item is unknown, but estimating them at \$150 each, as in item 66, and granting that expenses of quartermaster's employés were admissible, then the excessive amount of \$76 should positively have been disallowed.....		76 00
	And the balance suspended.....		600 00
	O. D. Hoxie.		
	Item 81 : for 40 pairs horseshoes, at \$4.....	\$160 00	
	Item 82 : for 10 pounds horseshoe-nails, at \$1.50.....	15 00	
	As on-items 3 and 4, should have been suspended.....		175 00
	Item 83 : J. W. Morris, for services as herder, from August 3 to November 6, 1854, 96 days, at \$6.....	\$576 00	
	("See quartermaster's muster-roll employés.") No quartermaster's roll is filed, and it is not clear that the services of quartermaster's employés should have been recognized under the law of		

1871, which applies specifically to two companies, and not to an entire regiment; therefore this amount should have been suspended .....	\$576 00
Item 84: J. W. Morris, services of riding-animal for himself, from August 3 to November 6, 96 days at \$4 .....	\$384 00
As on item 83, and in addition, the actual appraised value of the animal is unknown. Taking the appraised value of 74 animals, horses and mules, ridden by Walker's men, it is found that the average appraised value of each animal was a little less than \$110. Adopting this estimate as a guide, this item stands allowed for .....	\$164 00
More than the amount properly allowable upon the evidence and the basis of settlement. This amount should have been disallowed .....	164 00
And this suspended .....	220 00
Item 85: A. S. Isaacs, services as herder, from August 3 to November 6, 96 days, at \$6 .....	\$576 00
As on item 83, should have been suspended .....	576 00
Item 86, A. S. Isaacs, services of riding-animal for himself, from August 3 to November 6, 96 days, at \$4 .....	384 00
As on item 84, this amount should have been disallowed .....	164 00
And this suspended .....	220 00
Item 87: Featele Lammb, services as blacksmith, from August 3 to November 6, 96 days, at \$6 per day .....	\$576 00
As on items 3, 4, and 83 should have been suspended .....	576 00
Item 88: Featele Lammb, services of riding-animal for himself, from August 3 to November 6, 96 days, at \$4 .....	\$384 00
As on items 3, 4, and 84 this amount should have been disallowed .....	164 09
And this suspended .....	220 00
Sept. 20. Item 89: F. C. Horsley, for 200 pounds coffee, at 75 cents ..	\$150 00
Sept. 20. Item 90: E. Steele, 180 pounds pork, at 75, cents .....	135 00
Item 91: E. Steele, 1,350 pounds flour, at 40 cents .....	540 00
As on item 18, should have been suspended .....	825 00
Thus it appears that a proper report upon the Jesse Robinson claims would, under the evidence submitted, have left them as follows:	
Suspended .....	\$19,777 88
Disallowed .....	2,225 68
Total .....	<u>\$22,003 56</u>

RECAPITULATION.

The Auditor's reports, and the approval thereon, have disposed of the claims, so far as considered, as follows:

Name of collector.	Amount.		
	Claimed.	Not allowed.	Allowed.
William C Griswold .....	\$15,556 50	.....	\$15,556 50
B. F. Dowell .....	18,293 33	5 00	18,288 33
Jesse Robinson .....	22,003 56	1,010 18	20,993 38
Total .....	55,803 39	1,015 18	54,838 21

In the allowances above noted, the sum of \$9,690 has been awarded in direct violation of the basis of settlement proposed by the Auditor, and of said amount the sum of \$8,618 has been paid. Had the reports submitted to the Secretary of War rested upon the evidence filed, and had they been made upon sound principles and in accordance with the

general practice in reference to ordinary accounts, they should have left the amounts as classified in my report, viz :

Name of attorney.	Amount.		
	Claimed.	Disallowed.	Suspended.
William C. Griswold, for Benjamin J. Drew .....	\$15,556 50	\$2,460 00	\$13,096 50
B. F. Dowell, for self .....	18,288 33	6,158 00	12,130 33
Difference in tin cups .....	5 00		5 00
Jesse Robinson, for various persons.....	22,003 56	2,225 68	19,777 88
Total .....	55,853 39	10,843 68	45,009 71

The laws cited, the official facts at hand, the precedents established in regard to similar claims, the basis of settlement proposed, the former practice of the accounting-officers reporting under said basis, and the common rules of evidence, as well as the proper exercise of a sound discretion in regard to the adjustment of claims against the Government, all substantiate the correctness of my report.

The character of the claims submitted leads to a verification of a paragraph found on page 104, Executive Document 88, House of Representatives, first session Thirty-fifth Congress, wherein it is shown that General J. E. Wool, in writing to the Adjutant-General under date of September 14, 1854, stated :

"It seems a company of volunteers (Walker's) has been mustered into service by the authority of the governor of Oregon ; but Captain A. J. Smith, First Dragoons, is of the opinion that they were not needed, and that it was done upon the representations of speculators, who expected to be benefited by furnishing supplies."

The brevity and falsity of the Auditor's first report, the worthless character of B. J. Drew's vouchers, the total absence of the quartermaster's rolls, and, except in Dowell's case, of written or sworn evidence to substantiate C. S. Drew's certificates, the extraordinary and excessive allowances, the hasty manner in which these claims were passed and paid, the brevity of the Auditor's second report, the suspicious character of the vouchers, the continued absence of the quartermaster's rolls and of written or sworn evidence to substantiate C. S. Drew's certificates, the continued admission of excessive charges, and, as a whole, the total disregard and violation (by the examiners of these claims at the Treasury and at this Department) of every precautionary measure which might prevent frauds upon the General Government, are all serious points, which I respectfully submit, are covered by the two approvals of the Honorable the Secretary of War, given April 12 and October 24, 1871.

Very respectfully, your obedient servant,

THOS. H. BRADLEY,

*First Lieutenant Twenty-first Infantry, Brevet Captain, U. S. A.*

The Hon. the SECRETARY OF WAR.

In reference to Jesse Robinson's claims, my indorsement dated October 24, 1871, setting forth that "the accounts as stated by the honorable the Third Auditor are hereby approved, and settlement will be made accordingly," is hereby canceled.

WM. W. BELKNAP,  
*Secretary of War.*

WAR DEPARTMENT, *December 27, 1871.*

Lieutenant Bradley's views, as presented in the foregoing report, are approved.

WM. W. BELKNAP,  
*Secretary of War.*

WAR DEPARTMENT, *December 3, 1872.*

NOTE.—See supplemental report of November 28, 1872, following.

## FIRST SERIES.

*List of papers annexed.*

Marked.		Date.	From and to whom.
Letter.	No.		
A	.....	Jan. 2, 1855	Indorsement Secretary of War on claims, 1853.
B	.....	Feb. 9, 1855	Third Auditor's report, with approval Secretary of War.
C	1	Aug. 2, 1856	Third Auditor's report, with decision Secretary of War.
C	2	Mar. 17, 1857	Third Auditor's report, with decision Secretary of War.
D	.....	Aug. 30, 1856	Third Auditor's report on transportation account.
E	.....	Aug. 30, 1856	Third Auditor's report on money loaned C. S. Drew.
F	.....	Dec. 18, 1856	War Department decision on claim for money furnished.
G	.....	Jan. 1870	Report of House Committee on Military Affairs.
H	.....	Feb. 7, 1871	Hon. George H. Williams to Secretary of War.
I	1	Feb. 18, 1861	Captain Nathan Olney to B. F. Dowell, esq.
I	2	Sept. 30, 1854	Field return of Major Haller's command.
J	.....	Dec. 21, 1870	Affidavit of B. F. Dowell, esq.
K	.....	.....	Miscellaneous Document No. 47, House of Representatives, 35th Congress, 2d session, extracts, viz:
K	1	Aug. 5, 1854	Colonel J. E. Ross, call for one company.
K	2	Aug. 8, 1854	Company raised, and assigned to duty under Walker.
K	3	Nov. 6, 1854	Captain Walker's report.
K	4	Nov. 10, 1854	Colonel J. E. Ross transmits Walker's report.
K	5	Dec. 30, 1854	Quartermaster-General C. S. Drew's report.
K	6	Nov. 12, 1857	Affidavit of B. T. Davis.
L	1	May 16, 1855	Governor George L. Curry to C. S. Drew, esq.
L	2	June 9, 1855	Quartermaster-General J. F. Miller to Governor Curry.
L	3	July 27, 1855	Governor George L. Curry to the First Comptroller.
L	4	Sept. 12, 1855	First Comptroller to Third Auditor.

## A.

November 2, 1854.—Third Auditor submits claims for supplies furnished and services rendered in the Rogue River Indian war, in Oregon, in 1853, together with recommendation.

[Indorsed.]

The accounts within reported are approved for payment as recommended, with the following exceptions: The allowance for hay will be reduced to six cents per pound, and the allowance for the hire of a horse or mule shall in no case exceed twice the appraised value of the animal. The objections arising from the absence of the date in vouchers regular in every other respect will be waived; but all defects in substance, such as a specification of items, names of claimants, &c., must be supplied before allowances can be made.

JEFFERSON DAVIS,  
*Secretary of War.*

WAR DEPARTMENT, *January 2, 1855.*

NOTE.—The original of the foregoing indorsement accompanied the Auditor's reports of 1871. Its terms could only have been overlooked intentionally, for be it observed that the excessive charges for hay were reduced to correspond with the rate here fixed, leaving \$938.68 inadmissible, while such charges for animals were passed, admitting the excess of \$9,690.

T. H. B.

B.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,

February 9, 1855.

SIR: Under the act of July 17, 1854, to authorize the Secretary of War to settle and adjust the expenses of the Rogne River Indian war, I have the honor to submit, for your decision, a claim of Walter R. Davis for forage furnished to Captain Miller's company.

The general principles of your decision of January 2, 1855, are adopted in treating this claim.

Date.		Inadmissible.	Admissible.
1853. Nov. 1	<p>Walter R. Davis: For 5,000 pounds hay, at 8 cents, \$400. This claim is not included in the abstract forwarded by Quartermaster-General Drew, which omission, it is alleged, occurred through mistake; but the abstract purports to comprise <i>all</i> claims of this description growing out of the war, and, in my opinion, any claims not contained therein should be treated with great caution.</p> <p>This forage is claimed to have been furnished on the 1st November. Captain Miller's company was mustered out of service on the 2d November, a portion of the officers only remaining in service a few days longer. So large a quantity of forage <i>being obviously unnecessary for issue</i> to the company within so short a time. As I do not understand your decision that certificates of the Quartermaster-General shall be received as evidence of quantities furnished, to apply to any other than those claims borne upon the abstract forwarded by him, I am of opinion that this claim ought not to be allowed without the most satisfactory evidence of the necessity of the purchase, and the cause of its omission from the abstract.....</p> <p>As the Secretary's decision was based, to some extent, upon the presumption that all claims were in, very clear proof will be required to admit others.</p>	\$400 00	

ROBT. J. ATKINSON,  
*Auditor.*

Hon. JEFFERSON DAVIS,  
*Secretary of War.*

Approved as recommended.

JEFF. DAVIS,  
*Secretary of War.*

MARCH 8, 1855.

NOTE.—If the simple certificates of General C. S. Drew, when they were unaccompanied with other evidence, were not acceptable in 1855, (before he carried away certain vouchers,) then why should his certificates pass current for Government money in 1871?

T. H. B.

C, No. 1.

TREASURY DEPARTMENT,  
*Third Auditor's Office, August 2, 1856.*

SIR: I have the honor to submit for your decision, under the act approved July 17, 1854, the claim of B. F. Dowell for his services as pack-master, from the 19th of August to the 2d of November, 1853, 76 days, at \$8 per day—\$608; and for the service of one mule for the same time (76 days) at \$4 per day—\$304—\$912, during the Rogue River Indian war in southern Oregon. In the original account now filed for the first time, also herewith, certified by "James Goodall, mustering officer," as well as by C. S. Drew, the acting quartermaster, the charge is at the conclusion of two other charges, amounting together to \$4,656, for hire, at \$4 per day, of 16 transportation mules for a period extending over 76 days, and is in this form, to wit: "For services of B. F. Dowell, pack-master, and *riding-horse*, from the 19th of August to the 2d of November, 1853, inclusive, 76 days, at \$12 per day, \$912." This claim was not embraced in my original report to your Office of the 2d November, 1854, nor in any made subsequently, for the reason that his name did not appear on the schedule purporting to contain all the claims of the Rogne River Indian war. Filed with the papers, however, is a muster-roll of hired men employed in the Quartermaster's Department, wherein the name of B. F. Dowell appears as pack-master from the 19th of August to the 2d of November, 1856, 76 days, at \$8 per day, and for his mule for the same time, 76 days, at \$4 per day, certified by C. S. Drew, acting assistant quartermaster and commissary of subsistence, as being accurate and just. This, however, was not deemed sufficient authority upon which to base a claim, and has, therefore, remained suspended in this office for want of a regular account made out in the usual form and certified by the proper officer, which account, regularly certified by C. S. Drew alone, was supplied by E. Moore, attorney for the claimant, on the 1st day of July, 1856. The charge in the original account, as before noticed, varies in form and in the character of the animal from the new, and, I have no doubt, more truly represents the transaction as it actually occurred, which seems to have been this: That Mr. Dowell, after hiring his sixteen mules at what must be deemed extremely high rates at any time, so high as to double the value of the animals in a service of a little over two months, mounted his "*riding-horse*" to look after his property, for which, in addition, he makes a lumping charge of \$12 per day, amounting to over \$900. His account of the hire of his 16 mules was allowed, upon your decision, to double their value, estimating each at \$150, and to that extent, amounting to \$4,596, he has been paid by the United States, and it is respectfully submitted for you to decide whether, in addition to this large amount, his present claim should also be entertained, and if so, to what extent.

I am, with great respect, your most obedient servant,

ROBERT J. ATKINSON,  
*Auditor.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

This claim, it appears, consists of two items of an account containing a considerable number of items, all of which, with the exception of these two, were contained in another account, which was embraced in a schedule purporting to include all claims against the United States, prepared by the officer whose certificate constitutes the sole evidence in support of this claim. The amount then presented and embraced in the schedule has been allowed, and will require very satisfactory explanation as to the omission of these two items therefrom, and some additional evidence to sustain them before this claim can be favorably considered.

JEFFERSON DAVIS,  
*Secretary of War.*

C, No. 2.

TREASURY DEPARTMENT,  
*Third Auditor's Office, March 17, 1857.*

SIR: At the request of the claimant, I have the honor for the second time to submit to the Secretary of War the claim of B. F. Dowell, of Oregon, for his own services as a pack-master, at \$8 per day, and for the hire of a mule, at \$4 per day, during the Rogue River Indian war in Oregon, from the 19th of August to the 2d of November, 1853, amounting to \$912. Mr. Dowell has filed as additional evidence, and which is also submitted herewith: 1st. A roll of employés, made and certified by C. S. Drew, late quartermaster and commissary of subsistence, on the 18th of November, 1856. 2d. A similar roll of employés, certified by C. S. Drew, and upon which there is a long de-

position, without date, by John E. Ross, who states himself to have been the acting colonel on the field commanding the volunteers in the Rogue River Indian war in 1853. 3d. A letter addressed to the claimant on the 5th of November, 1856, and sworn to on the 7th of the same month by James P. Goodall, a captain in said war. 4th. A long letter addressed to me on the 25th of November, 1856, by C. S. Drew, first above mentioned. 5th. A long deposition relative to Mr. Dowell's claim by John F. Miller, also a captain in said Rogue River war, and for the use of whose command the animals of the claimant were employed, sworn to on the 13th of December, 1856. 6th. Another account of Mr. Dowell, for the \$912 claimed by him, certified by C. S. Drew, late quartermaster, &c. 7th. A certificate of General Joseph Lane, the Delegate in Congress from Oregon, of the 14th instant, testifying to the honor and reliability of Colonel John E. Ross and Captains John F. Miller and James P. Goodall, the witnesses who have testified on behalf of the claimant; and lastly, a letter relative to his claim addressed to me by Mr. Dowell on the 9th instant. I herewith submit my report to your predecessor of the 9th of February, 1855, with his decision of the 5th of March following, upon the only claim connected with transportation that had then been presented in the name of Mr. Dowell, in which an allowance was made to the amount of \$4,596 and \$60 disallowed. The disallowance was made by the Secretary for the reason that he would not pay more for the hire than double the value of any animal, and assuming Mr. Dowell's mules to be worth \$150 apiece, \$4 each was deducted from the hire of fifteen that exceeded by that amount the sum of \$300. Mr. Dowell still claims the whole of his account, and filed on the 1st of July last what purports to be an appraisement of his animals, at \$175 each on their entry into the service, which has been before your predecessor and which is herewith. I also submit my report to your predecessor of the 2d of August last, with his decision upon the present claim of Mr. Dowell, to which I have but little to add. It appears that hostilities were commenced by the Indians in Rogue River Valley early in August, 1853, and between the 2d and 24th of August the volunteer forces were enrolled. On the 21st of August General Lane assumed the command of the troops, and on the 8th of September he concluded a treaty of peace with the Indians. By the 24th of September all the volunteers had been discharged, (one company as early as the 7th,) except the companies commanded by captains J. F. Miller and James P. Goodall, which were not discharged until the 2d and 30th of November, respectively, so that the charges for the hire of pack-masters, drivers, mules, or horses after the 24th of September, must have been for the use of these two companies alone. Miller, Rogers & Co. charged, and have been paid, for the services of twenty-eight mules between the 11th of September and 2d of November, 1853, fifty-three days, at \$4 per day each; for a pack-master between the same date, 76 days, at \$8 per day; for two hands same date, 76 days, at \$6 per day each; for one hand from September 9 to November 3, 56 days, at same pay; and for one hand from September 11 to November 3, 54 days, at \$6 per day also.

Mr. Dowell, the present claimant, has been paid for the hire of 15 mules for 76 days, between the 19th of August and 2d of November, 1853, at \$4 per day each, less the deduction of \$4 each, as before stated, and for the hire of one mule for 24 days, within same dates and at the same rate of pay; and he now claims in addition, for his own services as pack-master, and for the services of a mule or horse on which he rode, for 76 days within the dates above mentioned, at \$8 per day for himself and \$4 for his animal, amounting to the sum of \$912, as stated in the beginning of this report. This claim was not included, nor did it accompany his transportation account first presented and paid, nor was it included in the abstract forwarded by Quartermaster C. S. Drew, which purported to include all claims of this description growing out of the war. It is again submitted for you to decide whether the additional evidence produced by the claimant, and herewith, is of that "clear and satisfactory" character, decided by your predecessor to be indispensable to warrant the allowance and payment of the claim.

I am, with great respect, your obedient servant,

ROBT J. ATKINSON, Auditor.

Hon. JOHN B. FLOYD,  
Secretary of War.

[Indorsement.]

The evidence in this case is deemed to be sufficient to warrant its allowance. Mr. Dowell will therefore be paid for his own services at the rate of \$8 per day, and for his riding mule, or horse, at \$4 per day for 76 days, amounting to \$912. As Mr. Dowell's mules were appraised by persons appointed by Quartermaster Drew, and their appraisement is filed, and being the best evidence that can be obtained as to their value, (\$175,) the \$60 heretofore disallowed may now be paid to him.

J. B. FLOYD,  
Secretary of War.

WAR DEPARTMENT, April 25, 1857.



D.

TREASURY DEPARTMENT,  
Third Auditor's Office, August 30, 1856.

SIR: I submit herewith the following additional report upon claims arising out of the Rogue River Indian war in Oregon, in 1853: \* \* \* \* \*

John Fortune:

1853.

August	For the hire of mules for transporting provisions, &c., for J. W. and Nesmith's company Oregon volunteers, in the Rogue River Indian war, from August 24 to September 25, 1853, 30 days, at \$4 per day, each	\$840 00
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Upon this account is the certificate of Governor Curry, "that 7 mules were hired by him of John Fortune, for the use of Captain Nesmith's company, in 1853; that they were in service 30 days, and that their services were necessary for the transportation of the provisions, baggage, &c., of said company, and that \$4 has been paid for similar services of mules on the same occasion, and that said account is correct and just."

This account, not being borne on the original abstract, requires, under your decision, very clear proof to admit it.

There is no explanation why it was not originally present. The transportation authorized by the regulations for the baggage of a company of from 50 to 75 men, (including company officers,) is "1 four-horse wagon and team, or an equivalent in pack-horses and mules." This company of 71, officers and men, had in service for transportation purposes, either by purchase or hire, 1 wagon, 7 horses, and 6 mules, exclusive of the 7 mules now claimed for; though it may be added that "baggage," in the meaning of the regulations, does not include subsistence, (or provisions,) which had to be transported at the public expense, and for which a reasonable allowance should doubtless be made.

With great respect, your obedient servant,

W. H. S. TAYLOR,  
Acting Auditor.

Hon. JEFFERSON DAVIS,  
Secretary of War.

E.

TREASURY DEPARTMENT,  
Third Auditor's Office, August 30, 1856.

SIR: I have the honor to submit the following additional report upon claims arising out of the Rogue River Indian war in Oregon in 1853: \* \* \* \* \*

No. 194.—Account of C. S. Woodworth:

August 29, 1853.—Ray and Danforth on original abstract.	
Amount first claimed .....	\$921 50
Allowed on report of 23d of July, 1855, for services and hay .....	126 50
Suspended and now claimed .....	\$795 00

\* Allowed in full \$795, per sett. No. 3605, December 29, 1856.

This is for money loaned Quartermaster C. S. Drew by the claimant, with which he purchased of Ray & Danforth, and paid them for, four horses for transportation purposes for Captain J. W. Nesmith's company, which was in service for one month, to wit, from the 24th of August to 24th of September, 1853. The prices charged are \$220, \$225, \$150, and \$200 each. The claim was suspended by you upon the ground that the horses had never been properly accounted for; that if included in a lot of ten horses sold

\* Suspended for further proofs and explanations, per decision of Secretary of War, November 22, 1856. See letter, January 6, 1857.

at public auction on the 15th of October of that year, that manner of accounting for them could not be recognized, as the sales were all apparently upon a credit from which the Government had never realized anything. Relative to this and sundry other suspended claims, which will be noticed presently, Governor Curry has transmitted an explanatory statement, dated April 26, 1856, which is herewith transmitted. Upon this he remarks, that after this expedition these and other horses, with other public property, were sold at public auction to the highest bidder for cash, or to parties having claims growing out of the war; that competition being thus secured, better prices were obtained than could otherwise have been procured, and that after a rapid march of five hundred miles had reduced the condition of the animals and otherwise injuriously affected them, which consequently depreciated their value.

By the account of sales before referred to, it appears that the highest price that any horse was sold for was \$163, and the lowest, \$67; but there is nothing therein to indicate who were the purchasers of the horses obtained of Mr. Woodworth, and without such information it is impossible to ascertain whether or not said purchasers had at the time claims on the Government growing out of the war, to what extent, and whether or not such may not have since been paid without deducting the amount bid for the horses at the sale. Upon being informed of the names of the purchasers, and ascertaining that the amount due from each has been retained from their claims decided to be valid, I think this item might be paid.

\* \* \* \* \*  
 No. 210.—C. S. Woodworth:  
 April, 1855.—For money loaned C. S. Drew with which he purchased of Bethel  
                   Dove 2 mules, at \$175 each..... \$350

This is in all respects a similar case to No. 194, the same claimant, and the remarks there made are applicable here.

\* \* \* \* \*  
 With great respect, your obedient servant,

W. H. S. TAYLOR,  
*Acting Auditor.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

NOTE.—If imperishable property was not satisfactorily accounted for, no allowance was made on account of its purchase.

T. H. B.

—  
 F.

DECEMBER 2, 1856.

*Claim of Joseph Cox, Nos. 2100 and 2138.*

Third Auditor submits explanations requested by the Secretary of War relative to a report previously made on the claim of Joseph Cox for money furnished on account of the Rogue River Indian war.

[Indorsed.]

In the absence of any vouchers to explain what became of the money, and of any means in the hands of the United States belonging to the individuals whose receipts were produced, it is not deemed proper to give credit on the claim presented.

JEFFERSON DAVIS,  
*Secretary of War.*

WAR DEPARTMENT, December 18, 1856.

NOTE.—This precedent was “knocked in the head” by the allowance of \$1,825 on the late claims, which to this date do not satisfactorily show by receipt or otherwise what became of the said sum loaned to C. S. Drew. (See item 15 of B. J. Drew’s account, and item 23 of Robinson’s.)

December, 1871.

T. H. B.

## G.

[Forty-first Congress, third session—Report No. —.]

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,  
January, 1870.

Mr. NEGLEY made the following report:

*The Committee on Military Affairs, to whom was referred for investigation the claim of B. F. Dowell and other late members of the two companies of Oregon Volunteers, commanded by Captains Jesse Walker and Nathan Olney, called into service to suppress Indian hostilities in Oregon in eighteen hundred and fifty-four, beg leave respectfully to present the following report :*

It appears that during the summer of 1854 bloody outrages were committed by Indians on the emigrant routes, which the trains then beginning to arrive in Oregon Territory from the East had to pass over, and that the military forces of the United States, stationed on the Pacific coast and within reach of the endangered section of country, were insufficient to afford the necessary protection.

It further appears that, on account of such insufficiency of the United States military forces and the urgency of the danger, there was a company of thirty-seven volunteers offered by Captain Olney, and the same was accepted, furnished with arms, horses, ammunition, and rations, and sent to the field on August 31, 1854; and that, from September 3, when said captain and company joined, by order, Major Haller's battalion, they continued in his command and under his command until discharged. It further appears that the necessities of the case caused the governor of the Territory of Oregon to call out another company of volunteers, commanded by Captain Jesse Walker, which co-operated in a similar manner with the United States military forces, and continued in the field about three months. The necessities of the case, the manner in which the volunteers were called out, and the meritorious services rendered by them, are fully set forth in House Miscellaneous Document 47, Thirty-fifth Congress, second session, and has been established by testimony before this committee.

It further appears that, although these two companies were not called into service by the authorities of the United States, Captain Olney's company was indeed "accepted," armed, and equipped, and incorporated in a battalion by a military officer of the United States, and that Captain Walker's company had been mustered into service by the authority of the governor of Oregon about the same time and for exactly the same purpose, viz, to co-operate with the insufficient numbers of the United States military forces in protection of the emigrants against the Indians.

It further appears that the services claimed by the said two companies have really been rendered; that these services were necessary, and should have been performed by the United States troops had the military forces of the United States on the Pacific coast been sufficient in numbers.

It further appears that frequent complaint was made by the commander of the Department of the Pacific to the War Department of this insufficiency, and of the necessity of an increase in the military force; but these complaints brought no relief, for the reason that the Government had no troops at its disposal to meet the exigencies of the case.

It further appears that in the year of 1854, and for more than four years thereafter, Oregon had no organization as a State, but only a territorial government, and at the time when the services were rendered had less than fifty thousand inhabitants, and that the expenses emanating from said services were contracted by United States officers, and not by State officers, and therefore it is equitable that the United States Government should provide for the payment thereof.

It further appears that the muster-rolls of the said companies contain the names, date of enlistment, and date of discharge of each claimant, and also the value of each man's horse and equipments; and that the act "to authorize the Secretary of War to settle and adjust the expenses of the Rogue River Indian war," approved July 17, 1854, provides for adjustment and settlement, on just and equitable principles, of such and similar claims, but does not embrace in its application the said two companies.

The committee, therefore, firmly believe that the claim presented by B. F. Dowell and others is just in all its parts, and earnestly recommend the immediate passage of a bill extending the provisions of the said act, approved July 17, 1854, to the two companies of Oregon volunteers, commanded by Captains Jesse Walker and Nathan Olney, called into service to suppress Indian hostilities in Oregon in 1854.

## H.

WASHINGTON, D. C., *February 7, 1871.*

DEAR SIR: Inclosed I send you a certified copy of the act to pay the Oregon volunteers of 1854, and all the papers relating thereto which I can find with the Secretary of the Senate.

I am credibly informed a duplicate muster-roll of Captain Walker's company, with all the abstracts and vouchers belonging to the same, were sent to your office in 1858, either by Governor George L. Curry, B. F. Harding, secretary of state, or Hon. Joseph Lane, Delegate from Oregon; but according to the report of the Adjutant-General, dated the 26th of January, 1869, they could not be found.

It is probable the search was made under the wrong head. The only remaining muster-roll, as far as I can learn, was sent to your office by Hon. Rufus Mallory, on the 4th day of February, 1869, to get a pay-roll made out according to the act paying the expenses of the Rogue River Indian war of 1853, and on the 5th of February, 1869, B. W. Brice replied to Mr. Mallory, returning this roll, and referring Mr. Mallory to the Second Auditor for the information desired by him. In a few days afterward Mr. Mallory sent the same roll to the Second Auditor, requesting the Auditor to have a pay-roll made out according to the act of the 17th of July, 1854, paying the volunteers of 1853, and that this roll in some way was lost in the Second Auditor's Office, and no pay-roll has yet been made out.

I hope you will now have diligent search made, not only for this roll, but for all the original abstracts and vouchers, which in all human probability are still either in your office, among the old papers, or with the Second or Third Auditor.

I also inclose a letter [I] in the handwriting of Captain Nathan Olney to B. F. Dowell, which may explain the claims created by his company, and also serve as a guide to find them. If his roll cannot be found, the discharges of his company will probably be in his handwriting, and signatures to the discharges of Captain Walker's company will be in the handwriting of Captain Jesse Walker, and probably countersigned by Colonel John E. Ross, of Jackson County, Oregon. I regret that I have no samples of their handwritings to send you. Their signatures are well known in Oregon; all three of them were men of ability and integrity; you may rely upon their certificates implicitly. They are all held in high estimation by the citizens of Oregon. Captains Olney and Walker have both died since they performed these services, but their widows and children still reside in Oregon. Captain Olney was afterward Indian agent for Eastern Oregon, and Captain Walker was a member of the Oregon legislature in 1854 and 1855. Colonel John E. Ross has frequently represented Jackson County in both branches of the legislature.

Colonel C. S. Drew was quartermaster-general of Oregon at the time, and he resided in Jacksonville, where Captain Walker's company was organized and discharged; he purchased all the supplies for Captain Walker's company and gave vouchers for the same. He requires but brief description from me, as he is well known to the Departments. He is the same man who was the acting quartermaster and commissary under Captain Alden, of the United States Army, and General Joseph Lane, in the Rogue River Indian war of 1853, and lieutenant-colonel of the First Regiment of Oregon Cavalry during the late rebellion.

B. F. Dowell is one of the principal and original claimants, and he is familiar with these claims. He appeared before the committees of both Houses of Congress, and he stated [J] to the committees that the roll of Captain Walker had the date of the enlistment of each man, the date of the enlistment of his horse, value, and the discharge of the volunteer and his horse, but no price was affixed to the roll. That the quartermaster and commissary accounts showed the date and amount of everything, and that the total amount of these claims which was included and intended to be paid by this act was between \$45,000 and \$46,000.

Owing to the great Indian war of 1855-'56, and the late rebellion, these claims have long been delayed. I hope you will facilitate their payment as much as possible. I earnestly recommend that these claimants be paid the same prices of those of the act to which this is an amendment.

For the current prices in the country where these supplies were furnished, I refer you to the affidavits of John W. McCully, Daniel M. Kenny, W. W. Fowler, S. Ettlinger, Jacob A. Brunner, John Anderson, and Benjamin T. Davis. I am personally acquainted with Messrs. McCully, Fowler, Anderson, and Davis. They are men of truth and veracity, and a copy of their affidavits may be found in House Miscellaneous Documents, second session Thirty-fifth Congress, Document 47, [K,] which document was before the Committees of both Houses of Congress on Military Affairs, when the bill paying these companies was before them. And also to the affidavit of [J] B. F. Dowell, which was before the Committee on Military Affairs of the House while it was before them. Mr. Dowell is now here, and he will visit you in a few days. For any

further information on this subject I refer you to him ; he is a friend of mine and well posted on the subject.

Yours, very respectfully,

GEO. H. WILLIAMS.

Hon. WILLIAM W. BELKNAP,  
*Secretary of War.*

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I, No. 1.

DALLES, OREGON, *February 18, 1861.*

DEAR SIR : Your letter of December 14, 1860, is just received. In answer, I will state that my company of volunteers, in 1854, traveled about eight hundred miles in going and returning, on our trip to the Snake country—that is, about four hundred miles out and four hundred in. The number of men was about thirty-eight or forty. I gave my muster-roll to Major Rains, who promised to send it to the Secretary of War, and assist me in getting pay for my men, which I presume he has failed to do, which will account for my not knowing the number of my men. The company was organized on the 29th of August, I believe, and discharged on the 18th of October following, making fifty-one days inclusive. I was furnished with animals, saddles, camp equipage, provisions, arms, and ammunition, &c., to equip my men, by Major G. J. Rains, United States Army, except what I found it necessary to purchase on the way, to arm and equip some men whom I enlisted after I left the Dalles.

The quartermaster property, so purchased by me, has been paid for by order of the Secretary of War, Jeff. Davis, but the arms and ammunition, on account of misrepresentations made by Major Rains to myself and to Colonel H. K. Craig, colonel of ordnance, had not been paid for ; and for the same reason, I presume, my men have failed to get their pay. The cost of the arms and ammunition purchased by me was about \$350 or \$400.

I am very anxious that my men should be paid ; also, that those who furnished me with arms and ammunition should be paid ; and I hope you will not only succeed in getting what is due, but will be able to assist me at any event.

I shall feel thankful to you for the interest you have shown in the matter.

Yours, very truly,

NATHAN OLNEY.

B. F. DOWELL, Esq., *Jacksonville, Oregon.*



Commissioned officers, present and absent, accounted for by name.

No.	Names.	Rank.	Regiment or corps.	Remark.	History.
1	Granville O. Haller.....	Brevet major .....	Company I, Fourth Infantry..	Commanding battalion....	Battalion organized 29th August; Olney joined 3d September.
2	George Suckley.....	Assistant surgeon ..	United States Army.....	.....	
3	Nathan Olney.....	Captain .....	Independent Volunteers .....	.....	
4	Orlando Neal .....	First lieutenant.....	do .....	.....	
5	Edward H. Day.....	Second lieutenant....	Company L, Third Artillery ..	.....	
6	Robert Macfeely.....	do .....	Company K, Fourth Infantry ..	.....	
7	J. A. Stelz.....	do .....	Independent Volunteers .....	.....	

## J.

*Affidavit of B. F. Dowell, about Oregon volunteers of 1854, described in Senate bill No. 53, introduced March 8, 1869.*

The inquiry has been made, what is the nature of these claims, and why have they not been paid long ago, and what amount would be paid if this bill becomes a law? Captain Walker's company had seventy-two men; they served from August 2, 1854, to November 6, 1854, making ninety-six days; and Captain Olney's company had thirty-seven men in the service fifty-one days, commencing about August 30, 1854. The total amount of the claims for subsistence, forage, medical stores, and expenditures, and for all other supplies for Captain Walker's company, according to the report and abstracts of the quartermaster and commanding general of Oregon, only amount to a little upwards of \$45,000. The muster-rolls contain the names, date of enlistment, and date of discharge of each officer and private, and the number of days of each man's service; also, the value of each man's horse and his equipments, but no price is fixed for his services. But the volunteer of 1853, by the act referred to in this bill, and the decision of the Secretary of War, was paid for his services the same price of officers and privates of the same rank in the Regular Army, and for the services of his horse \$4 per day. Hon. Rufus Mallory, the representative from Oregon in the Fortieth Congress, sent one muster-roll to the Second Auditor of the Treasury, in 1869, and requested him to make out a pay-roll from the muster-roll, so as to show the House the exact amount claimed; but he says he never received any reply from the Auditor. So we can't give the amount that will be paid if this bill becomes a law. But the act referred to by this bill requires the Secretary of War to audit the claims "on just and equitable principles." Every man has, in some degree, his own idea of what is "just and equitable," but it is probable the present Secretary of War will follow the former decision and the same prices will be paid, and no more and no less.

The great reason why these claims have not been paid is, the great Indian war of Oregon and Washington Territories followed in 1855-'56, and a dispute arose between the governors of those Territories and General Wool whether it should be prosecuted in the winter, or wait until spring; so none of these claims were assumed by the General Government until just before the rebellion.

Congressmen naturally look after large claims, and in this way these claims have been neglected owing to the great Indian war and the rebellion.

B. F. DOWELL.

Subscribed and sworn to before me 21st December, 1870.

CHARLES WALTER, J. P.

NOTE.—Mr. Dowell knew full well what the "former decision" was, and he must have congratulated himself when he obtained, on an \$18,000 claim, the sum of \$6,158 more than he could have been awarded had the "former decision" been followed as a guide.

T. H. B.

K—Nos. 1 to 6.

[35th Congress, 2d session. House of Representatives. Mis. Doc. 47.]

This document, so far as it bears directly on the expenses incurred, gives in substance the following facts:

K, No. 1.

August 5, 1854.—Whereas, having received orders from his excellency John W. Davis, Governor of Oregon Territory, dated Salem, July 17, 1854, authorizing me to call into service any number of volunteers I may deem necessary for the protection of the immigration on the southern route to Oregon \* \* \* I deem it absolutely necessary \* \* \* to call into service one company of mounted volunteers, to consist of seventy or seventy-five men, rank and file. \* \* \* As soon as seventy men have enrolled for this service they will elect from their number one captain, one first and one second lieutenant. As soon as practicable each officer and private will mount, arm, and equip himself. The quartermaster-general, C. S. Drew, will mount, arm, and equip those who are unable to provide for themselves.

JOHN E. ROSS,  
Colonel Commanding Ninth Regiment Oregon Militia.



## K, No. 2.

A company having been raised under this call an order was issued August 8, 1854, to Captain Walker, commanding, assigning the company to active duty.

## K, No. 3.

November 6, 1854.—Captain Walker submits report: On the 18th August burned large quantities of provisions and camp equipage seized from the Indians in action on the 6th October. John Low received a slight wound; one horse was killed, another was captured from the Indians. On the 11th October Sergeant Hill was dangerously wounded. A fine American mare taken from the Indians.

## K, No. 4.

November 10, 1854.—Colonel Ross transmits Walker's report, adding: The officers and privates arrived at Jacksonville on the 6th. All were generally well, and were immediately discharged. The expenses have been high, and more than I anticipated at the time the company was organized. The animals belonging to the expedition bear unmistakable evidence of the arduous service which they have performed. The transportation and riding animals were all in fine condition at the time they entered the service, but the most of them have returned poor, emaciated, and scarcely able to travel.

## K, No. 5.

December 30, 1854.—By letter to Governor G. L. Curry, Quartermaster-General, C. S. Drew submits report and the muster-rolls pertaining to his department, together with the accounts and vouchers relating to the expedition sent out by Colonel Ross, and states:

"The abstracts and corresponding papers connected therewith relate to army supplies purchased, transportation of the same, issues, sales of captured and other property. Monthly returns of the issues of both subsistence and forage have been made, with the exception of a small amount of subsistence issued to such of the immigration as were destitute of food. The returns for subsistence issued under this head may be seen by referring to the abstract of issues marked H.

"The whole amount of supplies furnished the expedition have been, in most instances, procured at a less price than were those of the Rogue River war of 1853. The small amount of funds at my disposal has enabled me to procure a portion of them at their actual cash value, immediate payments having been made therefor. Owing to the limited amount of means, however, which could be obtained for this purpose, ready payments have only been made when a state of the market has precluded the possibility of procuring the requisite supplies on any other than cash terms.

"A rigid accountability is, in all cases, enjoined by the Government in the execution of vouchers and returns, requiring care and method, and a thorough knowledge on the part of the officers in the discharge of those functions of the duties of the soldier in and out of the field.

"The issue of forage has been exceedingly small, being less than one-third the amount allowed in regular service, and the prices specified in the forage accounts, herewith transmitted, correspond with the present cash value of the section of country in which it was absolutely necessary to procure forage for the campaign.

"The amount of the quartermaster's accounts proper, hospital accounts, and those of miscellaneous expenditures, is altogether less than could be expected, taking into consideration the length and nature of the service rendered. The heavy expenditure connected with the quartermaster's department in the volunteer service of 1853 (Rogue River war) has, to a great extent, been avoided. The blacksmithing accounts, particularly, of that year's service amounted to no inconsiderable sum, while such accounts in the present instance furnish but a small item of expense.

"The transportation accounts of the expedition form an important item of the sum total of its cost. Persons placing their transportation trains in the service of the Government, as did those in the present instance, are compelled to abandon their

legitimate and lucrative employment, an act, of course, which nothing but an anticipation of a fair remuneration would authorize them to commit.

"No relief or provision trains accompanied the expedition, as has usually been the custom in such cases, particularly in California, consequently the provisions issued to persons found in indigent circumstances were taken from the rations of the command.

"Those who have rendered service, or from whom supplies have been procured for the command, look for remuneration to the same source as do those placed in similar circumstances by the war of 1853 before alluded to."

Referring to the sale of provisions to immigrants, General Drew states the sum received from this source, which was small, has all been judiciously appropriated for purposes connected with the service, as the accompanying accounts and vouchers plainly show.

"The quartermaster and commissary stores remaining on hand at the close of the service, together with the small amount of property captured, were sold, after due notice had been given, and the proceeds expended as above stated, proper vouchers in all cases being taken.

"I may have gone beyond the limits of my legitimate duty in this instance by procuring the sale of property which may be considered as belonging to the General Government, in the absence of specific instructions authorizing me to do so; but, as may be seen by reference to the abstracts of sales, the greater portion of the property then on hand consisted of a few horses and cattle only."

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K, No. 6.

November 12, 1857.—Benjamin T. Davis and other traders and citizens made affidavit as to the prices of articles of subsistence in Jacksonville, Oregon Territory, in 1854, and stating under oath: "These witnesses have no interest in these claims for supplies, &c.; furnished to Captain Jesse Walker's company, but make the affidavit at the request of the claimants, that justice may be done."

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L, No. 1.

TERRITORY OF OREGON, EXECUTIVE OFFICE,  
Corvallis, May 16, 1855.

SIR: You are hereby notified that you have been relieved of the further discharge of the duties of quartermaster-general of the Territory of Oregon by reason of the appointment of John F. Miller to that office, to whom you will be pleased to transfer all the official property in your hands.

I am, very respectfully, your obedient servant,

GEORGE L. CURRY,  
Governor of Oregon.

C. S. DREW, Esq.,  
Late Quartermaster-General, Jacksonville.

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L, No. 2.

JACKSONVILLE, June 9, 1855.

SIR: In obedience to the duty devolving upon me as quartermaster-general, and in pursuance of orders from you to that effect, I applied to Charles S. Drew, late quartermaster-general, for all papers and documents appertaining to that office, which he refused to deliver to my hands.

Armed, however, with authority from you, I took possession of the papers, which I found in an iron safe in the express office of Mr. Richard Dugan, and retaining the key of the safe in my possession.

In making a casual inspection of the papers, I have to report that I found and inspected duplicates of the principal portion, but not all, as some were missing, of the muster-rolls and accounts of the late Rogue River war. The muster-rolls bear the certificates of the captains of companies respectively, as well as that of Captain J. P. Goodall, as mustering officer. The hospital bills, amounting to about \$10,000, bear the certificates of Dr. E. H. Cleaveland, as surgeon medical-director. Some of these bills are missing, as I found by an abstract among the papers, as well as by noticing

that there were some missing numbers among the duplicate vouchers. The accounts for subsistence, forage, transportation, quartermaster's stores, and ordnance, amounting to about \$90,000, with the late quartermaster-general's certificate upon them, were also not to be found, as I notice by the missing numbers of some of the vouchers, there being no abstract of them, similar to the hospital bills. I also found among these papers the receipts upon provision returns of the Captains K. Lamerick, John F. Miller, James P. Goodall, and Jacob Rhodes, to Major C. S. Drew, as quartermaster and commissary of subsistence of the California and Oregon Battalion of Mounted Volunteers, during the Rogue River war, as well as his certificates of issue on provision returns to Captain R. L. Williams's, E. A. Owen's, and Terry's companies. Forage requisitions, receipted and certified to for the same companies, were also inspected, and upon all of which it was my intention to make a full and correct report, as soon as the duty could be performed. Before proceeding to this duty, however, it was my desire to receive from and receipt to Major C. S. Drew for these papers as property belonging to the office I have the honor to hold. I have to report, however, sir, that on the morning of the 6th of June I proceeded again to open the safe for the purpose of making a further inspection, and found the whole of them abstracted and missing, and learned that Major Drew had opened the safe with another key, and carried off the papers belonging to the quartermaster and commissary department, as well as the duplicate muster-rolls of the troops.

Under the circumstances I deem it my duty to make to you a report of these facts, and to respectfully suggest that duplicates be immediately applied for at the proper Department in Washington, as it is obvious that the duties of my office cannot well and properly be performed without having these papers to refer to at all times, and that any necessity for this abstraction or concealment should exist is a proof that they should be thoroughly inspected and strictly scrutinized.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN F. MILLER,  
*Quartermaster-General Oregon Militia.*

GEO. L. CURRY,  
*Governor of Oregon.*

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L, No. 3.

TERRITORY OF OREGON, EXECUTIVE OFFICE,  
*Salem, July 27, 1855.*

SIR: I have deemed it my duty to cause the inclosed copy of correspondence to be transmitted. It is in relation to the expenses of the Rogue River war. Probably a schedule of the accounts addressed to this office, showing the items and amount of each account, will be satisfactory, excluding the accounts of Captain Nesmith's company, which constituted a distinct expedition, and which accounts I know to be correct, as they passed my own inspection.

If the inclosures have not their proper destination, will you do me the favor to place them in a course to reach it? It is needless, perhaps, for me to assure you that no Treasury drafts for the payment of the expenses of the Rogue River war will hereafter be delivered from this office, unless we are satisfied of the correctness of the expense.

I am, very respectfully, your obedient servant,

GEO. L. CURRY,  
*Governor of Oregon.*

Hon. ELISHA WHITTLESEY,  
*First Comptroller of the Treasury.*

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L, No. 4.

TREASURY DEPARTMENT,  
*Comptroller's Office, September 12, 1855.*

SIR: Inclosed I herewith transmit to you a letter from his excellency G. L. Curry, governor of Oregon, under date of 27th July, 1855, inclosing therein the copy of a letter from him to C. S. Drew, late quartermaster-general of the Oregon militia, dated May 16, 1855, and the copy of a letter from John F. Miller, quartermaster-general, (successor of General Drew,) dated June 9, 1855, relative to the expenses attending the Rogue River war in Oregon, and particularly touching the abstraction from an iron safe, of which General Miller had obtained possession, of certain papers, as alleged, deposited therein, pertaining to the Rogue River war.

Copies of these letters have been retained in this Office, inasmuch as the Treasury drafts that have been issued on account of the Rogue River war in Oregon have been, by an arrangement between the Third Auditor, Hon. Joseph Lane, and myself, transmitted by me to the governor of Oregon, to distribute to the lawful claimants.

It would seem, by the last clause of the letter of Governor Curry, that doubts are entertained by him that all of the claims presented for adjudication on account of supplies furnished, &c., were not proper charges, for he states, in effect, that hereafter he should not deliver any further Treasury drafts, unless he is "satisfied of the correctness of the expense," &c.

Most sincerely, yours,

ELISHA WHITTLESEY,  
*Comptroller.*

W. H. S. TAYLOR, Esq.,  
*Acting Third Auditor.*

## SUPPLEMENTAL REPORT.

WAR DEPARTMENT,  
*Washington, D. C., November 28, 1872.*

SIR: I have the honor to state that in December last I submitted to you an official report disclosing falsities in statements, which bore your approval, on account of expenses of the Oregon Indian war of 1854. The report and the papers upon which it was based were returned to me shortly after the matter had received your attention, and they have since remained in this office. They have so remained for reasons which, with other items of interest, will be noted in the following supplemental report.

This statement must necessarily exhibit some of the incidents which have appeared in connection with these matters, since, as well as before, October last.

When the Comptroller returned the objectionable vouchers to this Department, he remarked that the claimant in the matter then at issue awaited the result of your decision. The said claimant is known as Jesse Robinson. His name appears in the accounts of 1853, which were settled some years ago. He was quartermaster of the first regiment of cavalry, Oregon volunteers, in 1864-'65, and of that same organization one C. S. Drew was the lieutenant-colonel during a portion of that time.

The acquaintanceship of these two persons probably started with the accounts of 1853; it must have continued ten years after when they were in the same military organization, and it is supposed to have ripened thereafter so as to befit a copartnership arrangement between them in 1871.

Mr. Robinson called at this office two or three times during the first few days his claim was in my possession. He at first seemed strangely embarrassed, and indeed confounded, at the turn his affairs had so suddenly taken. I treated him kindly, and attempted to assure him that in due time his claim would be adjusted according to its merits. He did not, however, wait for your decision, but suddenly left here for some other place, from whence he has not, so far as I have been advised, made inquiry concerning the \$20,993.38 here invested in his name. I learned incidentally from his verbal statements that he and somebody else had searched for missing papers pertaining to these accounts of 1854. The articles sought were found inclosed in a chest or box, which, resting on end, appeared as a substitute for a table-leg in Mr. Dowell's printing-office. Mr. Robinson told me that he had offered to file said papers in the Third Auditor's Office, if they were wanted in evidence; that he had made the offer to Mr. Stetson, and that the latter had treated it with indifference.

I said to my informant that the Secretary of War would like to obtain possession of all the written evidence bearing upon these claims; that the papers found ought to be placed in this office without further unnecessary delay; and that their early reception would undoubtedly expedite a settlement of the case then at issue. I think Mr. Robinson promised to deliver the papers to this Department. They have not, however, been received, and their non-reception forms one reason why these matters have here remained so long intact.

On the 10th of January you issued a letter to L. F. Grover, governor of Oregon, calling upon him for the abstracts, vouchers, and rolls that C. S. Drew, as quartermaster-general of the Territory, sent to the executive December 30, 1854. From the governor's reply, dated January 29, received here February 29, 1872, I now quote :

After diligent search, it appears that such rolls and papers are not on file in the archives of the State. In the winter of 1854-'55, the State-house of Oregon Territory was totally destroyed by fire, together with the library and all public books and papers in it. The rolls and papers referred to were probably then destroyed, but I believe Colonel C. S. Drew, who is now in Washington, has retained copies or duplicates.

Before the governor's letter reached you, the presence of Colonel C. S. Drew in Washington had become known at this Department, from the fact that he had already appeared here in person. It will be remembered that the gentleman's title came of his having been lieutenant-colonel in the volunteer regiment of which Jesse Robinson was at the same time the quartermaster. These two gentlemen were introduced to me by O. W. Cook, esquire, formerly a clerk in the Treasury Department, but latterly, and at the time of the introduction, a claim-agent in this city. The introduction of Robinson took place in November, 1871; that of Colonel Drew is fixed by my notes, to which I will now refer :

*Friday, January 12, 1872, a. m.*—O. W. Cook, esquire, Robinson's friend, called at office; introduced C. S. Drew, who came to inquire about Oregon claims, (\$20,993.38,) act January, 1871. Informed him that further action was suspended for want of information from the governor of Oregon. Asked the colonel if he knew how the original papers were disposed of after he had sent them to the governor in 1854. Replied: I understand they were destroyed by fire when the State-house was burned in 1855. He so understands, because he and Griswold sought these papers, and obtained information to the effect noted from Oregon officials.

Colonel Drew further stated that in 1854 he kept, and has since retained as personal property, copies of all the accounts and of all bills, which latter he calls original vouchers, of expenses that attended the "hostilities" of 1854; that he is prepared to give whatever information may be required of him concerning said expenses; is willing to deliver the papers to the Government, if by so doing he can get rid of annoyance from claimants; that he thinks his brother, B. J. Drew, sold\* his accounts to Griswold; that he, C. S. Drew, has no interest in the claims of Griswold, Dowell, or Robinson, but he only desires to clear up his own record; that he is prepared to explain concerning certain vouchers reported to have been carried off by him in 1855; that he considers the Davis decision, awarding 6 cents per pound for hay, and not exceeding twice the appraised value of an animal, a just and proper one, which made ample compensation, especially for the use of animals; that he (Drew) knows what claims of 1854 have been paid by the United States; that he and B. F. Dowell came on together from California; that Griswold is now in Oregon; knows this because he (Drew) gave him (Griswold) the addresses of some two hundred persons† who had been employed in the wars in Oregon; and also that Jesse Robinson is now in California, and has sickness in his family.

Colonel Drew's remarks received my undivided attention.

\* The accounts were settled on power of attorney, not bill of sale.

† Names supposed to have been selected from the four hundred and fifty (more or less) listed and printed in Senate Executive Documents Nos. 1 and 2, Forty-Second Congress, second session. Steps taken to obtain an appropriation of \$69,914.64 to pay additional claims of 1855-'56.

The extraordinary credit which, within that year (1871) had been given to his certificates, coupled with the appearance of the gentleman himself, nominated him to my especial notice. In looking after "cash loaned" to him, it appeared that a bill, with nothing more than his certificate, was the evidence upon which the Third Auditor had officially recommended the payment of eleven hundred and five dollars of public money to Jesse Robinson. Indeed, sir, an unofficial copy of such a bill and certificate, without a particle of additional evidence, actually obtained such a recommendation, which, with approval, allowed a payment of \$720 to Griswold. No questions had been asked, before the recommendations were made, to ascertain whether or not any money had been passed from the lender to the borrower, or to discover how, by whom, to whom, when, and where the expenditures had been made, if any had, on public account.

It was enough and conclusive, it seems, if C. S. Drew's hand had at any time used a pen in connection with a bill submitted. He alone holds the key which may unlock the bar to all claims now filed on account of *incidental expenses* of the "hostilities" of 1854. I remarked to him that the Secretary of War would like to have a complete schedule of all the claims of 1854, and, in fact, the accounts complete, in order that the officials of the General Government might anticipate the maximum amount of the claims, and get some idea as to where the "expenses" had ended once, and as to where they may possibly end again.

On Tuesday, January 16, 1872, Senator Henry W. Corbett and Colonel C. S. Drew called. They paid their respects to you upon leaving me, and represented that against the colonel charges had been made in an official report, and that in justice to him (Drew) he was entitled to a copy of said report. You were pleased to recognize that right *so far* as to direct me to furnish copies of the original papers upon which the so-called charges were principally based. The order to furnish was executed that day. Copies were sent under cover and by hand to the "Ebbitt House," which was Drew's address, as given by himself.

From that time to this, the case has rested for three special reasons, viz:

I. Awaiting information on the reception of papers from the governor of Oregon. (Information received February 29, 1872.)

II. Awaiting the reception of papers referred to by Jesse Robinson. Not received up to this date.

III. Awaiting schedules, or a set of accounts from Colonel C. S. Drew. Not received up to this date.

And now, leaving the special claims, I turn to the Oregon Indian war claims generally.

Indian difficulties in Oregon Territory originated several species of accounts, which are classified under three headings, viz:

I. The Rogue River Indian war of 1853.\*

II. Indian hostilities of 1854.†

III. Hostilities in Oregon and Washington Territories, 1855-'56.‡

I have heretofore dwelt upon the first and second class, and now pass to the third.

In the settlement of this class the Third Auditor exercises exclusive jurisdiction, and his powers are of an extraordinary character; for instance, where the statute laws of the United States absolutely require

\*Act approved July, 1854.

†Act which became a law January 31, 1871.

‡Act March 2, 1861. (12 Stat., 198.)

two witnesses to every power of attorney to make it good, said requirement has not been regularly applied to the Oregon claims of 1855-'56. (See paper hereunto annexed, marked A.)

For the settlement of this class of claims appropriations were made March 2, 1861, as follows:

For pay .....	\$400,000 00
For supplies .....	2,400,000 00
For R. J. Atkinson, Third Auditor, who made report.....	1,000 00
<b>Total, March 2, 1861.....</b>	<b>2,801,000 00</b>
The balance unexpended at this date.....	364,390 18
<b>Amount expended since March 2, 1861.....</b>	<b>2,436,609 82</b>

The appropriations (less Atkinson's \$1,000) were carried into this Department on war-warrant, and for expenditures from them the signature of the Secretary of War thus came to be necessary, while, at the same time, he had no control over the accounts.

The late Mr. Stanton would not sign away public money on any account where some one of his departmental officers could not vouch for the correctness of the proceeding. As no one here appeared to attest these Oregon cases, the Secretary (above-named) ordered General Ketchum, lately deceased, to have supervision over them. The general usually visited the Auditor's Office in each case, examined the papers, saw that the Auditor's signature appeared to the report on the case, and that the allowances, wherever noted, agreed one with another, and were not duplicated.

The general often found fault with the system under which the accounts were adjusted, and he believed there were serious defects in it. I followed in his train. Nothing, however, could be done to unmask the supposed defects, for the law shielded them from any official exposition from this source while they were underlying the Auditor's decisions. It is believed that interferences in these cases and in others arising under an act to settle State claims caused the appearance of the act of March 30, 1863, which requires heads of Departments to pass settlements as made and certified by the accounting officers unless serious objections are in the way. So, while the supervisor of these claims, on behalf of this Department, was continuously disposed to protest against what he believed to be an unreliable system, he hesitated to put his objections in a statement which must have rested on uncertain ground.

Thus matters stood when the law of January, 1871, gave the Secretary of War special authority "to settle and adjust" the claims of 1854, class 2.

The Third Auditor sent up a report on these, with a recommendation for the allowance of \$33,844.83, and a disallowance of \$5, which sums together made the total of claims then filed.

The examination, report, recommendation, and settlement made upon these claims arose from the same heads and hands that for a long time had had immediate control, within the Treasury, of the claims of 1855-'56.

B. F. Dowell, esq., an old practitioner of vast experience in collecting Oregon claims, closely pressed the case when it came up. Here it passed through channels in which Oregon cases were formerly unknown, and in which the case as it was reported by the Auditor was passed; and thus the claims of Griswold and Dowell, for \$33,844.83, reached a haven wherein they rested beneath your approval.

When, in view of that approval, the settlement certificate for that amount was passing through my hands, I said to Mr. Potts that I pro-



tested against that settlement, and especially to the change of supervisorship just at that special time. He kindly reminded me that I was advancing a delicate question, for the case had been decided by my superiors.

Thus matters rested for a time, and the claims were paid. After a while other claims (Robinson's) came up. They passed, as did the others; but a doubt raised in the Second Comptroller's Office brought them back again. They were officially referred to me for report, and the results were soon made known to you.

Then, finding that the Auditor's reports upon Oregon claims of 1854 were false in fact, you ordered the suspension of all Oregon settlements of 1855-'56, for the power of the accounting officer ended in the case when he sent up a settlement certificate. A list of the suspended accounts is hereunto annexed, marked "B."

Persons interested in the reported cases of 1855-'56 have recently repeatedly insisted that their claims should be paid. Nearly all of the settlement certificates on hand bear symbolic marks of attestation, which, in every respect, correspond with those found on the false reports. There is no authority under which this Department can revise or reverse the reports made at the Auditor's Office in the cases of 1855-'56.

The Secretary of War may now only firmly and positively decline to give his signature to countenance and encourage the act of any party or parties whose writings or symbols of office, however creditable in times past, have proved so fallacious on two separate occasions as to mislead the head of a great Department, and, perhaps, as to detract from the official credit of the very accounting officers whose signatures gave faith to such tokens.

But to return to the accounts of 1854: My first report has not been exhibited to any person who could, without a violation of established rules, make known its contents to any one outside of this Department; yet there have come to hand a number of papers in which certain interested parties attempt to meet some of the irregularities which are dealt with in that same report.

I now purpose to review the additional papers, first remarking that their contents, whatever they may be, cannot now form a basis to excuse any irregularities which may have heretofore existed, and have been pointed out in these cases, as they rested upon the evidence produced before December 2, 1871.

*April 19, 1872.*—Five affidavits inclosed to Senator Henry W. Corbett in a letter which bears his indorsement, viz:

Respectfully referred to the Honorable Secretary of War, trusting that the claims referred to (having no connection with the claims of 1854) may be acted upon.

B. F. Dowell, the writer of the letter, sets forth that these affidavits are "about the alleged new vouchers which the Secretary of War intimated was dug up in my office. There is only one more voucher of the kind that ever passed through my hands. Please file these wherever the claims of 1854 may be found, but first show them to Mr. Potts, Mr. Bradley, and the Secretary of War, and insist on the payment of the claims of 1855-'56, which has nothing to do with the officers of 1854. I will send some evidence also soon on the valuation of my pack-mules, &c. There were about thirty of them, and they and Drew's pack-train were all valued at \$200 apiece. With one claim of 1854, which I bought, and the correction of all errors for and against me according to the prices of 1853, the Government still owes me on the war of 1854 upward of a thousand dollars. The only deduction that should be made

is on the riding animals, which were rode by some of Captain Walker's company. Please press those that have been audited by the Third Auditor of 1855-'56 war through the War Department. Those of 1854 can remain stationary until all the proof can be furnished. Has Grover or Drew filed any papers?"

COMMENTS.—The references to alleged new vouchers "dug up," and to one more "voucher of the kind" that passed through his (Dowell's) hands, render the man's meaning incomprehensible. Old vouchers might have been unearthed, but it is not probable that those classed as new were ever buried. The kind of the "one more" is not understood. Only twice the appraised value of an animal was properly allowable. Dowell obtained \$384 for each pack animal employed 96 days. The half of this amount is \$192; so, to get within the limitation (of not exceeding twice the appraised value) he fixed upon \$200 as the valuation of each of his animals, which he now states were mules. So, on the 19th of April this (valuation) became the mark up to which some disinterested party could thereafter proceed to swear.

As \$5 for a difference in the price of tin cups was the total disallowed on Mr. Dowell's claim for \$18,293.33, the errors to be corrected "for" him must necessarily be insignificant, while those to be corrected "against" him amount to \$6,158.

I asserted, in my first report, that Mr. Dowell knew he was accepting an overpayment on animals. That fact is now proved by his own admission that deductions should be made on the animals ridden by Walker's men. He admits this when the evidence already at hand is conclusive.

Notwithstanding his request that the Senator should "insist on the payment" of the claims of 1855-'56 and press them through the War Department, they continue to remain here, and, so far as he (Dowell) is concerned, may be used as an offset.

It is difficult to determine why he wanted to know whether Grover or Drew had filed any papers, or why the Senator was supposed to know what had been filed. It is reasonable to infer from the January letter that Governor Grover never had any papers to file; and it is wondered how any additional papers might affect Dowell's interests.

#### AFFIDAVITS.

I. *B. F. Dowell*.—In June, 1871, received by mail, from C. S. Drew, vouchers described in affidavits of Martin, Zigler, Griffin, and Davis; also received \$10 to pay expenses of complying with Drew's requests, which were for him (Dowell) to see that the certificates were in due form of law, &c. Attended to the matter, and, by mail, returned the vouchers, with powers of attorney, to Drew. Did not particularly notice the vouchers; did not suspicion that there was an intention to make new vouchers. Never had any interest in these claims.

II. *Alexander Martin, of the firm of Zigler & Martin*.—In 1854 shod horses for Walker's company; amount, \$100 or \$125; voucher was made out, certified to, and paid by C. S. Drew in 1854, at which time, in the name of the firm, the voucher was receipted or assigned to Drew; latter returned it in summer of 1871 through B. F. Dowell, with request for firm to execute power of attorney to collect the money. The power of attorney was in the handwriting of Drew; the voucher was old and not new, and was returned in accordance with Drew's request. The firm has had no interest in the claim whatever since 1854.

III. *Louis Zigler*.—Confirms statement of Alexander Martin.

IV. *B. B. Griffin*—Furnished forage for horses of Walker's company in 1854; voucher was made out and certified to by Drew; affiant receipted for the amount or assigned same on the voucher to C. S. Drew in fall of 1854; summer of 1871 same voucher was sent to Dowell by Drew with power of attorney in Drew's handwriting with request from Drew to execute the power of attorney so he could get the money on the claim; executed the power and left it and voucher with Dowell; thinks the amount did not exceed \$100; knows the voucher was old and not new, because it had on it his (Griffin's) genuine signature, which he signed in 1854.

V. *Joseph H. Davis*.—Forage-voucher, amount between \$200 and \$300; sworn statement similar to Griffin's, with addition that he (Davis) has had no interest in the claim since it was paid to him in the fall of 1854.

COMMENTS.—The vouchers presented in the names of the deponents Martin, Zigler, Griffin, and Davis do not and never did bear their receipts for the payments made by Drew in 1854. So it is now clearly proved that the vouchers filed against the Government in these cases are not the original vouchers which passed from and back to Drew in June and July, 1871.

The said four men swear that the papers upon which they acted in 1871 were the original vouchers, bearing deponents' own receipts or writings of 1854; and that the instruments executed by them in 1871 were powers of attorney to enable C. S. Drew, or his agent, to collect the money.

Mr. Dowell, who is classed a lawyer, also swears that the instruments were powers of attorney. Turning to the instruments filed, each appears indorsed "Bill of sale," and each sets forth:

Whereas I [name] have in my own right a certain claim against the United States, as evidenced by the official vouchers hereunto annexed, viz: [for supplies] furnished to the public authorities of Oregon Territory, to assist in maintaining the common defense against the combined hostile tribes of Indians in said Territory, for which I was allowed by said public authorities the sum of [amount of voucher,] the said voucher bearing date [specified] and signed C. S. Drew, quartermaster-general, Oregon militia:

Now know all men by these presents, that I, the said [name,] in consideration of the sum of one dollar, to me paid by the said Chester Robinson, (the receipt of which is hereby acknowledged, and with which I am content,) have bargained, sold, assigned, transferred, set over, and delivered, and by these presents do bargain, sell, assign, transfer, set over, and deliver unto the said Chester Robinson and his legal representatives, the afore-described and annexed voucher or certificate, and all my right and interest in and to the same, and to the debt or claim thereby evidenced, and to all the rights and benefits, of every name and nature, to be derived from the acts of Congress 1854 and 1871.

The continuation is "To have and to hold," and "In witness whereof." Dates and names are affixed.

So the facts are that C. S. Drew, as quartermaster-general of the Territory, borrowed several sums, among others \$1,105 from Wm. F. Wood, and \$720 from Benjamin J. Drew. Paid Martin, Zigler, Griffin, and Davis, in 1854, in full, for their services or supplies. The payees accepted the money as "allowed," not by an individual, but by the "public authorities" of the Territory. One complete set of the expense accounts was sent to the governor, another set was held by C. S. Drew, and the set sent to the governor was lost. Thereafter, C. S. Drew, with W. C. Griswold, if not with Jesse Robinson, sought for missing papers pertaining to the expenses of 1854, and these papers, or others of value, were found in B. F. Dowell's printing-office.

Soon after January, 1871, when a United States law authorized payment of these Oregon claims, Messrs. Dowell and Griswold discovered

that concerning the expenses the General Government possessed nothing more than the following-mentioned data, viz :

I. Muster-out roll of Jesse Walker's company.

II. Unofficial copies of vouchers, "signed C. S. Drew," in favor of Benjamin J. Drew, with latter's power of attorney, dated in 1858, to W. C. Griswold; said copies purporting to be of vouchers for supplies furnished and for money loaned.

III. Original vouchers, and an abstract to support B. F. Dowell's claim.

Under these circumstances, it was natural to suppose that those papers, excepting No. 1, were finally disposed of by the settlement, in April, 1871, and that there was nothing more to "settle and adjust" but the pay of the men, and charges for use and risk of the company animals.

Paper No. 1 still remained in the Third Auditor's Office; but notwithstanding that fact, a letter of April 19, 1871, came from said office, suggesting that all claims for arrears of pay, and for use and risk of horses, &c., under the act of January 21, 1871, (to pay Oregon volunteers,) be considered by the Second Auditor. The said communication was returned to the Treasury, with a letter of May 13, 1871, from the Secretary of War, stating that said claims should be considered in the Third Auditor's Office.

This refused, virtually, to bury the \$33,844.83 papers in one office, and to transfer the additional business to another.

Whether the original vouchers, others than those of Dowell's claim, were retained by C. S. Drew in 1854, or were sent to the governor, or were lost and found, is not clear. Anyhow, in June, 1871, Drew had possession of the original vouchers signed by Martin & Zigler, B. B. Griffin, and J. H. Davis. These four men parted with their "own right" to these claims in 1854; but in 1871 each one swore, "I have in my own right a certain claim against the United States," meaning the same claim he had parted with. The swearing was done to accommodate Messrs. Drew and Dowell. Then afterwards Drew exchanged the vouchers, or made out new ones, to show his certificate without a receipt. He may say that this change was made because of the words in section 6 of the act of Congress approved August 14, 1848, which, in reference to Oregon Territory, contains the following :

Nor shall said legislative assembly authorize the issue of any obligation, scrip, or evidence of debt by said Territory, in any mode or manner whatever, except certificates for services to said Territory.

This, however, will not meet the case of Colonel Drew; for, turning to section 8, chapter iii, of the legislative assembly act passed January 16, 1854, it shows what officer alone was to issue all such certificates. That section gives the following :

In all cases where the laws recognize a claim for money against the Territory, and no appropriation shall be made by law to pay the same, the Auditor shall audit and settle the same and give the claimant a certificate of the amount thereof, under the official seal, if demanded, and shall report the same to the legislative assembly with as little delay as possible.

The office of quartermaster-general of the Territory was created by an act of the assembly passed February 2, 1854; but neither it nor any other law that I know of gives any credit to that officer's certificates. His certificates alone had but little, if any, weight in adjusting the accounts of 1853, which were settled after July, 1854; but said certificates have since grown into high credit at the Treasury, for reasons of which I am not advised. In this particular instance the change of vouchers

made by C. S. Drew does not appear in his favor when it is remembered that he has been the prime actor in the following instances, viz :

1. He paid the money-value of the said original vouchers in 1854.
2. He held the said original vouchers in June, 1871.
3. He substituted for the genuine receipted vouchers untrue copies of them after the originals had become subjects of legal process.
4. He prepared the powers of attorney or bills of sale, and the instruments are in his own handwriting.
5. He put the said copies and instruments into the custody of Chester Robinson or Jesse Robinson; for the original claimants recognized Drew only, and not the persons named.
6. He promptly appeared in Washington when Jesse Robinson met with difficulties.
7. He came through the channel which brought Robinson to this office.
8. He came a long distance at great expense and in mid-winter.

Colonel Drew has sent in lengthy explanations of date July 9, 1872, in reference wholly to the alleged charges which were made against him in 1855, and which were again brought to light in 1871. The explanations may be of use somewhere, as documentary evidence; but they positively amount to nothing, while the foregoing facts are established, and he withholds all the papers and the more important facts in this case.

*April 25, 1872.*—B. F. Dowell upon this date found two persons, viz, John E. Ross and P. H. Van Slycke, who promptly swore to the \$200 mule mark set up six days before and then pointed out by letter to Senator Corbett.

As the muster-roll of seventy-four animals ridden by Walker's men gives an average of \$110 for each animal, it would be advisable to stick to that valuation in preference to trusting any one's memory as to the price of a certain horse or mule seen eighteen years ago. The mules which Mr. Dowell charged for in 1853 were valued at not exceeding \$175 each, and he then found it a difficult matter to get his accounts through here at a higher rate than \$150. His figures of \$200 for each animal are grounded to avoid any deduction on the thirty times \$384 allowance, but are too near even to pass in a close business transaction, especially where a man wants twice the appraised value of each animal, keeping the animal itself, in the bargain, all for ninety-six days' hire.

The deponents Ross and Van Slycke swear to the valuation of the particular animals, upon the allowances for which I emphatically pronounced the Auditor's report a falsity. My statement is now confirmed, not only in the said declaration, but doubly so in another, where I asserted that Dowell knowingly accepted overpayment for these animals. He distinctly points them out without a word from me or my report!

So B. F. Dowell stands self-convicted of one wrong, if not of more.

*April 26, 1872.*—W. C. Griswold, to Senator Henry W. Corbett, wrote :

In a recent conversation with B. F. Dowell, relative to our Oregon war-claim of 1854, stated that some new vouchers had been presented for payment; that the Third Auditor, Secretary of War, and a Major Bradley were bitterly opposed to me, asserting that I had influenced some of the clerks in my interest, &c., all of which I deny.

Mr. Dowell being also engaged in the purchase of claims against the Government, I did not pay any attention to his statement until it was confirmed by Colonel C. S. Drew a few weeks since, then in Washington, and I confess my surprise that such a belief had obtained among the officials, and my first impulse was to say nothing and see what kind of a story would be manufactured; but having received several letters from the Departments notifying me of the suspension or rejection of nearly every claim sent, in the order in which they came to hand, and that, too, for the most foolish and trivial reasons, after conferring with my old friend, Thomas B. Rickey, I concluded to

write you in explanation, and you can judge whether I am implicated as charged, and I hope you can find time and will not think it too much trouble to speak to the persons referred to upon the subject.

Writer knows nothing of new vouchers; does not know that he was overpaid; took what was allowed; if overpaid, is willing to refund; continues:

Again, I understand that I am charged with bribing the clerks and getting information to which I am not entitled; this I also deny. When the bill passed Congress making the necessary appropriation, Mr. Dowell wrote me in New York saying the muster-rolls and abstract of purchases could not be found, and unless they were we would never get a cent. I went to Washington, and meeting Dowell we oscillated between the offices of the Second and Third Auditors and the War Department for some time, trying to hunt them up, and without success. Mr. Dowell declared he had seen them in the Third Auditor's Office, and we offered to give \$100 each to any one who would find the papers. We made this proposition open and aboveboard, and I am sure I did not know at the time there was any harm in doing so. Subsequently Mr. Stetson intimated that such a proceeding was in violation of office rules; but the papers were not found or the money paid.

As for any claims being put through for me, which were not just and correct, is false from first to last.

Last, although not least, the charge that I had obtained information about claims which I was not entitled to is also false. I ask no odds of any of them as to the amount allowed in any claim. Tell me the nature of the claim, and the quartermaster or commissary, and I will tell within a few dollars of what will be allowed, at any rate near enough for my purpose; and every man who has a claim for sale can tell the quartermaster or commissary to whom he sold.

As for a record of the claims, I am independent of the Departments on that score also, for I have nearly, if not all, the retained duplicate papers relative to the Indian war of 1855-'56.

General Barnum gave me, years ago, all the retained copies of the muster-rolls, and I purchased of General J. W. Drew all the retained copies of persons and articles hired and employed, together with the abstract of purchases in the Quartermaster and Commissary Departments; besides I procured from him all the duplicate vouchers.

Hoping you will excuse the length of this communication, and, with renewed assurances of my high consideration, I have the honor to be your obedient servant.

**COMMENTS.**—This letter is valuable, though of doubtful origin. It shows that Griswold and Dowell were together, at various times, with reference to these claims. It shows that Griswold and Drew were corresponding while the latter was in Washington, or at least that they were together, in some way keeping up a line of communication. It shows that Griswold was surprised at some change which occurred in the action on his claims, when he was notified of the "suspension or rejection of nearly every claim sent." It was sent to or through a gentleman who did frequently "speak to the persons referred to upon the subject."

It contains the writer's (or signer's) assent to refund overpayments. (They amount to about \$2,460.) It shows the manner in which a test was applied to find out what evidence the Government held when the settlement of these claims commenced.

It shows that Griswold knows in advance what the Government will allow on any claim of 1855-'56. It shows that Griswold, having all or nearly all the retained papers of the claims of 1855-'56, is the party to be most benefited by additional legislation to pay claims of that class. It is written in violet-colored ink, and is signed in black ink. It closes with a flourish in diplomatic style, savors strongly of a composition one might expect of a novice in letter-writing, and therefore is of doubtful origin. It does not partake of the characteristics that usually mark Mr. Griswold's own productions, of which I have seen many. Such productions are usually sharp, short, and strikingly to the point. Witness the following:

SALEM, OREGON, *January 29, 1872.*

DEAR SIR: Herewith inclosed I send the application of E. A. Rice for a land-warrant, under act of March 3, 1855, for services rendered in the Oregon Rogue River war of 1854.

That you may not be troubled to find the muster-rolls of said company, I would say the rolls are now in the hands of Major Thomas H. Bradley, in the War Department, for adjusting and settling of said claims and services of the volunteers under act of Congress passed last winter. Early attention to this claim will very much oblige your obedient servant,

W. C. GRISWOLD.

Hon. SECRETARY OF THE INTERIOR,  
*Washington, D. C.*

It is worthy of note that, in this communication of January 29, the writer knew me well enough to give my title and full name, but in April following his memory, as judged by the letter, could do no better than to point out indefinitely "a Major Bradley."

From the foregoing facts the conclusions to be drawn are many, but their gist lies in the following:

I. That the United States do not to-day possess any schedule, list, statement, or other thing from which officers of the Government can possibly have any definite idea of the extent or amount of the Oregon accounts for incidental expenses of Walker's company during the Indian hostilities in 1854.

II. That C. S. Drew had possession of a full set of the said accounts from the time they accrued up to January last.

III. That C. S. Drew forwarded a set of the said accounts to the governor of Oregon in December, 1854, and that said set was subsequently lost.

IV. That, according to Griswold and Dowell's statements, a set at one time existed in the Third Auditor's Office, but was lost, so that a reward of \$200 offered could not bring the papers to light in 1871.

V. That C. S. Drew, W. C. Griswold, and Jesse Robinson searched for missing papers connected with these claims and found the same in B. F. Dowell's printing-office.

VI. That there is nothing filed to show positively where or to whom the papers found actually belonged, and to show why C. S. Drew joined in the search for them when he already had one complete set.

VII. That in 1854 C. S. Drew actually paid Martin & Zigler, B. B. Griffin, and J. H. Davis, and took their receipts upon original vouchers. In 1871 he (Drew) sent the vouchers by the hand of B. F. Dowell to the persons named, and said persons, upon recognizing their old signatures on the said vouchers, executed powers of attorney for the purpose of enabling C. S. Drew or his agent to collect the amounts from the United States Government, and B. F. Dowell then sent the said vouchers and powers of attorney back to Drew.

VIII. That, as substitutes for the papers described in the foregoing section, there have been presented and are now on file, as against the Government, unreceipted vouchers made out in the names of said identical parties, and accompanied with bills of sale from them in favor of Chester Robinson or Jesse Robinson; but with nothing whatever in favor of C. S. Drew, except that his handwriting appears on each paper.

IX. That the parties, namely, Martin & Zigler, B. B. Griffin, and J. H. Davis represented to have executed these bills of sale; each swore in 1871 that on these accounts he then had of his own right a claim against the United States; while in affidavits made in 1872 each individual

states he was paid in full in 1854, by C. S. Drew, and thereafter had no interest whatever in said account or in said claim.

X. That although C. S. Drew declared in January last that he had no interest in these claims, the evidence all tends to show that he was, or is, the principal, as an interested party in the case last at issue; and that Jesse Robinson was or is his tool; Chester Robinson being, I think, a man of straw or the identical Jesse himself.

XI. That in the settlements with Griswold and Dowell in April, 1871, there was allowed and paid a large sum (say \$8,618 for horse-hire alone) in excess of the amount properly allowable on the evidence filed, and that such excessive allowance was based upon false statements from the Third Auditor's Office to the Secretary of War.

XII. That in view of the fact in the preceding section nothing short of a judicial procedure should now induce the head of this Department to issue requisitions to pay claims of the class known as 1855-'56, or to pay other claims on settlements which bear the identical symbolic office-marks, whose creditable appearance misled him in April, 1871, and again in October, 1871.

XIII. That the settlement-certificates of 1855-'56, claims now held in this office, should be returned to the Treasury under the act of March 30, 1868, inviting the attention of the accounting-officers to the false reports and to these expositions, in order that such certificates may be authenticated by examiners, upon the action of whom said officers and this Department can better rely.

XIV. That unsettled claims passed upon and to be passed upon in favor of W. C. Griswold and B. F. Dowell should be held as stoppages to offset the overallowances made to them in April, 1871, as well as to obtain from the former a bond of indemnity or a set of good papers, and from Dowell additional evidence to establish new and proper settlements in their cases.

XV. That the gross errors and falsities, as pointed out in my first report; the introduction to me of Robinson upon one day and of Drew upon another by the same person; Drew's accurate knowledge of the whereabouts of Dowell, Griswold, and Robinson, and their knowledge of one another generally; Drew's knowledge of the amounts paid by the United States; the combinations made from time to time in searching in Washington and elsewhere for missing papers; the persons mentioned, except Robinson, elevating themselves or their communications, in their cases, upon Senator Henry W. Corbett; the query of Dowell as to whether Grover or Drew had filed any papers; the remarkable communication signed by W. C. Griswold; the filing of fraudulent papers in Robinson's case; the continued withholding of full and complete original papers; the anxiety in this matter displayed by Drew, Dowell, and Griswold, while the so-called claimant, Robinson, remained absent and silent; these are all incidents of fact which, with others too numerous to mention, go together to make up an extraordinary combination.

XVI. That all these facts, if they do not really deserve the attention of a court of justice, will, I believe, justify the honorable the Secretary of War, if he shall, presently, reject as fraudulent the claims of Jesse Robinson, *i. e.*, C. S. Drew; and shall thereafter disallow all claims which may be presented on account of incidental expenses of the Indian hostilities of 1854.

Very respectfully, your obedient servant,

THOS. H. BRADLEY,

*First Lieut. Twenty-first Inf., Brevet Captain, U. S. A.*

The Hon. the SECRETARY OF WAR.



Lieutenant Bradley's views, as presented in the foregoing report, are approved.

WM. W. BELKNAP,  
*Secretary of War.*

WAR DEPARTMENT, *December 3, 1872.*

NOTE.—See supplement of January 8, 1873, following.

SECOND SERIES.

*List of annexed papers.*

Marked.	Date.	Purpose.
A	Jan. 17, 1871	Secretary of War to Second Comptroller.
	Jan. 19, 1871	Decision of Second Comptroller.
B	Nov. 1, 1871	Schedule of Settlement Certificates.
	to	Oregon and Washington Indian Wars, 1855-'56.
C	Dec. 3, 1872	List of papers upon which Lieutenant Bradley's reports are based.

A.

Certificate No. 5242, dated Third Auditor's Office, January 7, 1871, to pass to the credit of Thomas S. Burch and others, \$300.84, for services, &c., during the Oregon and Washington Indian war, 1855-'56.

The powers of attorney filed in the cases of Samuel Wilks and James Wilks are not witnessed, as required by the act of July 29, 1846, and sections 1 and 7, act of February 26, 1853. (See, also, section 2270, Digest Decisions, Second Comptroller's Office, edition 1869.)

THOS. H. BRADLEY,  
*Brevet Captain, U. S. A.*

Respectfully returned to the Second Comptroller with the certificate above mentioned.

Before signing request for a warrant for the above amount, the head of this Department desires to ascertain whether or not the above-mentioned powers of attorney are accepted by the Treasury Department as legal instruments.

By order of the Secretary of War.

JOHN POTTS,  
*Chief Clerk.*

WAR DEPARTMENT, *January 17, 1871.*

Respectfully returned to the Secretary of War.

The acts cited herein have never been held by this Office to apply to the claims of the Oregon and Washington war.

The Third Auditor having admitted the validity of the claim, under the authority conferred upon him by act of Congress,\* this Office considers the powers of attorney as properly executed.

JOHN M. BRODHEAD,  
*Comptroller.*

SECOND COMPTROLLER'S OFFICE, *January 19, 1871.*

\* Act March 2, 1861.

B.—Schedule of settlement certificates, Oregon and Washington Indian wars, 1855-'56.

Number of settlement.	Date of Comptroller's approval.	In whose favor.	What for.	Amount.		To whom payable.
				Items.	Total.	
7953	Nov. 24, 1871	J. W. Donnell	Services		\$40 74	Claimant, New Dungeness, Wash.
7954	Nov. 24, 1871	Colburn Barrell	Supplies	\$164 58		
7954	Nov. 24, 1871	George McQuinn	Services	108 08		
7954	Nov. 24, 1871	Lyman Williams	do	40 00		
7954	Nov. 24, 1871	Robert Y. Long	do	64 22		
7954	Nov. 24, 1871	C. G. Fritz	do	63 18		
					440 06	T. J. Carter, esq., Portland, Oreg.
7955	Nov. 24, 1871	Peteg Hibbard	Supplies		120 00	Mary F. Hibbard, administratrix, Lafayette, Oreg.
8028	Dec. 8, 1871	Jacob Mendenhall	Services	46 23		
8028	Dec. 8, 1871	Jacob M. Hamed	do	25 83		
					72 06	Claimants, care J. C. Mendenhall, Albany, Oreg.
8053	Dec. 11, 1871	A. J. Linville	Supplies	38 00		A. J. Linville, care W. W. Miller, Olympia, Wash.
8053	Dec. 11, 1871	Linville Beaty	do	56 00		
8053	Dec. 11, 1871	G. K. Willard	do	18 50		
					112 50	H. K. Hines, care W. W. Miller, Olympia, Wash.
8053	Dec. 11, 1871	William Wright	Supplies	41 77		H. C. C. Tucker, esq., Washington, D. C.
8101	Dec. 15, 1871	Albert Rush	Services	67 54		
8173	Dec. 23, 1871	William P. Harris	do	86 73		Claimant, care D. M. Guthrie, Dallas, Oreg.
8191	Jan. 2, 1872	John B. Hall	Horse-hire	37 20		C. P. Ferry, esq., Portland, Oreg.
8192	Jan. 2, 1872	George W. Wilson	Services	15 20		Claimant, care S. W. Williams, Washington, D. C.
8257	Jan. 10, 1872	Lysander F. Eaton	do	12 17		Care of W. R. Drinkard, Washington, D. C.
8258	Jan. 10, 1872	George Campbell	do	35 17		W. H. H. Myers, Hillborough, Oreg.
8375	Jan. 22, 1872	James Barnes	Services and supplies	1,422 12	1,422 12	B. F. Dowell, esq., Washington, D. C.
8366	Jan. 22, 1872	David Butterfield	Horse-hire		519 75	E. Steel, administrator through B. F. Dowell, esq., care Hon. H. W. Corbett, United States Senate.
8627	Feb. 8, 1872	Orson M. Seward	Supplies		39 43	C. M. Carter, esq., Portland, Oreg.
8789	Feb. 29, 1872	Newell Gerrish	Services		33 49	Claimant, care Hon. S. Garfield, House of Representatives.
8790	Feb. 29, 1872	Charles R. Meigs	do		114 48	Claimant, care Hon. J. K. Kelly, United States Senate.
9072	Mar. 26, 1872	Robert Husc	do	14 01		
9072	Mar. 26, 1872	William Bedillion	do	15 41		
9072	Mar. 26, 1872	Simon Gill	do	22 40		
9072	Mar. 26, 1872	John Sutherland	do	11 48		
9072	Mar. 26, 1872	Joseph St. Germain	do	20 05		
9072	Mar. 26, 1872	David Cotnoir	do	4 40		
					87 75	By draft to Mary C. Warbass, administratrix, Olympia, Wash.
9241	April 19, 1873	Avery A. Smith	Services		72 00	
9241	April 19, 1873	Allen Parker	do		240 00	
9241	April 19, 1873	Lewellen Scovell	do		64 67	
9241	April 19, 1873	B. F. Drake	do		20 00	
9241	April 19, 1873	David Delaney	do		35 62	
9241	April 19, 1873	James Delaney	do		70 00	
9241	April 19, 1873	S. F. Chadwick	do		19 44	

9241	April 19, 1872	Phillip F. Castleman	do	28 00
9241	April 19, 1872	David Roland	do	81 67
9241	April 19, 1872	P. C. Keizer	do	320 00
9241	April 19, 1872	O. A. Spencer	do	160 00
9241	April 19, 1872	James Strang	do	54 67
9241	April 19, 1872	W. A. Upton	do	240 42
9453	May 10, 1872	Thomas Heller	Services	96 21
9453	May 10, 1872	David White	do	75 07
9454	May 10, 1872	Hardin W. Estes	Supplies	
9455	May 10, 1872	Joel T. Ticknor	do	
9456	May 10, 1872	Seth Palmateer	Services	
9499	May 16, 1872	Lafayette Allen	do	38 83
9499	May 16, 1872	Peter Sculing	do	35 70
9500	May 16, 1872	Solomon H. Sutton	Services	
9501	May 16, 1872	John Johnson 1st	do	
9502	May 16, 1872	James Cheney	do	
9503	May 16, 1872	F. M. Duvall	Services and supplies	
9629	June 1, 1872	J. O. Van Bergen	do	90 00
9629	June 1, 1872	John Wright	do	46 00
9629	June 1, 1872	A. M. Belt	do	114 50
9629	June 1, 1872	James D. McCurdy	do	20 03
9629	June 1, 1872	George L. Turner	do	68 50
9629	June 1, 1872	P. C. Noland	do	20 31
9629	June 1, 1872	Robert Campbell	do	35 00
9629	June 1, 1872	George Marshall	do	150 00
9629	June 1, 1872	Daniel Haskins	do	229 33
9629	June 1, 1872	A. J. Carson	do	8 00
9629	June 1, 1872	Prior F. Blair	do	25 63
9629	June 1, 1872	Elias Stewart	do	7 50
9629	June 1, 1872	T. A. Millhorn	do	55 00
9629	June 1, 1872	John Watson	do	90 67
9629	June 1, 1872	Blueford Deadmond	do	25 00
9629	June 1, 1872	Henry Duncan	do	18 75
9629	June 1, 1872	R. M. Powers	do	181 10
9629	June 1, 1872	G. F. Settlemier	do	30 00
9629	June 1, 1872	George W. Gray	do	131 33
9629	June 1, 1872	C. F. Ray	do	20 00
9629	June 1, 1872	John Martin	do	104 00
9629	June 1, 1872	L. H. Pongade	do	32 00
9629	June 1, 1872	John B. Ferguson	Services and supplies	8 50
9629	June 1, 1872	F. G. Schwatka	do	361 70
9629	June 1, 1872	Wadsworth, Peters & Ladd	do	304 12
2985	June 13, 1872	John B. Hall	One horse	
9730	June 17, 1872	Samuel Eslick	Services	73 46
9730	June 17, 1872	J. W. Swank	do	135 83
9756	June 21, 1872	Relf Bledsoe	Services	
9757	June 21, 1872	Antoine Rivais	do	

1,415 49 W. C. Griswold, esq., Salem, Oreg.

171 28 Hosmer & Co., esqs., Washington, D. C.  
 880 00 Claimant, care J. N. Johnson, esq., Salt Lake, Utah.  
 125 13 Claimant, care E. Marsh, Olympia, Wash.  
 37 82 Claimant, care Johnson & McCown, Oregon City, Oreg.

74 53 B. F. Dowell, esq., Jacksonville, Oreg.  
 111 26 C. M. Carter, esq., Portland, Oreg.  
 67 59 Claimant, care D. S. Donaldson, esq., Terre Haute, Ind.  
 13 94 A. Hart, esq., Washington, D. C.  
 40 01 T. J. Carter, esq., Portland, Oreg.

2,176 94 W. C. Griswold, esq., Salem, Oreg.  
 160 00 Claimant, care C. P. Ferry, esq., Portland, Oreg.

209 29 Claimants, care Hon. James K. Kelly, United States Senate.  
 518 18 Claimant at Boise City, Idaho.  
 349 31 Claimant, care Hon. W. H. Claggett, Deer Lodge, Mont.

B.—Schedule of settlement certificates, Oregon and Washington Indian wars, 1855-'56—Continued.

Number of settlement.	Date of Comptroller's approval.	In whose favor.	What for.	Amount.		To whom payable.
				Items.	Total.	
3144	June 24, 1872	Roswell H. Lamson	One horse		\$200 00	Claimant, care C. P. Ferry, esq., Portland, Ore. Thomas McKay, administrator, care M. M. McCarver, esq., Portland Ore. Claimant, care James Steel, esq., Portland, Ore. R. H. Walker, administrator, care James Steel, esq., Portland, Ore. Do.
3145	June 24, 1872	Isaac McKay	do		100 00	
3169	June 25, 1872	Thomas Tice	do		130 00	
3171	June 25, 1872	Archibald A. Walker	do		203 00	
3172	June 25, 1872	do	do		130 00	
9798	June 26, 1872	J. C. Bushnell	Services and supplies	\$40 00		
9798	June 26, 1872	Isaac Barclay	do	65 50		
9798	June 26, 1872	Lester Huliu	do	15 20		
9798	June 26, 1872	Isaac N. Duckworth	do	31 25		
9798	June 26, 1872	Eugene F. Skinner	do	24 38		
9798	June 26, 1872	Jordan Baber	do	20 00		
9798	June 26, 1872	William H. Baber	do	20 00		
9798	June 26, 1872	H. G. Hadley	do	269 25		
9798	June 26, 1872	Benjamin Davis	do	196 75		
9798	June 26, 1872	A. J. Curzan	do	22 50		
9798	June 26, 1872	Charles Galloway	do	4 25		
9798	June 26, 1872	G. C. Pearce	do	3 00		
9798	June 26, 1872	William Collins	do	10 40		
9798	June 26, 1872	Laban Buoy	do	24 50		
9798	June 26, 1872	W. R. Jones	do	13 75		
9798	June 26, 1872	James L. Martin	do	45 08		
9798	June 26, 1872	J. B. Fryear	do	19 20		
9798	June 26, 1872	Hiram Crabtree	do	52 00		
9799	June 26, 1872	Abram Gurtis	Services	18 58	543 01	C. M. Carter, esq., Portland, Ore.
9799	June 26, 1872	Thomas Huffman	do	63 63		
9799	June 26, 1872	E. L. Hess	do	352 74		
9799	June 26, 1872	John Keller	do	84 78		
9801	June 26, 1872	Morgan Lillard	Services		519 73	J. M. McCoy, assignee, care T. J. Carter, esq., Portland, Ore.
9802	June 26, 1872	B. F. Ruth	do		25 12	Claimant, care John Kelsay, esq., Corvallis, Ore.
9835	June 28, 1872	Andrew Shepherd	do	20 00	325 93	Claimant, care Hon. S. Garfield, Olympia, Wash.
9835	June 28, 1872	George W. Ebbert	Services	78 00		
9835	June 28, 1872	E. B. Stone	do	4 89		
9835	June 28, 1872	E. A. Rice	do	64 33		
9835	June 28, 1872	William Davission	do	14 40		
9835	June 28, 1872	Oliver Jeffries	do	77 26		
9835	June 28, 1872	William K. Beale	do	80 77		
9835	June 28, 1872	John Gould	do	112 50		
9835	June 28, 1872	Thomas De Haven	do	15 20		
9835	June 28, 1872	John Barker	do	59 43		
9835	June 28, 1872	Newton O. Parker	do	24 80		

9235	June 22, 1872	Charles Calvert.....	.....do.....	38 80			
3234	July 1, 1872	Robert Alcorn.....	One horse.....		590 38	W. C. Griswold, esq., Salem, Oreg.	
3236	July 1, 1872	Martin V. Taylor.....	do.....		150 00	Claimant, care B. F. Dowell, Jacksonville, Oreg.	
3243	July 2, 1872	Solomon Durbin.....	Horse-equipments.....		200 00	Claimant, care W. C. Griswold, per W. A. Childs, 271 Broadway, New York.	
3257	July 3, 1872	Henry B. Sommerville.....	One horse.....		29 11	Do.	
3258	July 3, 1872	do.....	do.....		203 00	Claimant, care James Steel, esq., Portland, Oreg.	
3278	July 8, 1872	John Choefner.....	One mule.....		200 00	Do.	
3285	July 8, 1872	Oliver Jeffries.....	One horse.....		200 00	Claimant, care E. F. Russell, Portland, Oreg.	
3286	July 8, 1872	James McGiness.....	do.....		175 00	Claimant, care W. C. Griswold, per W. A. Childs, 271 Broadway, New York.	
43	July 23, 1872	Thomas Hughes.....	Services.....		200 00	Claimant, care McLellan & Bell, esqs., Washington, D. C.	
3341	July 24, 1872	Alfred S. Isaacs.....	One horse.....		36 04	E. P. Fitzgerald, assignee, care Hon. James K. Kelly, United States Senate.	
65	July 25, 1872	Sidney S. Callahan.....	Services.....		100 00	Claimant, care W. C. Griswold, per W. A. Childs, 271 Broadway, New York.	
807	Oct. 15, 1872	Wilson Agee.....	do.....		21 88	Claimant, T. J. Carter, esq., Portland, Oreg.	
808	Oct. 15, 1872	James T. Tucker.....	do.....		138 78	Claimant, care C. N. Terry, esq., Salem, Oreg.	
809	Oct. 15, 1872	Woodson T. Tucker.....	do.....	76 39	99 00	Claimant, care E. N. Houghton, esq., Washington, D. C.	
809	Oct. 15, 1872	Stephen Betts.....	do.....	50 40			
810	Oct. 15, 1872	Charles C. Vail.....	do.....		126 79	B. F. Dowell, esq., Jacksonville, Oreg.	
811	Oct. 15, 1872	Amasa P. Woodward.....	do.....		268 56	Claimant, care Elwood Evans, esq., Olympia, Wash.	
1112		Hayes.....	} Various.....		113 15	Claimant, care C. C. Tucker & Company, Washington, D. C.	
1113		Wilson.....					
1119		Agneer.....				294 96	
1134		Brubacker.....					
1137		Choefner.....					
		W. Pengra and 5 others.....			1,406 01	W. C. Griswold, esq.	
		Total.....			16,706 38		

A complete schedule of the certificates received by me from November 1, 1871, to December 3, 1872.

THOMAS H. BRADLEY,  
Brevet Captain, United States Army.

\* WAR DEPARTMENT, January 7, 1873.

C.—List of papers upon which Lieutenant Bradley's reports of December 2, 1871, and November 28, 1872, are based.

No.	Date.	From and to whom.	Filed.
1	Aug. 2 to Sept. 10, 1853	Statement of ferrriage, rations, &c.	1
2	Aug. 8 to Nov. 2, 1853	8 hired men in quartermaster's department	2
3	Aug. 8 to Nov. 2, 1853	.....do	3
4	Aug. 8 to Nov. 2, 1853	8 hired men, James L. London, affidavit	4
5	Aug. 23, 1853	Governor of Oregon, receipt for \$400	5
6	Aug. 24, 1853	Joseph Cox, \$400	6
7	Aug. 25, 1853	J. W. Nesmith to governor of Oregon	7
8	Aug. 27, 1853	James Daniels, voucher, \$95	8
9	Aug. 27, 1853	George Smith, boarding volunteers, \$77.25	9
10	Sept. 1, 1853	George H. McQueen, voucher, \$28	10
11	Sept. 1, 1853	George H. McQueen, voucher, \$86	11
12	Sept. 15, 1853	Abstract bills and account for supplies furnished	12
13	Sept. 15, 1853	Inventory, articles burned, stolen, and destroyed	13
14	Sept. 24, 1853	George H. McQueen, voucher, \$90	14
15	Sept. 28, 1853	Report of damages, war, 1853	15
16	Oct. 5, 1853	Ambrose, Fowler & Ross, voucher, \$504	16
17	Oct. 13, 1853	Governor of Oregon to S. E. May	17
18	Oct. 15, 1853	S. E. May, sales Government property	18
19	Oct. 17, 1853	Governor of Oregon, receipt to S. E. May	18
20	Nov. 1, 1853	Walter R. Davis, \$400	20
21	.....	Memorandum relating to claims	21
22	Apr. 5, 1854	J. W. Nesmith, certificate J. W. Case	22
23	June 28, 1854	B. R. Alden to Secretary of War	23
24	July 27, 1854	Secretary of War, reference indorsement	24
25	Aug. 30, 1853	Sub-voucher for \$1.50, Nesmith's account	118
26	Aug. 3, 1854	B. F. Dowell, voucher, \$25.50	26
27	Aug. 3, 1854	Benjamin J. Drew, voucher, \$3,304.50	175
28	Aug. 3, 1854	Benjamin F. Dowell, voucher, \$44.50	28
29	Aug. 3, 1854	Benjamin F. Dowell, voucher, \$53.12	29
30	Aug. 3, 1854	Benjamin F. Dowell, voucher, \$183	30
31	Aug. 3, 1854	Benjamin J. Drew, voucher, \$300	175
32	Aug. 3, 1854	Benjamin F. Dowell, voucher, \$1,000.60	32
33	Aug. 3, 1854	Benjamin F. Dowell, abstract, \$19,704.08	33
34	Aug. 3, 1854	William F. Wood, voucher, 1,580.50	47
35	Aug. 3 to Oct. 14, 1854	Benjamin J. Drew, voucher, \$9,876	175
36	Sept. 12, 1853	Sub-voucher for \$5, Nesmith's account	118
37	Aug. 3 to Oct. 31, 1854	Benjamin J. Drew, voucher, \$1,356	175
38	Aug. 3 to Nov. 6, 1854	Featele Lamb, voucher, \$960	38
39	Aug. 3 to Nov. 6, 1854	Muste-roll of Walker's Company	82
40	Aug. 3 to Nov. 6, 1854	A. S. Isaacs, voucher, \$960	40
41	Aug. 3 to Nov. 6, 1854	M. G. Kennedy, voucher, \$2,304	41
42	Aug. 3 to Nov. 6, 1854	B. F. Dowell, voucher, \$1,152	42
43	Aug. 4, 1854	M. G. Kennedy, voucher, \$1,310.16	71
44	Aug. 4, 1854	M. G. Kennedy, voucher, \$24	71
45	Aug. 5, 1854	Benjamin F. Dowell, voucher, \$157.25	45
46	Aug. 6, 1854	George C. Furber, voucher, \$309.20	46
47	Aug. 6, 1854	William F. Wood, voucher, \$1,527.70	47
48	Aug. 7, 1854	M. G. Kennedy, voucher, \$1,352	71
49	Aug. 7, 1854	O. D. Hoxie, voucher, \$175	49
50	Sept. 4, 1853	Sub-voucher for \$25, Nesmith's account	118
51	Aug. 8, 1854	Second Auditor to Third Auditor	51
52	Aug. 9, 1854	J. H. Davis, voucher, \$278	52
53	Aug. 3 to Nov. 6, 1854	J. W. Morris, voucher, \$960	53
54	Sept. 7, 1854	Third Auditor to Secretary of War	54
55	Sept. 13, 1854	B. F. Dowell, voucher, \$305.50	55
56	Sept. 20, 1854	W. F. Wood, voucher, \$867	47
57	Sept. 20, 1854	W. F. Wood, voucher, \$1,929	47
58	Sept. 20, 1854	H. T. Templeton, voucher, \$797.50	67
59	Sept. 20, 1854	E. Steele, voucher, \$675	59
60	Sept. 20, 1854	F. C. Horsley, voucher, \$150	59
61	Oct. 1, 1854	B. F. Davis, voucher, \$123	89
62	Oct. 1, 1854	B. F. Davis, voucher, \$150.09	89
63	Oct. 4, 1854	L. F. Mosher to Joseph Lane	63
64	Oct. 10, 1854	Elijah Hereford, sub-vouchers for \$15	87
65	Oct. 10, 1854	Zigler & Martin, voucher, \$102.50	65
66	Oct. 10, 1854	B. B. Griffin, voucher, \$84	66
67	Oct. 12, 1854	H. T. Templeton, voucher, \$759.50	67
68	Oct. 13, 1854	Benjamin J. Drew, voucher, \$720	175

C.—List of papers, &c.—Continued.

No.	Date.	From and to whom.	Filed.
69	Oct. 14, 1854	Governor of Oregon, abstract claimants, to Second Auditor	69
70	Sept. 1, 1853	Sub-voucher, \$66, Nesmith's account	118
71	Oct. 23, 1854	M. G. Kennedy, voucher, \$72	71
72	Oct. 23, 1854	M. G. Kennedy, voucher, \$1,955	71
73	Oct. 25, 1854	Benjamin F. Dowell, voucher, \$1,080.52	73
74	Not stated	List of California war-bonds, \$250 each	133
75	Nov. 1, 1854	Second Auditor to Third Auditor	75
76	Nov. 2, 1854	Third Auditor to Secretary of War	76
77	Nov. 2, 1854	B. F. Wood, voucher, \$1,105	77
78	Nov. 6, 1854	B. F. Dowell, voucher, \$11,520	78
79	Sept. 10, 1853	Sub-voucher, \$22, Nesmith's account	118
80	Nov. 6, 1854	B. F. Dowell, voucher, \$1,152	80
81	Nov. 6, 1854	D. C. Stevens, voucher, \$676	81
82	Nov. 6, 1854	Muster-roll	82
83	Nov. 6, 1854	B. F. Dowell, voucher, \$768	83
84	Nov. 6, 1854	B. F. Dowell, voucher, \$384	84
85	Aug. 30, 1853	Sub-voucher, \$50, Nesmith's account	118
86	Nov. 28, 1854	D. C. Stevens, voucher, \$238	86
87	Dec. 1, 1854	Green Mathews, sub-vouchers for B. F. Dowell, \$14	87
88	Dec. 23, 1854	D. C. Stevens, voucher, \$329	86
89	Dec. 31, 1854	B. F. Davis, voucher, \$250	89
113	Jan. 2, 1855	Approval, Secretary of War	76
90	Jan. 15, 1855	Joseph Lane to Third Auditor	90
91	Jan. 15, 1855	Joseph Lane to Secretary of War	91
92	Jan. 19, 1855	Secretary of War on issue of drafts	91
93	Jan. 23, 1855	Governor of Oregon to Third Auditor	93
94	Jan. 26, 1855	Second Auditor to Third Auditor	94
95	Feb. 5, 1855	Third Auditor to Secretary of War	95
96	Feb. 9, 1855	do	96
97	Mar. 1, 1855	Secretary of War, approval	95
98	Mar. 3, 1855	Joseph Lane to Third Auditor	98
99	Mar. 5, 1855	Joseph Cox, claim for \$400, (envelope)	6
100	Mar. 8, 1855	William Strong to Secretary of War	100
101	Mar. 8, 1855	Secretary of War, approval	96
102	Apr. 19, 1855	Third Auditor to Secretary of War	102
103	Apr. 30, 1855	C. S. Drew to Third Auditor, (schedule of accounts)	103
104	Apr. 30, 1855	Governor of Oregon to Third Auditor	104
105	May 16, 1855	Governor of Oregon to C. S. Drew	105
106	May 17, 1855	Secretary of War, approval	102
107	June 8, 1855	C. S. Drew to Governor of Oregon	107
108	June 9, 1855	John F. Miller to governor of Oregon	108
109	July 23, 1855	Third Auditor to Secretary of War	109
110	July 27, 1855	Governor of Oregon to Elisha Whittlesey	110
111	Sept. 12, 1855	Comptroller's office to Third Auditor	111
112	Sept. 28, 1855	Secretary of War, indorsement	109
113	Sec Jan. 2, '55	Approval Secretary of War	76
114	Jan. 22, 1856	J. W. Nesmith to governor of Oregon	114
115	Jan. 24, 1856	Governor of Oregon to Third Auditor	115
116	Feb. 27, 1856	Third Auditor to Secretary of War	116
117	Mar. 23, 1856	John Walker, Army voucher	120
118	Mar. 29, 1856	Joseph Cox, sub-vouchers, \$358.78	118
119	Apr. 7, 1856	Third Auditor to Secretary of War	119
120	Apr. 16, 1856	C. A. Hillman, Army voucher	120
121	Apr. 24, 1856	Governor of Oregon to Third Auditor	121
122	Apr. 26, 1856	Governor of Oregon, explanation	122
123	June 26, 1856	James P. Goodall to Secretary of War	123
124	June 30, 1856	Simon Sonnorom, Army voucher	120
125	June 30, 1856	J. R. Sloan, Army voucher	120
126	June 30, 1856	A. H. Miller, Army voucher	120
127	July 11, 1856	Pectro Mondrix, Army voucher	131
128	July 14, 1856	Secretary of War, indorsement	119
129	July 22, 1856	Innicacio Raryo, Army voucher	131
130	July 30, 1856	William S. Morrison, Army voucher	131
131	July 30, 1856	A. H. Miller, Army voucher	131
132	Aug. 2, 1856	Third Auditor to Secretary of War	132
133	Aug. 18, 1856	List of California war-bonds of \$100 each	133
134	Aug. 22, 1856	Governor of Oregon, explanation of Cox's claim	134
135	Aug. 23, 1856	Third Auditor to Secretary of War	135
136	Aug. 25, 1856	Simon Samorano, Army voucher	131
137	Aug. 30, 1856	Third Auditor to Secretary of War	137
138	Sept. 4, 1856	do	138
139	1856 to 1858	California war-bonds	139
140	Nov. 3, 1856	Third Auditor to Secretary of War	140
141	Nov. 9, 1856	Jesse R. Higgins to B. F. Dowell, bill for \$92	87
142	Nov. 15, 1856	Tabular statement of California bonds	142
143	Nov. 19, 1856	Jesse R. Higgins to B. F. Dowell, power of attorney	87
144	Nov. 19, 1856	Secretary of War, indorsement	135
145	Nov. 23, 1856	Secretary of War, decisions on claims	145
145	Nov. 22, 1856	do	146
146	Nov. 24, 1856	W. R. Davis, affidavit	146
147	Dec. 2, 1856	Third Auditor to Secretary of War	147
148		Secretary of War, indorsement	147

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149 1/2	Dec. 24, 1856	John E. Ross, affidavit	2
150	Jan. 2, 1857	Third Auditor's report	145
151	Jan. 31, 1857	Third Auditor to Secretary of War	151
152	Feb. 13, 1857	Governor of Oregon to Third Auditor	152
153	Feb. 14, 1857	Secretary of War, approval	151
154	Feb. 14, 1857	Secretary of War, subsistence allowance	138
155	Aug. 27, 1853	Sub-voucher, \$3.50; Nesmith's account	118
156	Mar. 17, 1857	Third Auditor to Secretary of War	156
157	Apr. 13, 1857	Secretary of War to Mr. Taylor	157
158	Apr. 16, 1857	Third Auditor to Secretary of War	158
159	Apr. 25, 1857	Secretary of War, approval	156
160	June 25, 1857	S. Ellsworth to Third Auditor	160
161	Oct. 3, 1857	Vincent Davis, affidavit	161
162	Oct. 3, 1857	Isaac Miller, affidavit	162
163	Oct. 3, 1857	Eber Emery, affidavit	163
164	Oct. 8, 1857	John H. Clinton, affidavit	87
165	Oct. 8, 1857	John H. Clinton, certificate	87
166	Oct. 9, 1857	Alexander & Cardwell, affidavits	166
167	Oct. 14, 1857	Governor Curry, certificate	167
168	Nov. 20, 1857	Secretary of War, suspension of Dowell's claim	158
169	Dec. 5, 1857	W. H. Taylor, on military commissioners' claims	169
170	Dec. 14, 1857	Third Auditor to L. A. Davis	169
171	Mar. 24, 1858	Third Auditor to Secretary of War	171
172	Apr. 25, 1858	Governor Curry to Third Auditor	172
173	Apr. 26, 1858	Dr. Samuel M. Armstrong, affidavit	173
174	May 21, 1858	Transporting wounded men	171
175	Oct. 23, 1858	Benjamin J. Drew, power of attorney to William C. Griswold	175
176	Dec. 30, 1858	Third Auditor to Secretary of War	176
177	Jan. 10, 1859	James P. Goodall to Third Auditor	177
178	Jan. 20, 1859	Third Auditor to Secretary of War	178
179	Jan. 26, 1859	Secretary of War, approval	178
180	Jan. 26, 1859	do	176
181	Feb. 19, 1859	Third Auditor to Secretary of War	181
182	Mar. 15, 1859	do	182
183	Mar. 25, 1859	Secretary of War, approval	181
184	May 12, 1859	do	182
185		List California war-bonds, \$500 each	133
186	June 18, 1860	Third Auditor to Secretary of War	186
187	June 22, 1860	Secretary of War, approval	146
188	Feb. 18, 1861	Nathan Olney to B. F. Dowell	188
189	Nov. 6, 1861	C. S. Drew to Third Auditor	189
190	Feb. 5, 1862	L. A. Davis to J. W. Nesmith	190
191	Mar. 6, 1862	J. W. Nesmith to Third Auditor	191
192	Mar. 30, 1863	George Dart's address	192
193	Apr. 7, 1863	Statement military commissioners' claims	193
194	Apr. 7, 1863	Memorandum of Dart's account	194
195	Apr. 7, 1863	Second Auditor to Third Auditor	195
196	May 7, 1864	Third Auditor to Secretary of War, indorsement	196
197	May 7, 1864	Third Auditor to Secretary of War	197
198	May 12, 1864	Secretary of War refers brief to General Ketchum	196
199	May 16, 1864	General Ketchum, report of	197
200	May 20, 1864	Secretary of War, reference	197
201	May 25, 1864	J. J. Dana, indorsement	197
202	May 28, 1864	Secretary of War, indorsement	197
203	Dec. 23, 1864	Gadsby to Mr. Bentley	203
204	May 26, 1868	George Rogers, affidavit	204
205	June 19, 1868	George L. Curry, affidavit	207
206	Mar. 5, 1869	James H. Twogood, affidavit	206
207	Dec. 4, 1869	William Welch, affidavit	207
208	Jan. —, 1870	Hon. Mr. Negley's report, House of Representatives	208
209	Feb. 8, 1870	John F. Miller, affidavit	209
210	Feb. 22, 1870	J. R. McBride to J. S. Negley	210
211	Feb. 24, 1870	B. F. Dowell to J. S. Negley	211
212	Dec. 21, 1870	B. F. Dowell, affidavit	212
213	Jan. 21, 1871	Law, ten days after	217
214	Jan. 25, 1871	Third Auditor to Secretary of War	214
215	Feb. 7, 1871	George H. Williams to Secretary of War	215
216	Feb. 14, 1871	Adjutant-General to Secretary of War	215
217	Feb. 14, 1871	General Order No. 12	217
218	Feb. 23, 1871	Secretary of War to Third Auditor. Reference	214
219	Feb. 23, 1871	W. C. Griswold to Secretary of War	219
220	Feb. 23, 1871	B. F. Dowell to Third Auditor	220
221	Feb. 27, 1871	do	221
222	Mar. 2, 1871	H. A. Webster in reference to C. S. Drew's signature	175
a223	Mar. 22, 1871	Third Auditor to Secretary of War	223
b223	Mar. 27, 1871	General Dunn's reference, indorsement	223
c223	Mar. 30, 1871	Quartermaster-General's indorsement	223
224	Apr. 8, 1871	B. F. Dowell to Secretary of War	224
225	Apr. 8, 1871	Third Auditor to Secretary of War	225
d223	Apr. 10, 1871	Commissary General Subsistence, indorsement	223
e223	Apr. 12, 1871	Approval Secretary of War	223



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226	Apr. 14, 1871	Third Auditor's Office, examiner's report.	226
227	Apr. 17, 1871	Second Comptroller's Office, examiner's report.	226
227½	Apr. 17, 1871	C. Colne's pencil note.	175
228	June 19, 1871	William F. Wood, power of attorney to Chester Robinson	47
229	June 20, 1871	William F. Wood, proof of loyalty.	47
230	June 20, 1871	George C. Furber, power of attorney to Chester Robinson.	46
231	June 20, 1871	George C. Furber, proof of loyalty.	46
232	June 20, 1871	William F. Wood, power of attorney to Chester Robinson.	77
233	June 22, 1871	H. T. Templeton, power of attorney to Chester Robinson.	67
234	June 26, 1871	B. F. Davis, power of attorney to Chester Robinson.	89
235	June 29, 1871	M. G. Kennedy, power of attorney No. 1, to Chester Robinson.	41
236	June 29, 1871	B. B. Griffin, power of attorney to Chester Robinson.	66
237	June 30, 1871	O. D. Hoxie, power of attorney to Chester Robinson.	49
238	July 1, 1871	J. H. Davis, power of attorney to Chester Robinson.	52
239	July 7, 1871	L. H. Zigler and Alex. Martin, power of attorney to Chester Robinson.	65
240	July 10, 1871	E. Steele, power of attorney to Chester Robinson.	59
241	July 10, 1871	E. Steele, proof of loyalty.	59
242	July 12, 1871	F. C. Horsley, power of attorney to Chester Robinson.	59
243	June 29, 1891	M. G. Kennedy, power of attorney No. 2, to Chester Robinson.	71
244	July 19, 1871	M. G. Kennedy, proof of loyalty.	71
245	July 19, 1871	O. D. Hoxie, proof of loyalty.	49
246	July 19, 1871	J. H. Davis, proof of loyalty.	52
247	July 19, 1871	Zigler & Martin, proof of loyalty.	65
248	July 19, 1871	B. B. Griffin, proof of loyalty.	66
249	July 19, 1871	B. F. Davis, proof of loyalty.	89
250	July 21, 1871	J. W. Morris, proof of loyalty.	53
250½	July 21, 1871	Featele Lambb, proof of loyalty.	38
251	July 31, 1871	J. W. Morris, power of attorney to Jesse Robinson.	53
252	July 31, 1871	Featele Lambb, power of attorney to Jesse Robinson.	38
253	July 22, 1871	D. C. Stevens, power of attorney No. 1, to Chester Robinson.	81
253½	July 22, 1871	D. C. Stevens, power of attorney No. 2, to Chester Robinson.	86
254	July 25, 1871	A. S. Isaacs, power of attorney to Jesse Robinson.	40
255	July 25, 1871	A. S. Isaacs, proof of loyalty.	40
256	July 26, 1871	D. C. Stevens, proof of loyalty.	86
257	July 26, 1871	F. C. Horsley, proof of loyalty.	59
258	July 27, 1871	H. T. Templeton, proof of loyalty.	67
259	Aug. 11, 1871	Chester Robinson, power of attorney No. 1, to Jesse Robinson.	259
260	Aug. 11, 1871	Chester Robinson, power of attorney No. 2, to Jesse Robinson.	59
261	Aug. 22, 1871	Jesse Robinson to Third Auditor.	261
262	Oct. 2, 1871	do	262
263	Oct. 5, 1871	Third Auditor to Secretary of War.	263
264	Oct. 11, 1871	General Dunn's reference, indorsement.	263
265	Oct. 14, 1871	Quartermaster-General, indorsement.	263
266	Oct. 18, 1871	Commissary-General Subsistence, indorsement.	263
267	Oct. 20, 1871	Surgeon-General to Secretary of War.	267
268	Oct. 24, 1871	Secretary of War, approval.	263
269	Oct. 26, 1871	J. H. Davis and others, examiners, report \$20,993.38.	269
270	Oct. 26, 1871	Third Auditor to Second Comptroller.	270
271	Oct. 31, 1871	Second Comptroller to Secretary of War.	271
	Dec. 27, 1871	Secretary of War, canceled indorsement of October 24, 1871.	263
272	Dec. 5, 1856	Memorandum of California bonds.	272
273		Pencil-note hospital services.	273
274		{ Lists California.	133
275		{ War-bonds of \$1,000 each.	133
276	Mar. 1, 1871	Application No. 1, indorsement envelope.	276
277	Mar. 1, 1871	Application No. 2, indorsement envelope.	277
278	Nov. —, 1871	Jesse Robinson, address.	278
279	War, 1853	Report relating to claims.	12
280	War, 1853	Quantity subsistence issuable to companies.	280
281		Pencil-memoranda.	281
282	Sept. 5, 1854	Captain N. Olney, certificate.	310
283	Jan. 26, 1869	Adjutant-General to Secretary of War.	283
284	Feb. 4, 1869	Rufus Mallory to Third Auditor.	284
285	Feb. 8, 1869	Rufus Mallory to Second Auditor.	285
286	Mar. 7, 1871	Adjutant-General to Third Auditor.	286
287	Apr. 19, 1871	Third Auditor to Secretary of War.	287
288	Apr. 24, 1871	Second Auditor, indorsement.	287
289	Apr. 25, 1871	Second Auditor to Third Auditor.	289
290	Apr. 25, 1871	Secretary of War, indorsement.	287
291	May 4, 1871	Third Auditor to W. A. Hanford.	291
292	May 4, 1871	Envelope-address W. H. Upson.	292
293	May 13, 1871	Secretary of War to Third Auditor.	293
294	Nov. 11, 1871	Secretary of War to Quartermaster-General.	294
295	Nov. 11, 1871	Secretary of War to Chief of Ordnance.	295
296	Nov. 11, 1871	Secretary of War to Commissary-General Subsistence.	296
297	Nov. 14, 1871	Third Auditor, all papers.	297
298	Nov. 14, 1871	Commissary-General, indorsement.	296
299	Nov. 14, 1871	Second Auditor to Secretary of War.	299
300	Nov. 14, 1871	Second Comptroller to Secretary of War.	300
301	Nov. 15, 1871	Indorsement, Chief of Ordnance.	295
302	Nov. 17, 1871	W. A. Hanford to W. H. Upson.	304
303	Nov. 17, 1871	Quartermaster-General to Secretary of War.	303

## C.—List of papers, &amp;c.—Continued.

No.	Date.	From and to whom.	Filed.
304	Dec. 21, 1871	W. H. Upson, office-memorandum	304
305	Dec. 22, 1871	Secretary of War to W. H. Upson	305
306	Jan. 16, 1872	John Potts to C. S. Drew	306
307	Jan. 29, 1872	W. C. Griswold to Secretary of Interior	307
308	Jan. 29, 1872	Hon. L. F. Grover to Secretary of War	308
309	Feb. 8, 1872	O. Humason to B. F. Dowell	309
310	Feb. 8, 1872	O. Humason, power of attorney, affidavit	310
311	Apr. 1, 1872	Third Auditor to Secretary of War	311
312	Apr. 5, 1872	Alexander Martin, affidavit	315
313	Apr. 5, 1872	B. B. Griffin, affidavit	315
314	Apr. 5, 1872	L. H. Zigler, affidavit	315
315	Apr. 6, 1872	B. F. Dowell, affidavit	315
316	Apr. 6, 1872	J. H. Davis, affidavit	315
317	Apr. 16, 1872	M. P. Deady, certificate	315
318	Apr. 19, 1872	B. F. Dowell to Senator Corbett	318
319	Apr. 25, 1872	do	319
320	Apr. 25, 1872	John E. Ross, affidavit	320
321	Apr. 25, 1872	P. H. Van Slyke, affidavit	320
322	Apr. 26, 1872	W. C. Griswold to Senator Corbett	322
323	May —, 1872	Senator Corbett, reference, indorsement	318
324	May —, 1872	do	319
325	May 8, 1872	Secretary of War to Hon. H. W. Corbett	325
326	June 13, 1872	T. J. Carter to Secretary of War	326
327	July 9, 1872	C. S. Drew to Secretary of War	327
328	July 29, 1872	T. J. Carter to Secretary of War	328
329	Aug. 2, 1872	T. J. Carter to Secretary of Treasury	329
330	Aug. 13, 1872	Secretary of Treasury, reference, indorsement	329
331	Aug. 16, 1872	Third Auditor, reference, indorsement	329
332	Aug. 17, 1872	Secretary of Treasury, reference, indorsement	329
333	Sept. 5, 1872	J. D. Haines to Secretary of War	333
334	Sept. 7, 1872	H. T. Crosby to T. J. Carter	334
335	Oct. 3, 1872	T. J. Carter to Secretary of War	335
336	Oct. 21, 1872	Third Auditor, reference, indorsement	335
337	Oct. 27, 1872	Jos. T. Glenn to Secretary of War	337
338	Oct. 31, 1872	T. J. Carter to Secretary of War	338
339	Nov. 1, 1872	C. M. Carter to Secretary of War	339
340	Nov. 1, 1872	T. J. Carter to Secretary of War	340
341	Nov. 3, 1872	D. E. Stearns to Secretary of War	341
342	Nov. 4, 1872	T. J. Carter to Secretary of War	342
343	Nov. 7, 1872	do	343
344	Nov. 7, 1872	do	344
345	Nov. 25, 1872	S. W. Williams to Secretary of War	345

## SUPPLEMENT.

WAR DEPARTMENT, *January 8, 1873.*

SIR: With the letter dated War Department, December 3, 1872, there passed to the honorable the Secretary of the Treasury the following:

1. The reports, of which the foregoing and their annexed papers are copies.
2. The many papers upon which said reports are based, and of which the War Department did not retain full copies.
3. A number of Treasury settlements on claims of 1855-'56 sent here for requisitions to pay \$16,706.38.

Since December 3, 1872, there have come to hand, and are now on file in this office, several additional settlements (amount \$1,655) and also several papers, of which copies are numbered to follow this memorandum.

Copies of Senate executive documents numbered 1 and 2, of the second session Forty-second Congress, and a copy of your letter of February 12, 1872, regarding Senate bill 511, are found herewith.

The reports and papers above referred to make a full exhibit of "all

reports and information made to or in possession of the War Department touching the subject embraced in Senate bill 511."

Very respectfully, your obedient servant,

THOS. H. BRADLEY,

*Brevet Captain, United States Army.*

The Hon. The SECRETARY OF WAR.

THIRD SERIES.

*List of papers annexed.*

No.	Date.	Purport.
1	Dec. 11, 1872	J. C. Mendenhall to Hon. H. W. Corbett.
	Dec. 23, 1872	Reference-indorsement, Hon. H. W. Corbett.
2	Dec. 23, 1872	Hon. H. W. Corbett, letter to Secretary of War.
3	Dec. 12, 1872	B. F. Dowell, esq., to Secretary of War.
4	Nov. 23, 1872	O. D. Hoxie's affidavit.
5	.....	Senate Ex. Doc. No. 1, 42d Congress, 2d session.
6	.....	Senate Ex. Doc. No. 2, 42d Congress, 2d session.
7	.....	Secretary of War to Senate military committee.
8	.....	Senate bill, No. 511, 42d Congress, 2d session.

No. 1.

PORTLAND, December 11, 1872.

RESPECTED FRIEND: I received a letter from Third Auditor a few days since in regard to claim of Jacob Mendenhall, for services in Rogue River war, and he stated that the claim had been in the War Department since last December. I also sent claim, with proofs, for Jacob Arnard, in the same war, and he did not mention anything about this claim in his last letter; but in a former he stated that both claims were allowed and audited; and now he writes that Jacob Mendenhall's claim is in War Department since December, 1871, and does not say anything of the other claim. I would like you to look after this matter for me, as Jacob Mendenhall is very needy, indeed, and both claims are to go to Mendenhall. It seems to me that the matter should be arranged in one year; but instead of one it has been near two. If you will look after this, and hurry it up, you shall be paid for your trouble. I would not be so anxious, but this brother of mine is quite old and feeble, and this would help him along very much, indeed. The folks are all well. Times are rather dull in Oregon. I am still on the railroad, but I am getting a little tired of it; but I shall hold on to it until I get something better. If you could manage to get me into some good position that would pay well, I will assure you that I will not be mad at you for your kindness. Please push these claims, and oblige,

Your obedient servant,

J. C. MENDENHALL.

Hon. H. W. CORBETT.

[Indorsement.]

Respectfully referred to Hon. W. W. Belknap, Secretary of War. These poor people are being kept out of their just dues for no fault of theirs. I trust these cases may be speedily taken up.

Yours, truly,

H. W. CORBETT.

DECEMBER 23, 1872.

No. 2.

UNITED STATES SENATE CHAMBER,  
Washington, December 23, 1872.

Hon. W. W. BELKNAP, *Secretary of War* :

Please find herewith inclosed two affidavits sent me by Mr. B. F. Dowell, with request that I place them on file in your Department, as they pertain to claims collected by him from the Government for supplies, &c., furnished in 1854.

Yours, respectfully,

H. W. CORBETT.

JACKSONVILLE, OREGON, December 12, 1872.

DEAR SIR: Inclosed I send you the affidavits of O. D. Hoxie and myself, about his claims for supplies furnished C. S. Drew, quartermaster, in 1854, for the Oregon volunteers, commanded by Captain Jesse Walker, from which it will be seen, if the voucher now in your office is new, it was made after it left my hands. I sent you in April last the affidavits of Messrs. Martin, Zeigler, Davis and Griffin, through Senator Corbett, about their claims of 1854. There is but one other claim of the war of 1854 that ever passed from my hands to General C. S. Drew; that was my own cash voucher for \$1,250.72. This voucher I sent to Drew in the winter of 1860, with a power of attorney to him to sell it, to pay his expenses at Washington, while trying to get an act of Congress passed to pay the expenses of the Oregon volunteers of 1854, 1855, and 1856. He staid there until after the act was passed to pay the expenses of the war of 1855 and 1856, and doubtlessly he spent more than the voucher would bring. Last December I met General Drew in San Francisco, and he told me he had sold the voucher to W. C. Griswold, and he wished me to execute a power of attorney to Mr. Griswold. This I did, and I gave the power of attorney to Mr. Drew for Mr. Griswold. I never thought nor never heard of any new vouchers being in existence until long after this power of attorney was executed. My voucher, for which I intended to execute this power of attorney, was old, and not new. It was intended by me to carry out in good faith an old contract. I wrote, signed, and acknowledged the last power of attorney at the request of General Drew, without having a suspicion of any new voucher being in contemplation. If you will examine my abstract you will see for yourself it is an old claim. If a new voucher is attached to this power of attorney, it was placed there without my knowledge or consent. I did not suspicion such a thing. I have learned from Senator Corbett that he was informed no deductions were made in the auditing of my accounts for supplies furnished C. S. Drew, quartermaster of Captain Walker's company, except some tin-cups, &c. Now, I expected a deduction in the hire of my riding-animals which were used by the volunteers, but I did not expect any deduction on any other articles, as the prices were about the same in 1853 as in 1854. If no deductions have been made in no other articles except the camp equipage, there must be a mistake in the auditing of them some way. There must be a mistake in the additions, or some items must have been left out or rejected.

My books show the following:

" Bills receivable, Dr.

For an abstract certified by C. S. Drew, quartermaster and commissary, for transportation and supplies furnished Captain Jesse Walker's company while in service in 1854.....	\$19,704 03
December 16, 1860.—By cash voucher sent to C. S. Drew, to pay agents to get an act of Congress to pay the expenses.....	\$1,250 72
April 20, 1871.—By draft, payable at Washington*.....	10,000 00
By draft 1177, payable at Washington.....	5,000 00
By draft 1179, payable at San Francisco.....	2,283 33
By draft 1176, payable at New York*.....	10,000 00
Making the total amount.....	19,539 05
Balance unpaid.....	165 03

This is certainly more than ought to have been deducted on the camp equipage. There must be a mistake if I have been allowed the full price of the hired animals. In addition to my own accounts, I filed with the Third Auditor P. B. Patterson's claim for his services and a transfer to me; Isaac Miller's claim for his services, and for the service of D. Stanley Wiggins, quartermaster's hand, or quartermaster sergeant, ninety-six days. Those ought to increase the above amount, which is still due, unpaid. I respectfully ask a careful examination and a statement of the items on which deductions have been made and the exact amount of each. There is another serious rumor afloat. W. C. Griswold informed me in Portland last October that the valuation of my animals had been changed. He said he had heard it from Drew and others, but refused to tell me who the others were. Since Griswold left for Washington I have heard from Mrs. N. A. Walker, William Hill, sergeant of Captain Walker's company, who are my clients, that he has made the same statements to John F. Miller, brother of Mrs. Walker, and to Mr. Hill as inducements for them to take their claims out of my hands and put them in his or sell them to him. If this charge is true it was done without my knowledge or consent. All I ask, and all I ever asked of any auditor or any clerk, was the payment of my claims according to the original valuations and prices which were paid the

\* An error of \$9,000 supposed to exist in one of these items.—T. H. B.

claims in the Rogue River war of 1853. Please inform me whether these statements of Griswold are true or false. I expect to visit Washington again soon. Please answer, and direct your letter to me to the care of Hon. H. W. Corbett.

Yours, very respectfully,

B. F. DOWELL.

Hon. WM. W. BELKNAP, *Secretary of War.*

I, B. F. Dowell, make oath that I believe the matters and things stated in the foregoing letter to be true.

B. F. DOWELL.

Subscribed and sworn to before me, this 13th day of December, 1872.

P. DUNN, *County Clerk.*

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No. 4.

I, O. D. Hoxie, of Jackson County, Oregon, make oath that in 1854 I was interested in a blacksmith-shop, and the hands in my shop did some blacksmithing for Captain Jesse Walker's company of Oregon volunteers. A bill was made out, and C. S. Drew, quartermaster, made out a voucher for the same in 1854; the exact amount I do not remember, but it was a very small amount. I signed a receipt or assignment on the voucher in the fall of 1854. Then I did not see it again until the summer of 1871. It was then handed to me by B. F. Dowell, with a letter from C. S. Drew, requesting me to make out a power of attorney, which was in the handwriting of C. S. Drew. I signed and acknowledged the power of attorney. The voucher for which I intended to give the power of attorney was old, and not new. I know this because I examined the signature particularly at the time I executed the power of attorney, and I remember I signed my name to this voucher in the fall of 1854.

O. D. HOXIE.

I, B. F. Dowell, make oath that I verily believe the matters and things stated in the above affidavit of O. D. Hoxie are true; and that I, soon after the execution of the power of attorney, deposited the same in the post-office at Jacksonville, with the voucher, directed to C. S. Drew, at San Francisco.

B. F. DOWELL.

JACKSONVILLE, OREGON, *November 23, 1872.*

Subscribed and sworn to before me this 23d day of November, A. D. 1872.

P. DUNN,  
*County Clerk, Jackson County, Oregon.*

STATE OF OREGON, *County of Jackson, ss :*

I, P. Dunn, county clerk of Jackson County, in the State of Oregon, hereby certify that the foregoing affidavits of O. D. Hoxie were sworn to and subscribed before me the days they severally bear date.

I further certify that both of the witnesses have resided in this county for upward of twenty years, and I have known them, and their general reputation during said time is good for honesty, truth, and veracity.

Given under my hand, and the seal of the county court affixed at my office in Jacksonville, Jackson County, Oregon, this the 23d day of November, A. D. 1872.

[SEAL.]

P. DUNN, *County Clerk.*

STATE OF OREGON, *County of Jackson, ss :*

I, E. B. Watson, judge of the county court of the State of Oregon for the county of Jackson, do hereby certify that P. Dunn is and was, at the time of signing the above certificate, clerk of said court; and that his signature and attestation thereto are genuine and in due form of law.

E. B. WATSON,  
*County Judge.*

[42d Congress, 2d session, Senate Ex. Doc. No. 1.]

*Letter of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate of February 27, 1871, information relative to claims incurred in suppressing Indian hostilities in Oregon and Washington Territories, and which were acted and reported upon by the commission authorized by act of August 18, 1856.*

DECEMBER 4, 1871.—Ordered to lie on the table and be printed.

TREASURY DEPARTMENT, November 15, 1871.

SIR: In reply to Senate resolution dated February 27, 1871, third session, Forty-first Congress, as follows: "That the Secretary of the Treasury be directed to furnish to the Senate, at the next session of Congress, a list of all claims that may be on file in the office of the Third Auditor incurred in the suppression of Indian hostilities in Oregon and Washington Territories, reported upon by the commission authorized in section eleven of 'An act making appropriations for certain civil expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-seven,' approved August 18, 1856, and not yet reported upon by the Third Auditor, and how much, if any, each claimant will be justly entitled to if paid at the same rates for similar services and supplies under the act of March 2, 1861," I have the honor to submit herewith a copy of a letter addressed to the Secretary by the Third Auditor of the Treasury, dated the 14th instant, together with a statement prepared by him showing the names of the claimants and the amount due each, provided the claims shall be sufficiently supported by evidence.

Very respectfully, your obedient servant,

GEORGE S. BOUTWELL,  
*Secretary of the Treasury.*

Hon. SCHUYLER COLFAX,  
*President of the United States Senate.*

TREASURY DEPARTMENT,  
*Third Auditor's Office, November 14, 1871.*

SIR: The accompanying list has been prepared in pursuance of the Senate resolution of 27th February, 1871, the official copy of which, inclosed by you, is herewith returned.

The list is not confined to the cases in which the parties entitled have *actually presented their claims to this office*, but includes the whole list of "Hathaway vouchers" acted on by the commission, but omitted to be considered by the Third Auditor in his report of February 7, 1860, to the House of Representatives. Mr. Senator Corbett, who introduced the resolution, verbally stated to me that its intent was to procure a statement showing all such vouchers, regardless of whether or not the parties had actually filed their claims in this office, it being well known that many of them had refrained from so doing, because the Auditor (Mr. Atkinson) had decided that there existed no authority to settle them.

Taking as a basis (as directed by the resolution) the scale of rates and prices applied in the settlements heretofore made of claims which originated in that war, the sums set opposite the several names indicate the amounts due, provided the claims shall be found to be sufficiently supported by evidence.

I am, of course, not prepared to express any opinion as to the merits of any of them, as there has been no authority to adjudicate them, and, indeed, the great majority of them have not been filed.

Very respectfully, your obedient servant,

A. M. GANGEWER,  
*Acting Auditor.*

Hon. GEORGE S. BOUTWELL,  
*Secretary of the Treasury.*

Name.	Amount.	Name.	Amount.
Allen, Benjamin .....	\$36 66	Bartlett, James S. ....	\$28 66
Achilles, Shubel C .....	262 50	Bennett, Squire .....	193 00
Achilles, Shubel C .....	34 66	Burk, James A .....	231 15
Akin, Francis H .....	232 00	Bonser, Clinton .....	267 00
Bangor, (or Benser,) John W .....	90 66	Cunningham, Philander .....	141 33
Barclay, Charles .....	216 66	Caples, Joseph .....	275 00
Bennington, W. S .....	212 75	Caples, Joseph .....	28 00
Bromillet, J. B. A .....	100 00	Charlomeau, Edward .....	100 00
Bayard, J. O .....	176 00	Charlomeau, Edward .....	254 00

Name.	Amount.	Name.	Amount.
Charlomeau, Edward	\$254 00	McQuinn, Alexander H.	\$245 00
Coffey, Alexander L.	26 66	McQuinn, Alexander H.	245 00
Canning, John	157 33	McQuinn, Alexander H.	245 00
Curtis, Silas B.	204 00	McQuinn, Alexander H.	173 33
Dillon, William H.	253 00	McPherson, John	250 00
Davis, Alexander	106 66	McAndrew, Alexander	197 00
Eaton, Joseph	113 33	McAndrew, Alexander	29 25
Frisbee, James A.	17 90	McAndrew, Alexander	18 20
Frisbee, James A.	133 33	McAllister, James	133 33
Frisbee, James A.	40 40	Nedrau, Christian	316 00
Fobister, Thomas	100 00	Powers, D. R. R.	37 16
Garrick, John	93 33	Pambran, Alexander	244 00
Gehr, Joseph G.	180 00	Probstel, V.	262 00
Gehr, Joseph G.	191 00	Riggs, Reuben	200 00
Gehr, Joseph G.	27 45	Ryan, William	183 00
Gee, William	262 50	Stanley, Joseph	232 30
Gilbreath, John E.	231 25	Stanley, Joseph	250 00
Gilbreath, John E.	26 66	Stanley, Joseph	18 50
Gray, G. P.	221 45	Stevens, William	100 00
Hunt, Robert	195 50	Spurgeon, Matthias	133 33
Hulbert, Jacob	179 00	Spurgeon, Matthias	29 25
Hoyt, Nelson	170 00	Stowell, Hamilton	176 66
Irwin, William	144 00	Short, Esther	133 33
Jamison, James	336 98	Springer, John	157 50
Kelly, William	270 66	Stevens, Benjamin D.	116 66
Knapp, J. B.	137 85	Taylor, E. J.	124 00
Likle, Thomas R.	5 00	Taylor, E. J.	30 45
Lewis, F. Lee	100 00	Taylor, J. O.	103 33
Lindsey, John B.	181 00	Tomalt, Indian	176 66
Lindsey, John B.	219 65	Tappan, W. H.	143 33
Lakin, William	220 80	Towner, Hiram	133 33
Lewis, A. Lee	188 00	Towner, Hiram	66 66
Monroe, David	673 33	Taylor, E. J.	100 00
Miller, Ziba	100 00	Taylor, E. J.	177 00
Miller, James	57 33	Taylor, E. J.	262 00
Miles, Spencer	212 75	Totten, James E.	192 05
Miles, Spencer	156 66	Timmon, John H.	27 25
Maxon, H. J. G.	242 50	Timmon, John H.	250 00
Maxon, S. D.	157 00	Wetter, John	100 00
Maxon, S. D.	569 75	Williams, John	596 66
Murphy, Elliott	176 66		
Mowatt, Hugh	100 00	Total	17,421 73
McQuinn, Alexander H.	478 06		

This list has been prepared in pursuance of Senate resolution of 27th February, 1871, and is transmitted by Third Auditor to Secretary of Treasury, per letter of November —, 1871.

No. 6.

[42d Congress, 2d session, Senate Ex. Doc. No. 2.]

*Letter of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, February 15, 1871, information relative to claims incurred in the suppression of Indian hostilities in Oregon and Washington Territories, and which were not acted or reported upon by the commission authorized by act of August 18, 1856.*

DECEMBER 4, 1871.—Ordered to lie on the table and be printed.

TREASURY DEPARTMENT,  
November 13, 1871.

SIR: I have the honor, in reply to Senate resolution No. 21, 3d session, 41st Congress, dated February 15, 1871, directing the "Secretary of the Treasury to furnish to the Senate, at the next session of Congress, a list of all claims that may be on file in the office of the Third Auditor, incurred in the suppression of the Indian hostilities in Oregon and Washington Territories, not reported or acted upon by the commission authorized in section eleven (11) of 'An act making appropriations for certain civil expenses of the Government for the year ending the thirtieth June, eighteen hundred and fifty-seven,' approved August 18, 1856; and report how much, if anything, each claimant will be justly entitled to, if settled upon the same basis as those reported upon by said commission," to submit herewith a copy of a letter addressed to the Secretary by the Third Auditor of the Treasury, dated the 10th instant, together with a

statement prepared by him, showing the names of the claimants and the amounts involved in the claims.

Very respectfully, your obedient servant,

GEO. S. BOUTWELL,  
*Secretary of the Treasury.*

Hon. SCHUYLER COLFAX,  
*President of the United States Senate.*

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,  
November 10, 1871.

SIR: I have the honor to return herewith Senate resolution No. 21, dated February 15, 1871, with a list of all claims on file in this office, incurred in the suppression of the Indian hostilities in Oregon and Washington Territories in 1855 and 1856, not reported or acted upon by the commission authorized in section eleven (11) of an act making appropriations for certain civil expenses of the Government for the year ending the thirtieth June, eighteen hundred and fifty-seven, approved August 18, 1856.

Taking as a basis (as directed by the resolution) the scale of rates and prices applied in the settlements heretofore made of claims which originated in that war, the sums set opposite the several names indicate the amounts involved in the claims. In some instances it was found that the vouchers had either never been filed, or had been returned at the requests made by the parties when they learned that there was no authority for settlement of the claims; and in those cases no data as to the amounts are in this office.

These computations will, of course, not be understood as expressive of any opinion as to the *merits* of each particular claim. No examination into their merits has ever been made, for the reason that their settlement has never been authorized, and, indeed, before such examination could be made, it might in many cases be necessary to call on the claimants for further evidence.

Very respectfully, your obedient servant,

ALLAN RUTHERFORD,  
*Auditor.*

Hon. GEORGE S. BOUTWELL,  
*Secretary of the Treasury.*

Name.	Amount.	Name.	Amount.
Abbott, Samuel	\$173 00	Brown, H. L.	\$19 00
Do.	8 00	Do.	11 00
Allison, Charles	No voucher.	Barran, James	275 00
Allman, Peter	140 00	Do.	50 00
Allen, Solomon	175 00	Brooking, James	38 05
Allen, William P.	200 00	Boyd, John N.	1 50
Adams, John G.	No voucher.	Bills, Cincinnati	No voucher.
Anderson, M. E.	10 00	Belt, Alfred M.	125 00
Anderson, Thomas J.	165 00	Boyd, G. D. R.	150 00
Butler, George H.	30 25	Blevans, Jefferson J.	20 00
Bruce, James	425 43	Barrows, A. K., & Co.	2,700 00
Brannan, James	20 00	Brown, C. P.	175 00
Barnard & Matteson	55 00	Belknap, R. S.	90 00
Burk, James	No voucher.	Coombs, J. L.	70 00
Brumley, Joseph L.	36 00	Crandall & Wilson	60 67
Borland, A.	47 50	Cartwright, D. B.	No voucher.
Baber, Jordan	40 00	Do.	No voucher.
Breck, John G.	No voucher.	Do.	No voucher.
Brattain, William	160 00	Colman, N. G.	6 25
Barrett, W. P.	No voucher.	Do.	20 00
Burnett, James D.	2 75	Do.	9 00
Bailey, Isaac	25 00	Crandall & Wilson	18 00
Belknap, R. S.	24 00	Chambers, James W.	225 00
Bennett, Squire	250 00	Case, J. W.	193 00
Bethel, Albert	125 00	Cooke, H. & G.	28 40
Brooke, Bradford & Co.	150 00	Cyrus, James	No voucher.
Burnett, William H.	66 50	Clark, James G.	1 63
Brown, John	200 00	Cooper, B. F.	500 00
Do.	50 00	Coffin, George	106 18
Brown, H. H.	7 50	Criss, Jeremiah	1 25
Do.	5 00	Do.	13 00
Briggs, C. M.	27 50	Do.	10 00
Barnett, C. H.	30 00	Cox, Peter	15 00
Backenstos, G. B.	46 00	Crones, C. C.	62 70
Bowman, Ira	116 21	Campbell, Hugh	150 00
Bennington, W. S.	No voucher.	Crabtree, Zimri	280 00
Beach, Dennis	45 00	Cox, John	20 00



INDIAN HOSTILITIES IN CERTAIN TERRITORIES.

Name.	Amount.	Name.	Amount.
Croner, C. C.	\$10 00	Gilmore, Nathaniel	\$90 00
Crow, Leonard H.	1 50	Gardner, W., & Brother	No data.
Cline, George	27 00	Gifford, W. W.	No data.
Conger, Jonathan	250 00	Do.	No data.
Crosby, F. S.	222 00	Goodell, Warren N.	16 00
Croner & Brother	562 00	Galentine, David	40 00
Do.	9 00	Goodell, Samuel	30 00
Coon, James M.	500 00	Garrett, Thomas	10 00
Cowan, Andrew	250 00	Greer, Jerome B.	100 00
Coleman, N. G.	16 50	Gage, Edwin	10 00
Christolear, Samuel	20 00	Grinwald, George J.	56 00
Campbell, James A.	52 50	Glisan, Edwin T.	90 00
Case, J. W.	27 50	Griffin, Squire	No voucher.
Colliar, Antoine	103 73	George, Abel	96 00
Crawford, John H.	300 00	Giles, Daniel	78 00
Cathery, John	186 00	Do.	24 00
Craig, Daniel F.	175 00	Ganung, L.	30 00
Coombs, J. L.	51 00	Do.	7 00
Carson, W. W.	100 00	Graves, J. C.	10 00
Clemmens, Thomas	35 00	George, Indian	40 00
Catching, John	50 00	Graham, David	75 00
Davidson, Archibald	266 00	Howard, Samuel	76 00
Dearborn, R. H.	11 00	Hammett & Harlon	80 50
Davis, Joseph	18 00	Hinton, R. B.	23 00
Do.	14 00	Hendricks, S. A.	16 00
Do.	184 66	Hulery, John M.	60 00
Do.	30 00	Hug, John	206 67
Douthett, D. W.	120 50	Hile, Israel	60 00
Do.	125 12	Heatherly, James	99 00
Davis, Vincent H.	152 00	Holgate, Erastus	24 00
Davis, Lorenzo A.	50 00	Howe, J. W. F.	125 00
Davidson, J.	42 00	Huddleston, James	40 50
Davidson, W. L.	100 00	Do.	50 00
Davis, Benjamin	14 00	Do.	25 00
Dodge, Pardon M.	79 00	Do.	13 87
Dohse, John Henry	258 75	Do.	364 50
Day, George W.	50 00	Hobson, Hadley	1, 373 30
Dillon, William H.	350 00	Helm, William	333 00
Delaney, George	125 00	Hart, George W.	32 73
Donnell, John N.	14 68	Hill, John J.	106 00
Do.	16 40	Hays, R. B.	No voucher.
Dimmick, Augustus R.	20 00	Hyland, Benjamin	175 00
Danforth, Manly	75 50	Haight, Silas	200 00
Dennis, Silas E.	25 00	Hackleman, Abram	6 00
Dubois, N. S.	270 00	Do.	12 00
Davis, H.	192 20	Halsted, Jacob	200 00
Danforth, Lucius	75 00	Holmes, Henry P.	50 00
Dickey, J. C.	5 00	Hamilton, Joseph	22 00
Davis, J. S.	17 00	Headly, H. G.	6 00
Deland Northrup & Co.	340 00	Henry, W. P.	275 00
Eliff, Hardy	18 00	Hubbard, Charles	1 00
Engels, A. A.	5 00	Heatherly, James	175 00
Evans, Harvey	39 00	Harkness & Twogood	19 00
Eccleston, Harry	6 00	Do.	17 25
Eaton, W. M. G.	100 00	Hale, M. W.	No voucher.
Emerick, Solomon	375 00	Do.	No voucher.
Foster, James H.	565 63	Hill, F. R.	10 00
Foster, John	200 00	Hiram, Willis	64 00
Furste, Edward	30 00	Holloway, John M.	20 00
Friedly, Joseph P.	76 28	Harrison, Hugh	26 00
Do.	284 26	Do.	10 00
Do.	22 00	Do.	35 50
Do.	191 29	Do.	28 00
Do.	6 30	Do.	20 00
Fisher, Alfred H.	20 00	Hembree, Andrew T.	5 00
Fakes, Joel T.	124 00	Heatherly, James	100 00
Ferrell, Benjamin F.	150 00	Inman, J. C.	6 00
Fry, Olney, sr	75 00	Jones, W. R.	29 00
Findley, James M.	25 00	Do.	21 60
Do.	18 00	Jess, Alexander M.	10 00
Do.	79 00	Do.	15 00
Do.	82 00	Do.	50 00
Ferguson, John B.	23 00	Jacobs, Orange	50 00
Ford, John	225 00	Jackson & Cardwell	26 00
Fountain, Matthew	50 00	Jacobs, James B.	5 00
Fruit, Enoch	562 50	Jacobs & Harbough	54 00
Frederick, Levi	128 00	Jason, (Indian)	30 00
Fox, Abraham	18 00	Jackson & Cardwell	54 95
Fields & Blakely	349 75	Johnson, Neill	12 00
Finch, E. L.	77 33	Jump, William	8 32
Flanery, William E.	19 75	Jones, Henry S.	66 00
Do.	50 00	Do.	35 00
Fox, J. M.	15 00	John, Capt., (Indian)	25 00
Gifford, W. W.	120 00	Jesse, David M.	No voucher.

Name.	Amount.	Name.	Amount.
Keith, D. W	\$200 00	Mills, James H. A	\$100 00
Kreitchbaum, J. G	200 00	Mauzey, Levi W	8 00
Keeny, Jonathan	60 00	Noland, James S	46 00
Kinney, Lyman C	6 00	Neal, George	22 00
Kelly, William	25 00	Nickum, A. J.	37 50
Do	484 00	Newton, David	20 00
Do	43 00	O'Reilly, Philip	No voucher.
Kreitchbaum, J. G	300 00	O'Connell, Owen	200 00
Keeler, George W	No voucher.	Ogle, James A	9 00
Kellogg, John J	300 00	Oppenheimer & Co.	85 62
Kiplinger, William	No voucher.	Do	92 00
Kosh-Kesh, (Indian)	30 00	Parker, Stillman	54 00
Ko-ki-il-pilp, (Indian)	30 00	Pritchard, Thomas	133 33
Kirkland, Joseph E.	100 00	Pinto, H. H.	3 50
Keil, Henry	40 00	Patton, John	125 00
Kimsey, Alvis	No voucher.	Patton, Matthew	300 00
Kirkland, James D	38 00	Phyllis, William	302 25
Kelly, Clinton	75 00	Pyle, James M.	26 00
Koger, William P.	140 00	Powers, William M.	187 50
Long, John	28 00	Pringle, Virgil K.	200 00
Do	46 00	Powers, R. M.	45 50
Do	14 00	Payne, Champion T.	5 00
Latshaw, Joseph	No voucher.	Putnam, Joseph	26 00
Lambing, Isaac P.	150 00	Do	6 50
Ladd, William S	18 00	Pennebaker, James A.	75 00
Libby, C. F.	18 00	Pearce, G. C.	3 00
Luker, Joseph	60 00	Peo-peo-ipswat, (Indian)	40 00
Landis, J. A.	Nothing due.	Pinkerton, John V	94 00
Lindsay, John	181 00	Pollard, George T.	33 30
Lindsay, John B	225 00	Phillips, William	159 25
Lindley, Elihu	35 00	Parker, William	306 00
Larant, Labrie	1 25	Peat, Isaac	106 00
Lewis, John H.	10 00	Roberts, John	10 00
Lavens, James F.	7 50	Do	No voucher.
Lamerick, John K	60 00	Roberts, Joseph	219 75
Do	715 64	Renfrew, Alexander	226 50
Love, Lewis	60 00	Rice, William S.	48 50
Looney, Jesse	90 00	Do	39 50
Lerwell, William	35 00	Do	8 00
Lee, Edwin	No voucher.	Robbins, Joseph	10 00
Lane, Horace	9 00	Do	100 00
Do	8 00	Roberts, Andrew	35 00
Do	15 00	Russell, E. A.	8 00
Latshaw, Joseph	60 00	Reeves, William	40 00
Lindsay, William J.	40 00	Ruddell, S. D.	270 00
Monteith & Co.	27 00	Riggs, Jonathan	107 00
Monteith & Althouse	200 00	Rundell, George	150 00
Miller, J. Frank	33 33	Ramo, Ferdinand	80 00
Middleton, John	137 00	Roberts, Joseph, & Co.	37 65
McMullen, James H.	110 50	Rinehart, E. B.	No voucher.
Do	22 25	Roberts, Joseph	106 15
Maxon, Silas D	187 00	Short, J. H.	50 00
Do	530 00	Stuart, James	56 00
McClure, A. J.	144 00	Smith, Henry	35 25
Myers, William	21 00	Do	46 00
McClure, Charles W	125 00	Do	41 87
Mills, Isaac	75 00	Smith, A. A.	No voucher.
Millard, Justin	30 00	Do	No voucher.
Martin, James	17 50	Do	No voucher.
Miller, Samuel S.	12 00	Do	No voucher.
Maupin, Garrett	53 50	Smith, Hannah M.	42 00
McCall, B. S.	350 00	Do	25 42
McDonald, James	148 00	Smith & Davis	16 00
Miller, William	1,050 00	Do	14 00
McCarver, T. J.	30 00	Springer, John	No voucher.
Mowat, Hugh	No voucher.	Smith, Hannah M.	8 75
McAssy, John	30 00	Smith & McCully	150 00
Moss, S. W.	240 00	Skinner, Eugene F.	16 50
Murray, John	526 66	Do	23 00
Do	12 50	Shadden, T. J.	500 00
McInch, E. E.	99 00	Smith, Hannah M.	50 00
Millican, Andrew J.	6 00	Soverus, Amos	46 00
Mauzey, William R.	16 00	Sweet, Zara	7 50
Mauzey, Levi	30 00	Singleton, William B.	14 00
Miller, John S.	30 00	Simon, Sundry	7 00
McClure, Charles W	30 00	Shaw, Hilliard	195 00
Miller, Jacob	55 00	Spurgeon, Matthias	200 00
McDonald, Ira	16 08	Stevens, Benjamin	150 00
Muri-it-pilp, (Indian)	25 00	Smith, Frank M.	30 00
McCurdy, James D.	20 00	Shone, Adolphus	52 50
Mulkley, Cyrenus	175 00	Do	77 50
McWillis, W.	160 00	Do	87 00
Milburr, Hosea	11 00	Do	25 00
Mansfield, F. M.	24 00	Smith, Evans	22 00

INDIAN HOSTILITIES IN CERTAIN TERRITORIES.

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Name.	Amount.	Name.	Amount.
Schwotka, F. G . . . . .	\$60 00	Wilmerding, J. C . . . . .	\$1,397 50
Do . . . . .	18 00	Weaver, William L . . . . .	15 00
Do . . . . .	163 00	Wilson, E. T . . . . .	20 00
Stowell, George W . . . . .	200 00	Wilson, E. T . . . . .	24 00
Splawn, Charles A . . . . .	34 00	Wright, T. J . . . . .	200 00
Stevens, William M . . . . .	166 00	Walker, Robert T . . . . .	100 00
Splawn, Charles A . . . . .	75 00	Walker, Robert T . . . . .	125 00
Shelley, W. L . . . . .	175 00	Whyke & Davis . . . . .	6 00
Snead, Edward . . . . .	No voucher.	Wolfe, F . . . . .	60 00
Soovel, Llewellen . . . . .	200 00	Week & Eddy . . . . .	250 00
Smith, W. K . . . . .	50 00	Wilkins, William . . . . .	No voucher.
Splawn, Berthenia . . . . .	17 60	Woodward, Caleb . . . . .	60 00
Soovell, Loren . . . . .	122 00	Windsor, H . . . . .	50 00
Sam, Indian . . . . .	40 00	Ward, Charles . . . . .	69 00
Spong, Alexander . . . . .	20 00	Wat-te-wat-i-wah-epe, (Indian) . . . . .	30 00
Smith, Henry . . . . .	75 00	Wask-kin, (Indian) . . . . .	30 00
Shaw, John M . . . . .	16 00	Winkle, Isaac W . . . . .	No voucher.
Stowell, Hamilton . . . . .	200 00	Winkle, Isaac W . . . . .	No voucher.
Teal, Joseph . . . . .	1,059 00	Wallace, C. A . . . . .	21 00
Teal, Joseph . . . . .	500 00	White, E. M., ag't steamer Franklin . . . . .	99 17
Teal, Joseph . . . . .	1,304 00	White, E. M., ag't steamer Franklin . . . . .	159 20
Turner, George L . . . . .	200 00	Zumwalt, Solomon . . . . .	8 00
Train, Nicholas . . . . .	200 00	Zeiber, A . . . . .	275 00
Thomson, John L . . . . .	18 00		
Thomson, John L . . . . .	7 00	Footed up . . . . .	47,492 91
Thomson, John L . . . . .	6 50	In addition to which is the aggregate of the claims in which the amounts involved are not known, (see Third Auditor's letter to Secretary of the Treasury, November 10, 1871,) say . . . . .	5,000 00
Thomson, John L . . . . .	85 00		
Thomson, John L . . . . .	125 00	Estimated total . . . . .	52,492 91
Thompson, Peter . . . . .	39 00		
Turner, George L . . . . .	140 00		
Thomas, George W . . . . .	450 00		
Tryon, Dennis . . . . .	250 00		
Thompson, George . . . . .	48 00		

TREASURY DEPARTMENT, November 28, 1871.

SIR: In connection with my letter addressed to you on the 13th instant, replying to Senate resolution No. 21, dated February 15, 1871, I have the honor to inclose herewith a copy of a letter addressed to the Secretary by the Third Auditor of the Treasury, reporting additional cases to those heretofore reported, and request that they may be added to the report previously submitted.

Very respectfully, your obedient servant,

GEO. S. BOUTWELL,  
Secretary of the Treasury.

Hon. SCHUYLER COLPAX,  
President of the United States Senate.

TREASURY DEPARTMENT,  
Third Auditor's Office, November 27, 1871.

SIR: Since my report of the 10th instant, of all claims that may be on file in this office, "incurred in the suppression of Indian hostilities in Oregon and Washington Territories, not reported or acted upon by the commission authorized in section eleven (11) of 'An act making appropriations for certain civil expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-seven,' approved August 18, 1856, and report how much, if anything, each claimant will be justly entitled to, if settled upon the same basis as those reported upon by the said commission," called for in Senate resolution No. 21, dated February 15, 1871, the following cases, in addition to those heretofore reported, have been filed, which I have the honor to request may be forwarded to the Senate, to be added to the report above alluded to:

Names.	Amount estimated to be due.
*King, Quincy . . . . .	\$4,467 37
Holbrook, Russell . . . . .	54 50
Rice, James . . . . .	6 00
Total . . . . .	4,527 87

Very respectfully, your obedient servant,

ALLAN RUTHERFORD,  
Auditor.

Hon. GEORGE S. BOUTWELL,  
Secretary of the Treasury.

\* This case had been filed, but was overlooked when records were examined.

No. 7.

WAR DEPARTMENT, February 12, 1872.

The Secretary of War has the honor to return to the Committee on Military Affairs for the Senate of the United States Senate bill 511, current series, and respectfully suggests that it be amended by adding thereto, in substance, the following: *And provided further*, That settlement or payment shall not be made under this act in any case wherein it shall appear that any person or party obtained an interest, in whole or in part, in such case on account of any assignment, transfer, power of attorney, or other agreement executed after the fifteenth day of February, eighteen hundred and seventy-one; but this proviso shall not apply to any claim which shall have changed hands after that date by reason of the death of any person or party interested in such claim before said date.

WM. W. BELKNAP,  
*Secretary of War.*

No. 8.

S. 511.

## IN THE SENATE OF THE UNITED STATES.

JANUARY 22, 1872.—Mr. CORBETT asked and, by unanimous consent, obtained leave to bring in the following bill; which was read twice, referred to the Committee on Military Affairs, and ordered to be printed.

APRIL 16, 1872.—Reported by Mr. AMES with an amendment, viz: Insert the words printed in *italics*.

A BILL to amend an act entitled "An act to provide for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities therein in the years eighteen hundred and fifty-five and eighteen hundred and fifty-six," approved March second, eighteen hundred and sixty-one.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled "An act to provide for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities therein in the years eighteen hundred and fifty-five and eighteen hundred and fifty-six," approved March second, eighteen hundred and sixty-one, be, and the same is hereby, so amended as to allow the Third Auditor to settle, and he is hereby directed to settle, all claims on file in his Office, or that may be presented, embraced in and in accordance with the resolutions of the Senate of February fifteenth and February twenty-seventh, eighteen hundred and seventy-one, and reports from the Third Auditor, dated November tenth and November fourteenth, eighteen hundred and seventy-one, provided such claims shall be paid out of any money heretofore appropriated in said act: *And provided further*, That the claims which may arise under this law shall be settled on the same basis as similar claims heretofore adjusted by the Third Auditor, and that settlement or payment shall not be made under this act in any case wherein it shall appear that any person or party obtained an interest, in whole or in part, in such case on account of any assignment, transfer, power of attorney, or other agreement executed after the fifteenth day of February, eighteen hundred and seventy-one; but this proviso shall not apply to any claim which shall have changed hands after that date by reason of the death of any person or party interested in such claim before said date.