

IN THE SENATE OF THE UNITED STATES.

JANUARY 9, 1891.—Ordered to be printed.

Mr. COCKRELL, from the Committee on Military Affairs, submitted the following

REPORT:

The Committee on Military Affairs, to which was referred the petition of George H. Hume, with accompanying papers, have duly considered the same and submit the following report:

Your committee referred the petition to the Secretary of War for information and report, and received in reply the following letter and accompanying report, to wit:

WAR DEPARTMENT,  
Washington City, April 8, 1890.

SIR: In reply to your request of the 28th ultimo for information upon petition of George H. Hume, of Capt. W. H. Hiner's company of New Lancaster Rifles, Kansas, Home Guards, I have the honor to transmit a report of the officer in charge of the Record and Pension Division of this Department.

The papers submitted are herewith returned.

Very respectfully,

REDFIELD PROCTOR,  
Secretary of War.

Hon. JOSEPH R. HAWLEY,  
Chairman Committee on Military Affairs, U. S. Senate.

Case of George H. Hume.

RECORD AND PENSION DIVISION,  
April 8, 1890.

No record has been found in this division of Capt. W. H. Hiner's company of New Lancaster Rifles (Kansas Militia, of 1861). Nor has any record been found of Capt. George H. Hume's company of Kansas State militia cavalry of 1862-'63, save the following letter:

"ROCKVILLE, MIAMI COUNTY, KANS.,  
"July 26, 1863.

"SIR: As some of the citizens of this State living between this place and the Trading Post have been robbed by guerrillas from Missouri, and as a large portion of my company of volunteer State militia are entering the United States service, and as the force left here is inadequate to protect the citizens remaining and the families of those who have entered the service, therefore we, the undersigned commissioned officers of the militia company now stationed at this place, would respectfully petition that you would station a cavalry force at or in the vicinity of this place for the better protection of our lives and property.

"Very respectfully, we are, general, your obedient servants,

"G. H. HUME,  
"Captain, Commanding.

"R. J. HINER,  
"Second Lieutenant.

"W. O. HUBBELL,  
"First Lieutenant, Twelfth K. V. S., Commanding Detachment.

"Brigadier-General EWING."

Respectfully submitted.

F. C. AINSWORTH,  
Captain, and Assistant Surgeon, U. S. Army.

The SECRETARY OF WAR.

Your committee have carefully considered and examined this petition and the accompanying papers, and find that it is a claim presented by the petition and papers of Capt. George H. Hume, of the State of Kansas, for pay and compensation for the officers and soldiers of Capt. W. H. Hiners's company of New Lancaster Rifles, of the State of Kansas, and of Capt. George H. Hume's independent company of cavalry, of said State, for military services performed by them in the State of Kansas in 1861, 1862, and 1863, and for which no compensation has ever been made either by the State of Kansas or the United States, and that the State of Kansas has never directly paid or assumed to pay for said services.

From the statements of the petition and the accompanying papers it appears that some valuable services were performed by these companies under the authority or direction of the governor of Kansas and United States volunteer officers; the question, therefore, at once arises whether Congress shall undertake to consider, audit, allow, and make compensation to officers and soldiers called into service by the State authorities and never mustered into the United States military service, and of whose service, etc., the United States have no official records or reports, and the compensation for whose services in behalf either of the State of Kansas or of the United States the State of Kansas has never adjusted, allowed, assumed, or paid, and does not now present any claim.

Congress, on July 27, 1861, passed an act entitled "An act to indemnify the States for expenses incurred by them in defense of the United States," and appropriated an indefinite amount of money in the hands of the War Department to reimburse the States for expenses "for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting" State troops employed and to be employed in aiding to suppress the insurrection.

Ever since the passage of that act the States have been from time to time presenting claims for such reimbursement, and the Treasury Department has uniformly held, so far as your committee are advised, that it was an essential prerequisite to the consideration and auditing of such claims that the States should either have paid or actually assumed the payment of such claims. Your committee is not without precedents in this case, for many similar claims in behalf of officers and soldiers called into service under State authority for compensation by special acts of Congress have been presented and referred to the Committee on Military Affairs. In all such cases the rule has been, so far as your committee are advised, to refuse to entertain jurisdiction, holding that Congress is not a fit or proper tribunal for the investigation and allowance at this late date of claims for expenses—compensation of individual claimants—for military services performed under State authority. On June 27, 1882, Congress passed an act authorizing the Secretary of War to examine and report to Congress the amount of all claims of the State of Texas, Kansas, and other States for money expended and indebtedness assumed by said States in repelling invasions and suppressing Indian hostilities, etc. Said act may not be construed to be broad enough to include these claims, if they had been or were now paid or assumed by the State of Kansas.

The act of July 27, 1861, however, is certainly broad enough to include such claims if paid or assumed unconditionally by the State of Kansas and presented by said State in accordance with the provisions of said law and the orders of the War Department issued thereunder.

Your committee must therefore decline to undertake to examine, consider, and pass upon these claims, and therefore report the petition and accompanying papers back to the Senate and recommend that they be discharged from the further consideration thereof.

Your committee attach hereto and make a part of this report the accompanying petition and exhibits and ask that they be printed as exhibits hereto.

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[Senate Report No. 133, Forty-seventh Congress, first session.]

The Committee on Military Affairs, to whom was referred the bill (S. 87) to authorize the Secretary of the Treasury to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Kansas in repelling invasions and suppressing Indian hostilities, have duly considered the same, and submit the following report:

The title clearly indicates the object and nature of the bill. In the Forty-sixth Congress a bill very similar was pending, and was, with some amendments, favorably reported by this committee of that Congress. In the Forty-fifth Congress a similar bill was also reported favorably from the Committee on Military Affairs.

The facts are that the State of Kansas has actually expended sums of money in repelling invasions and suppressing hostilities by Indians, which expenditures were deemed necessary and proper by the executive authority from his knowledge of the then existing conditions.

The State of Kansas now asks Congress to authorize the Secretary of the Treasury to investigate these expenditures, and to determine under proper rules the amount so expended, and to report the same to Congress. When this is done the State of Kansas will ask Congress to appropriate the money to pay the amount so found to have been expended.

The real question is whether the United States should refund to the State of Kansas the amount so expended.

Your committee have made some inquiries in regard to the legislation of Congress in the past upon this question, and find the following:

By act approved March 21, 1823, the Secretary of War was required to pay the claims of the militia of the State of Illinois and the Territory of Michigan, called out by any competent authority, on the occasion of the then recent Indian disturbances, and that the expenses incident to the expedition should be settled according to the justice of the claims. (See Laws of United States, vol. 4, p. 258.)

By act approved July 2, 1835, Captains Smith, Crawford, Wallis, and Long, of the militia of Missouri, and Captain Sigler of the Indiana militia, were paid for services rendered in protection of those States against Indians, and an appropriation of \$4,300 was made for that purpose. (See 5 U. S. Stats., p. 71.)

By act approved March 1, 1837, an appropriation was made for the payment of the Tennessee volunteers called out by the proclamation of Governor Cannon on the 28th of April, 1836, to suppress Indian hostilities; and a direct appropriation was also made to Governor Cannon to reimburse him for moneys expended on account of such volunteers. (See Laws of the United States, vol. 5, p. 150.)

By act approved July 7, 1838, an appropriation was made to the State of New York of such amount as should be found due by the Secretary of War and the accounting officers of the Treasury, out of the appropriation for the prevention of hostilities on the northern frontier, to reimburse the State for expenses incurred in the protection of the frontier in the pay of volunteers and militia called into service by the governor. (See 5 U. S. Stats., p. 263.)

By act approved March 3, 1841, a direct appropriation was made to the city of Mobile for advances of money and expenses incurred in equipping, mounting, and sending to the place of rendezvous two full companies of mounted men, under a call from the governor of Alabama, at the beginning of the hostilities of the Creek Indians. (See Laws, vol. 5, p. 435.)

By an act approved June 14, 1842, the State of Maine was reimbursed for the expenses of the militia called into service by the governor for the protection of the northeastern frontier. (See 5 U. S. Stats., p. 490.)

By act of August 11, 1842, \$175,000 was appropriated as a balance for the payment and indemnity of the State of Georgia for any moneys actually paid by said State on account of expenses in calling out her militia during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama. (See Laws, vol. 5, p. 504.) By act approved August 29, 1842, a similar appropriation was made to the State of Louisiana. (See Laws, vol. 5, p. 542.)

There was appropriated to the State of California, by act approved August 5, 1854, the sum of \$924,259.65, to reimburse the State for expenditures in the suppression of Indian hostilities within the State prior to the 1st day of January, 1854. (See U. S. Stats. at Large, vol. 10, p. 583.)

Mr. McDougal, from the House Committee on Military Affairs, which had the bill making said appropriation referred to it, made a report in which it is said—

“The question remaining for consideration is whether or not the General Government is properly chargeable with their expenditures.

“It is the opinion of this committee that the obligation of the Federal Government to furnish specific and particular defense to each several State is included in its obligation to maintain the ‘common defense’ of the confederacy. That invasions from abroad, insurrections at home, and aggressions from the savage tribes inhabiting our borders are alike within the protective province of the Federal Government. Congress possesses the exclusive power ‘to raise and support armies in time of peace,’ and possesses the power to call forth the militia ‘to suppress insurrections and repel invasions.’ In the tenth section of the first article of the Constitution the States stipulate that they will not ‘keep troops or ships of war in time of peace.’

“The conclusion necessarily follows that the General Government is, by the implied, if not the express, terms of the Federal contract, bound to furnish and maintain such military force as the exigencies of the States may demand; and it clearly appears from the legislative history of Congress that such has always been the understanding of the Government.

“The question here presented appears to have been distinctly raised in 1831 upon a claim presented by the State of Missouri. By act approved March 3 of that year Congress made an appropriation for the service of the Missouri militia against the Indians, ‘provided that the Secretary of War shall, upon full investigation, be satisfied that the United States are liable for the payment of said militia, under the second paragraph of the tenth section of the first article of the Constitution of the United States.’ (See Laws, vol. 4, p. 465.)

“General Cass, then Secretary of War, examined the subject submitted and gave the opinion of the Government as to its constitutional obligations, affirming the liability of the Government and directing payment to be made to the State of Missouri. “Instances of similar legislation might be cited, but it is believed that but little doubt can exist either as to the constitutional obligation or the exposition given by Congressional legislation.”

By the act approved June 21, 1860 (it being an Army appropriation bill), the sum of \$18,988 was appropriated to reimburse the State of Iowa for the expenses of militia called out by the governor to protect the frontier from Indian incursions. (See 12 U. S. Stats., p. 68.)

By the same act the sum of \$123,544.51 was appropriated to the State of Texas for the payment of volunteers called out in defense of the frontier of the State since the 28th of February, 1855.

By act approved February 27, 1861, there was appropriated to reimburse the Territory of Utah for expenses incurred in suppressing Indian hostilities in said Territory in the year 1853, the sum of \$53,512. (See 12 U. S. Stats., p. 151.) This bill was considered by the House Military Committee; and was reported by Mr. Stanton, who, in his report, says:

“The liability of the Federal Government for necessary expenses incurred by the States and Territories in repelling invasions of their territory by a foreign enemy, or of hostile tribes of Indians within our borders, has been so often recognized that it can no longer be considered an open question.

“The committee also believe that the action of the State and Territorial authorities in calling out their military force, and engaging in hostilities furnished at least prima facie evidence of the necessity of their action.

“As there is no evidence before the committee tending to show that these expenses were unnecessarily incurred, the committee feel bound to recognize the liability of the claim.”

By act approved March 21, 1861, the State of California had appropriated to her \$400,000 to defray the expenses incurred by the State in suppressing Indian hostilities for the years 1854, 1855, 1856, 1858, and 1859. (See 12 U. S. Stats., p. 199.)

Mr. Stanton, from the House Committee on Military Affairs, June 22, 1860, reported this bill, and in his report says:

“The liability of the Federal Government to indemnify a State or Territory for expenses necessarily incurred in protecting their citizens against a public enemy in their own midst, has been repeatedly, if not uniformly, recognized by Congress. Your committee, however, are of opinion that before the Federal Government should assume liabilities of this character it ought to be satisfactorily shown, not only that a necessity existed for calling the military forces into service, but that the expenditures have been reasonable in amount, and have not been improvidently incurred.”

By the act making appropriations for the sundry civil expenses of the Government

for the year ending June, 1864, and for other purposes, an appropriation was made to pay the governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year 1862, not exceeding \$250,000 to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury. (See 12 U. S. Stats., p. 754.)

In the sundry civil bill of the following year an appropriation of the sum of \$117,000 was made to the same State to supply a deficiency in the appropriation for the costs, charges, and expenses properly incurred by the State of Minnesota in suppressing Indian hostilities in the year 1862. (See 13 U. S. Stats., pp. 350, 351.)

By act approved May 28, 1864, the sum of \$928,411 was appropriated for the payment of damages sustained by citizens of Minnesota by reason of the depredations and injuries by certain bands of Sioux Indians. (See 13 U. S. Stats., p. 92.)

These legislative precedents clearly establish the fact that the United States have uniformly assumed the payment of expenditures made by the States in repelling Indian invasions and suppressing Indian hostilities.

The United States should therefore assume the payment of such expenditures to the State of Kansas as this bill requires, the accounting officers of the Treasury Department to investigate and adjust the accounts of Kansas for such expenditures, and to report the amount to Congress. Your committee recommend the passage of the substitute for said bill herewith reported, which substitute is in accord with the principles of legislation heretofore enacted by Congress in similar cases.

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[Senate Report No. 640, Forty-fifth Congress, third session.]

The Committee on Military Affairs, to whom was referred the bill (S. 1650) for the relief of the State of Kansas, having had the same under consideration, make the following report:

The bill under consideration provides that the Secretary of the Treasury shall be authorized to examine, settle, and audit all proper claims of the State of Kansas for moneys expended by it in organizing, arming, equipping, supplying, subsisting, transporting, and paying the volunteer and militia forces of the State called into active service by the governor thereof after the 15th of April, 1861, to aid in repelling invasions and suppressing Indian hostilities in said State and upon its borders, and report his action thereon to Congress.

It appears to the satisfaction of the committee that the State of Kansas has actually incurred and paid expenses in repelling invasion and suppressing Indian hostilities, and that such expenditures were made necessary by the state of affairs existing at the time; the question remaining to be considered is whether or not the General Government is properly chargeable with such expenditures.

Your committee are of the opinion that from the legislative history of Congress it has been the understanding that the Government was so liable.

By act approved March 21, 1828, the Secretary of War was required to pay the claims of the militia of the State of Illinois and the Territory of Michigan, called out by any competent authority, on the occasion of the then recent Indian disturbances, and that the expenses incident to the expedition should be settled according to the justice of the claims. (See Laws of United States, vol. 4, p. 256.)

By act approved March 1, 1837, an appropriation was made for the payment of the Tennessee volunteers called out by the proclamation of Governor Cannon on the 28th of April, 1836, to suppress Indian hostilities; and a direct appropriation was also made to Governor Cannon to reimburse him for moneys expended on account of such volunteers. (See Laws of United States, vol. 5, p. 150.)

By act approved March 3, 1841, a direct appropriation was made to the city of Mobile for advances of money and expenses incurred in equipping, mounting, and sending to the place of rendezvous two full companies of mounted men, under a call from the Governor of Alabama, at the beginning of the hostilities of the Creek Indians. (See Laws, vol. 5, p. 435.)

By act of August 11, 1842, \$175,000 was appropriated as a balance for the payment and indemnity of the State of Georgia for any moneys actually paid by said State on account of expenses in calling out her militia during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama. (See Laws, vol. 5, p. 504.) By act approved August 29, 1842, a similar appropriation was made to the State of Louisiana. (See Laws, Oct. 5, p. 542.)

By act approved July 7, 1838, an appropriation was made to the State of New York of such amount as should be found due by the Secretary of War and the accounting officers of the Treasury, out of the appropriation for the prevention of hostilities on the northern frontier, to reimburse the State for expenses incurred in the protection



of the frontier in the pay of volunteers and militia called into service by the governor. (See 5 U. S. Stats., p. 268.) By an act approved June 13, 1842, the State of Maine was reimbursed for the expenses of the militia called into service by the governor for the protection of the northeastern frontier. (See 5 U. S. Stats., p. 490.)

By act approved March 2, 1861, the State of California had appropriated to her \$400,000 to defray the expenses incurred by the State in suppressing Indian hostilities for the years 1854, 1855, 1856, 1858, and 1859. (See 12 U. S. Stats., p. 199.)

By act approved July 2, 1836, Captains Smith, Crawford, Wallis, and Long, of the militia of Missouri, and Captain Sigler, of the Indiana militia, were paid for services rendered in protection of those States against Indians, and an appropriation of \$4,300 was made for that purpose. (See 5 U. S. Stats., p. 71.)

By act approved February 2, 1861, there was appropriated to reimburse the Territory of Utah for expenses incurred in suppressing Indian hostilities in said Territory in the year 1853, the sum of \$53,512. (See 12 U. S. Stats., p. 15.) This bill was considered by the House Military Committee, and was reported by Mr. Stanton, who, in his report, says:

"The liability of the Federal Government for necessary expenses incurred by the States and Territories in repelling invasions of their territory by a foreign enemy, or of hostile tribes of Indians within our borders, has been so often recognized that it can no longer be considered an open question.

"The committee also believe that the action of the State and Territorial authorities in calling out their military force and engaging in hostilities furnished at least prima facie evidence of the necessity of their action.

"As there is no evidence before the committee tending to show that these expenses were unnecessarily incurred, the committee feel bound to recognize the liability of the claim."

By the act approved June 21, 1860 (it being an Army appropriation bill), the sum of \$13,988 was appropriated to reimburse the State of Iowa for the expenses of militia called out by the governor to protect the frontier from Indian incursions. (See 12 U. S. Stats., p. 68.)

By the same act the sum of \$123,544.51 was appropriated to the State of Texas for the payment of volunteers called out in the defense of the frontier of the State since the 28th of February, 1855. By the act making appropriations for the sundry civil expenses of the Government for the year ending June, 1864, and for other purposes, an appropriation was made to pay the governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders in the year 1862, not exceeding \$250,000, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury. (See 12 U. S. Stats., p. 754.)

In the sundry civil bill of the following year an appropriation of the sum of \$117,000 was made to the same State "to supply a deficiency in the appropriation for the costs, charges, and expenses properly incurred by the State of Minnesota in suppressing Indian hostilities in the year 1862. (See 13 U. S. Stats., pp. 350, 351.)

By act approved May 28, 1864, the sum of \$928,411 was appropriated for the payment of damages sustained by citizens of Minnesota by reason of the depredations and injuries by certain bands of Sioux Indians. (See 13 U. S. Stats., p. 92.)

Besides the appropriation made to the State of California, before referred to, by act approved August 5, 1854, the sum of \$924,259.65 was appropriated to reimburse the State for expenditures in the suppression of Indian hostilities within the State prior to the 1st day of January, 1854. (See U. S. Stats. at Large for 1853 and 1854.)

The question of the liability of the General Government for the payment of this class of demands seems to have been carefully considered by the Committee on Military Affairs of the House in connection with this claim of California for reimbursement.

Mr. McDougal submitted the report of the committee, in which he said:

"The question remaining for consideration is, whether or not the General Government is properly chargeable with their expenditures?

"It is the opinion of this committee that the obligation of the Federal Government to furnish specific and particular defense to each several State is included in its obligation to maintain the 'common defense' of the Confederacy. That invasions from abroad, insurrections at home, and aggressions from the savage tribes inhabiting our borders, are alike within the protective province of the Federal Government. Congress possesses the exclusive power 'to raise and support armies in time of peace,' and possesses the power to call forth the militia 'to suppress insurrections and repel invasions.' In the tenth section of the first article of the Constitution the States stipulate that they will not 'keep troops or ships of war in time of peace.'

"The conclusion necessarily follows that the General Government is, by the implied, if not the express, terms of the Federal compact, bound.

"The question here presented appears to have been distinctly raised in 1831 upon

a claim presented by the State of Missouri. By act approved March 3 of that year Congress made an appropriation for the service of the Missouri militia against the Indians, 'provided that the Secretary of War shall, upon full investigation, be satisfied that the United States are liable for the payment of said militia under the second paragraph of the tenth section of the first article of the Constitution of the United States.' (See Laws, vol. 4, p. 465.)

"General Cass, then Secretary of War, examined the subject submitted, and gave the opinion of the Government as to its constitutional obligations, affirming the liability of the Government, and directing payment to be made to the State of Missouri.

"Instances of similar legislation might be cited, but it is believed that but little doubt can exist either as to the constitutional obligation or the exposition given by Congressional legislation."

Your committee, after having given the subject such consideration as time and opportunity would allow, feel bound to conclude that the General Government owes to the States the duty of protection, especially against the incursions of hostile savages, over whom the United States authorities have, from the foundation of our Government, exercised a kind of parental control. And this being the case, when, from any cause, the States are not given such protection, and reasonable and necessary expenses are incurred by such States in repelling invasions from the Indians and suppressing hostilities, reimbursement should be made for the same by the United States.

This claim of the State of Kansas, coming, as we believe it does, within the principle just stated, should, in the opinion of the committee, be paid whenever the proper amount has been satisfactorily determined.

The bill provides for no appropriation, but leaves that matter to be determined hereafter by Congress upon the facts, to be reported by the Secretary of the Treasury, under the provision of the bill.

The committee therefore recommend that the bill be passed without amendment.

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[Senate Report, No. 139, Forty-sixth Congress, second session.]

The Committee on Military Affairs, to whom was referred the bill (S. 80) "to authorize the Secretary of the Treasury to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Kansas in repelling invasions and suppressing Indian hostilities," have had the same under consideration, and submit the following report:

That this bill is identical with the one on the same subject that was fully considered by this committee in the last Congress, and which passed the Senate, but was not acted upon by the House. The committee see no reason for a reversal or modification of the conclusion then reached, and therefore they readopt the views expressed in the report which accompanied the bill, and recommend the passage of the present measure.

The report referred to is as follows:

"The bill under consideration provides that the Secretary of the Treasury shall be authorized to examine, settle, and audit all proper claims of the State of Kansas for moneys expended by it in organizing, arming, equipping, supplying, subsisting, transporting, and paying the volunteer and militia forces of the State called into active service by the governor thereof, after the 15th of April, 1861, to aid in repelling invasions and suppressing Indian hostilities in said State and upon its borders, and report his action thereon to Congress.

"It appears to the satisfaction of the committee that the State of Kansas has actually incurred and paid expenses in repelling invasion and suppressing Indian hostilities, and that such expenditures were made necessary by the state of affairs existing at the time; the question remaining to be considered is whether or not the General Government is properly chargeable with such expenditures.

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“It is the opinion of this committee that the obligation of the Federal Government to furnish specific and particular defense to each several State is included in its obligation to maintain the “common defense” of the confederacy. That invasions from abroad, insurrections at home, and aggressions from the savage tribes inhabiting our borders are alike within the protective province of the Federal Government. Congress possesses the exclusive power “to raise and support armies in time of peace,” and possesses the power to call forth the militia “to suppress insurrections and repel invasions.” In the tenth section of the first article of the Constitution the States stipulate that they will not “keep troops or ships of war in time of peace.”

“The conclusion necessarily follows that the General Government is, by the implied if not the express terms of the Federal compact, bound.

“The question here presented appears to have been distinctly raised in 1831 upon a claim presented by the State of Missouri. By act approved March 3 of that year Congress made an appropriation for the service of the Missouri militia against the Indians, “provided that the Secretary of War shall, upon full investigation, be satisfied that the United States are liable for the payment of said militia, under the second paragraph of the tenth section of the first article of the Constitution of the United States.” (See Laws, vol. 4, p. 465.)

“General Cass, then Secretary of War, examined the subject submitted, and gave the opinion of the Government as to its constitutional obligations, affirming the liability of the Government, and directing payment to be made to the State of Missouri.

“Instances of similar legislation might be cited, but it is believed that but little doubt can exist either as to the constitutional obligation or the exposition given by Congressional legislation.”

“Your committee, after having given the subject such consideration as time and opportunity would allow, feel bound to conclude that the General Government owes to the States the duty of protection, especially against the incursions of hostile savages, over whom the United States authorities have, from the foundation of our Government, exercised a kind of parental control. And this being the case, when, from any cause, the States are not given such protection, and reasonable and necessary expenses are incurred by such States in repelling invasions from the Indians and suppressing hostilities, reimbursement should be made for the same by the United States.

“This claim of the State of Kansas, coming, as we believe it does, within the principle just stated, should, in the opinion of the committee, be paid whenever the proper amount has been satisfactorily determined.

“The bill provides for no appropriation, but leaves that matter to be determined hereafter by Congress upon the facts to be reported by the Secretary of the Treasury, under the provision of the bill.

“The committee, therefore, recommend that the bill be passed without amendment.”

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#### PETITION.

##### *To the Senate and House of Representatives :*

Your petitioner, George H. Hume, would respectfully represent that at the commencement of the war of the rebellion he resided on the eastern border of Kansas, near Rockville, in Miami County of said State, and on May 14, 1861, enlisted in Capt. W. H. Hiner's company of New Lancaster Rifles, which company was organized to protect the border of Kansas from rebel raids from the State of Missouri, and on June 1, 1861, said company was called into active service and remained on duty, patrolling the border, protecting and aiding Union men on the border of Missouri, and resisting rebel raids, until the 17th day of July, 1861, when said company was relieved from duty. The service performed during this time was arduous and dangerous, and was necessary for the protection of the lives and property of Union men along the line between Kansas and Missouri. That the members of this company furnished their horses, arms, and equipments, and for this service have never been paid anything.

That a muster roll of this company, showing the number of men enrolled and the time each man actually served, was filed in the office of the adjutant-general of the State of Kansas, and a certified copy, with the indorsement thereon, together with the recent indorsement of the auditing board of the State of Kansas, is submitted herewith.

Your petitioner would further represent that after the disbanding of this company most of the members thereof, including your petitioner, enlisted in Major Dean's bat-

talion of Colonel Nugent's Regiment of Missouri Home Guards, and remained in that service up till about the 1st of February, 1862, when said organization was discharged. During this service in the Missouri Home Guards the same kind of service was performed as had been performed by Captain Hiner's company, and for this service the soldiers were paid by the Government of the United States.

That on the 15th day of January, 1862, your petitioner was commissioned a first lieutenant in the Ninth Regiment of Kansas Cavalry by the governor of the State of Kansas, but after the muster out of the Missouri Home Guards the border of Kansas was left unprotected and the Union men along the border of Missouri had no protection, and there were no organized troops to maintain order and keep back rebel raids into Kansas.

By direction of Governor Robinson, of Kansas, your petitioner was ordered to organize an independent company of cavalry to take the place of the Missouri Home Guards, and out of the members of the Missouri Home Guards living in Kansas, your petitioner organized a company of cavalry, and on the 8th day of February, 1862, reported for duty, and took charge of the border, and scouted and patrolled the border and performed the duty which should have been done by regular volunteer soldiers. The Government of the United States furnished my company with arms, ammunition, camp and garrison equipage, and part clothing. The men of my command furnished their own horses. This company was in active service, under general orders of volunteer officers commanding along the border, and was mustered on the 19th day of June, 1863, having served ninety-four days. This muster roll was filed in the adjutant-general's office, but was there mislaid and lost, and a copy of the same made from orders and papers in the hands of your petitioner, has been made out and is transmitted herewith. This roll shows the time actually served by each member of the company, between the 8th day of February, 1862, and the 19th day of June, 1863. That the service performed during this time was the same kind of service which had been performed by Colonel Nugent's regiment of Missouri Home Guards, and much of the service was performed in company with volunteer troops, as will more fully appear by examination of the orders and papers accompanying these rolls and a statement of the service attached to said rolls. At the time this roll was lost in the adjutant-general's office, many valuable orders and papers were also lost, as an attempt was made before the legislature of the State to secure payment for the services of these men, and these orders and papers were taken before the committee having the same in charge and there mislaid and lost.

The legislature refused payment because the service performed by this company was under orders of volunteer officers commanding the border, and because this company took the place of volunteer soldiers, and in the opinion of the legislature it was the duty of the General Government to pay for this service, instead of the State. So under this decision the members of this company have received no pay up to this date for said service.

This roll contains the indorsement of Charles Robinson, who was governor at the time, and it also contains the indorsement of the auditing board of the State of Kansas.

Your petitioner would further represent that said company of independent cavalry remained in the service and performed any and all duty required of them from June 19, 1863, up to September 11, 1863, and for the time thus served a muster roll was filed at the time in the adjutant-general's office of the State of Kansas, and a copy thereof, with the indorsement thereon made at the time, and the indorsement of the auditing board of date June 4, 1864, and the further indorsement of the present auditing board made thereon is herewith submitted. This roll shows the actual time served, and for which he is entitled to pay, and also pay for the horse which each member of the company furnished. In support of this roll I inclose an old roll which was made out at the time, September 11, 1863, and not sent in because of a mistake in the date, being 23d of June instead of the 13th of June, 1863. This roll is sent because it contains a history of the service performed, which does not appear on the roll which was filed in the office of the adjutant-general, and of which a copy is transmitted. Your petitioner would also inclose his commissions under which he had command of this independent company of cavalry. He acted under his first lieutenant's commission in the Ninth Kansas Cavalry until he obtained his commission as captain of this company, and this was done at the request of Governor Robinson.

In the disturbed and distracted condition of the border in those days, men were required to act promptly, sometimes on verbal orders of the governor or some officer in command along the border, and in consequence a very imperfect record was kept, and not only this, but many important orders were lost at a time in 1864, when an attempt was made to get the State to pay for this service, and many have been lost by reason of the lapse of time, but such orders and papers as your petitioner has in his possession are transmitted herewith, and your attention is respectfully called to the same.

The service shown by the three muster rolls inclosed herewith was performed in

good faith, for the preservation of the Union, most of it was service which properly belonged to the volunteer forces to perform, and was performed to relieve such soldiers so that they could do duty in other important places. The State of Kansas has never paid for this service because it was service which properly belonged to the volunteer forces to perform. The Government of the United States has never paid for this service because payment has never been requested until now. Many of these men are poor and needy and the payment of this just claim would relieve them very much. That this service was dangerous is shown by the fact that often men could get relieved from your petitioner's company and join the volunteer forces "for safety," as they expressed it at the time.

Your petitioner would respectfully submit these rolls and the accompanying orders and papers for your consideration and allowance, trusting that after all these years of waiting that justice may at last be done to the men who served their country faithfully and loyally in their youth and now in their old age ask that these just claims be paid.

Very respectfully,

GEORGE H. HUME,  
*Late Captain Independent Cavalry Company, Osawatimie, Kans.*

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HEADQUARTERS 12 REG. K. V., Oct. 29, 1862.

Capt. G. H. HUME:

SIR: I will take the responsibility of sending you fifty guns for which you must receipt to me, and when you distribute you must also take receipts from those in whose hands you place the guns; at the same time let the receipts embody the place of residence of each man so that the guns can be collected again.

I would send some troops to you but have sent off all I can in other directions.

CHAS. W. ADAMS,  
*Col. 12 Reg. K. V.*

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PAOLA, KANSAS, Oct. 24, 1862.

Capt. HUME:

DR. SIR: I have had several applications to relieve Union families from their precarious situations, i. e., to bring them to Kansas. For reasons that I do not consider it judicious to mention, I am unable to send a strong force over into Missouri at present, and do not think it right to send a small force of infantry, which might be opposed and cut off by a much superior force of rebel cavalry. I therefore call upon you to raise or call your company of mounted militia together for the purpose of bringing those people (Union) who are living near the border and who wish to get away. I am well aware that I have no right to call upon you to go to Mo., but from your character as represented to me, and being unable to send at present, I merely request that you do this; and if it will remove any responsibility from you, I will order you over to Mo.

Yours, truly,

CHAS. W. ADAMS,  
*Col. 12 Reg. K. V.*

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[Extract.]

STATE OF KANSAS,  
EXECUTIVE DEPARTMENT,  
*Topeka, July 11th, 1863.*

Col. ED. LYNDE,  
*Kansas City:*

SIR: By the same authority you are authorized to direct the return of Capt. Hume's company whenever, in your judgment, their services are no longer needed.

I am, colonel, very respectfully, your ob't sv't,

HARD BARLENGAIM,  
*Priv. Sec'y.*

HEADQUARTERS 9TH K. V. C., -  
*Cold Water Grove, Ks., Aug. 24, 1863.*

I certify that the above is a true copy.

A. D. SEARLE,  
*1st Lt. and Adj't.*

CAMP BLUNT, Ks., Oct. 29th, 1862.

Received of Lieut. A. J. Shannon, R. Q. M., 12th Reg't Ks. Vol's, the following ordnance and ordnance stores:

30 Austrian R. muskets, complete; 20 Prussian muskets, complete; 50 cartridge-boxes and plates; 50 cartridge-box belts and plates; 50 bayonet scabbards; 50 cap boxes; 2,500 rounds buck and ball cartridge.

By order of Col. C. W. Adams, commanding 12th Reg't Ks. Vol's.

G. H. HOVER,

Captain.

Per I. CARPENTER.

*Invoice of ordnance and ordnance stores, turned over by Lieut. A. J. Shannon, R. Q. M. 12th Kas. Vols., to Thomas Carney, Governor of Kansas, at Fort Leavenworth, Ks., on the 30 day of August, 1863, in obedience to* \_\_\_\_\_

Thirty Austrian rifled muskets complete, good; 20 Prussian muskets complete, good; 50 cartridge-boxes and plates, good; 50 cartridge-box belts and plates, good; 50 bayonet scabbards, good; 50 cap pouches, good; 2,500 buck and ball cartridges, good; 5 ball screws, 50 screw drivers, 5 spring vises, 50 gun wipers, 10 sear-springs, 50 cones extra, 50 tompons, 5 T. and W. punches, 12 main springs, 12 tumbler screws.

I certify that the above is a correct invoice of ordnance and ordnance stores turned over by me this 30th day of August, 1863, to Thomas Carney, Governor of Kansas.

A. J. SHANNON,

Lieut. 12th K. V. and E. Q. M.

Officers invoicing ordnance stores should observe that all issues or transfers of ordnance property must be made in pursuance of proper authority.

This authority may be as follows:

- (1) An order for supplies given by the Chief of Ordnance, Washington, D. C.
- (2) A requisition duly approved as required by paragraphs 1384, 1385, and 1386, Revised Regulations of the Army.
- (3) A direct order given by a superior officer to transfer certain stores.
- (4) An order which from its nature involves a transfer of property.

In all cases an officer making use of this blank must insert after the words "in obedience to" at the head of the invoice, the order or authority under which the issue is made.

If an order for supplies, give its number and the year; if a requisition, say "the requisition of (give officer's name) of \_\_\_\_\_, 186—."

If an order, state whose order, when, and where given.

No issue will be considered valid unless the authority is given as here directed.

GENERAL ORDERS, }  
No. 9. }

HEADQUARTERS DISTRICT OF THE BORDER,  
Kansas City, Mo., August 18, 1863.

I. Lieut. Col. Walter King, 4th Regiment, M. S. M., will, as often as may be necessary, visit the several military stations in that part of Missouri included in this district, and ascertain what negroes are there who desire escort out of Missouri, and were the slaves of persons who, since the 17th day of July, 1862, have been engaged in the rebellion, or have in any way given aid or comfort thereto. He will make and certify a list of all such negroes at each of such stations, and of the persons by whom the disloyalty of their masters can be shown, and will deliver one copy of such list to the commander of such station, and forward one to these headquarters. Before preparing such lists, he will give due and public notice of the time at which he will be engaged in such duty at each station. He will be governed in the discharge of his duties by special written instructions received from or through these headquarters.

II. Commanders of such stations will furnish from time to time, as they may be called for by commanders of escorts, copies of the lists so prepared and filed with them; and will issue rations, where necessary, to negroes named in such lists who are unable to remove from such station or to earn a living there, until escort can be furnished them to a place of safety where they can support themselves.

III. Commanders of companies and detachments serving in that part of Missouri included in this district will give escort and subsistence, where practicable, to all



negroes named in such certified lists, to Independence, Kansas City, Westport, or the State of Kansas—sending direct to these headquarters all such negroes fit for military service and willing to enlist.

By order of Brig. Gen. Ewing.

P. B. PLUMB,  
Major and Chief of Staff.

HDQRS. TROOPS ON THE BORDER,  
Cold Water Grove, Sept. 3, 1863.

Capt. HUME, *Com.*, Rockville.

CAPT.: From information received from Mo. and on the line north I am unable to send troops to Rockville as per arrangement yesterday.

Therefore I would call on you and appeal to the patriotism of your men for the defense of that portion of the border in the vicinity of Rockville. Feeling that I am under many obligations to you and your command for past services, I have been slow to call on you for further assistance; but I know that you will not be found wanting in case of need; it will only be for a few days, and then I will have troops enough for any emergency. Hoping my appeal to you will be obeyed, I am, Capt.,

Your obedt. servant,

C. S. CLARK,  
Lt. Col., *Com. Troops on the Border.*

No. 40.

Special requisition for (1) one wall tent, flies, poles, and pins; 20 common tents, flies, poles, and pins; (58) fifty-eight cavalry jackets; (58) fifty-eight cavalry pantaloons; (58) fifty-eight pair of boots; (58) fifty-eight overcoats; (30) thirty shirts; (40) forty pr. drawers; (40) forty pr. socks.

I certify that the above requisition is correct and that the articles specified are absolutely requisite for the public service, rendered so by the following circumstances: per issueto Lieut. G. H. Hume's Company F, Ninth (9) Reg't Kansas Volunteers.

G. H. HUME,  
Lieut.

\_\_\_\_\_, Quartermaster U. S. Army, will issue the articles specified in the above requisition.

OWEN A. BASSETT,  
Lt. Col. 9th Kansas, *Commanding.*

Received at Camp Hunter, n'r Ft. Leavenworth, the 9th day of January, 1862, of Lieut. S. H. Wood, quartermaster U. S. Army, one wall tent, fly, poles, and pins, twenty common tents, poles, and pins, fifty-eight cavalry jackets, fifty-eight pr. pantaloons, fifty-eight pr. of boots, fifty-eight overcoats, thirty shirts, forty pr. drawers, forty pair of socks, in full of the above requisition.

G. H. HUME,  
1st Lieut., *Commanding Company.*

[State of Kansas.]

*To all to whom these presents shall come, greeting:*

Know ye, that at an election held on the twenty-seventh day of September by the members of a volunteer company of cavalry of the State militia at New Lancaster, Miami County, State of Kansas, G. H. Hume was duly elected to the office of captain: Now, therefore, I, Charles Robinson, governor of the State of Kansas, by virtue or the authority in me vested, do hereby commission the said G. H. Hume as captain of said cavalry company for and during the term prescribed by law.

In testimony whereof, I have hereunto subscribed my hand, and caused to be affixed the great seal of the State.

Done at Topeka, this fourteenth day of October, A. D. 1862.

C. ROBINSON.

By the governor.

Attest:

S. R. SHEPHERD, [SEAL]  
Secretary of State.

[State of Kansas.]

*To all to whom these presents shall come, greeting :*

Know ye, that reposing especial trust and confidence in the ability, integrity, and diligence of George H. Hume, of the county of Miami, by virtue of the authority in me vested by law, I have appointed and commissioned, and by these presents do appoint and commission, the said George H. Hume, of the said county and State of Kansas, first lieutenant in the Ninth Regiment of Kansas Volunteers, to rank as such from the 8th day of September, 1861.

In testimony whereof, I, Charles Robinson, governor of the said State, have hereunto subscribed my hand and caused to be affixed the great seal of the State.

Done at Topeka, this fifteenth day of January, A. D. 1862.

C. ROBINSON

By the governor.

Attest:

JOHN W. ROBINSON, [SEAL.]  
Secretary of State.

HEADQUARTERS DISTRICT OF THE BORDER,  
OFFICE DISTRICT PROVOST MARSHAL,  
Kansas City, Mo., Sept. 2, 1863.

*Officer commanding at Rockville, Kans.:*

SIR: As soon as possible you will send to Maj. L. K. Thacher, at Westport, Mo., all horses captured by your command since the 20th day of August last, except those known to belong to loyal citizens living outside of Douglas County, Kansas, and those owned by Government.

By order of Brig. Gen. Ewing.

P. B. PLUMB,  
Major and Provost Marshal.

ORDER No. 2.]

HEADQUARTERS TROOPS ON THE BORDER,  
Cold Water Grove, Kans., Sept. 10, 1863.

Capt. G. H. Hume's Cavalry, Co. K. S. M., called into service for the defense of the border, and stationed at Rockville, Ks., by Special Order No. 67, dated Headquarters 9th K. V. C., Paola, Kansas, June 19th, 1863, E. Lynde, Colonel commanding, and approved by the gov. of Kansas, July 11th, 1863, is hereby relieved from further duty under said order.

By order S. Clark, Lt. Col. 9th K. V. C., commanding.

A. D. HARE,  
1st Lieut. and Actg. Adjt.

TOPEKA, January 30, 1864.

Col. HUME,  
Capt. HYNER, and others.

GENTLEMEN: I rec'd your kind and interesting letter to-day. I am very glad you have written to me. Your epistle will very materially assist us in prosecuting your claims. You will remember that we, that is, the members from the border counties, introduced a resolution for a special committee to be appointed, whose duty it should be to devote their entire time to investigate the matter, and prepare a bill for the payment of the K. S. M. This resolution was lost by a small majority. It was opposed by the standing committee on claims. They contended that we wanted to supersede them in their duties. They promised me they would investigate your claims immediately. I went to the secretary of state's office, and with the assistance of the governor I procured your muster roll, etc., and laid them before the committee above named, yet up to this time they have made no reports, nor have they introduced a bill for the payment of your claims. However, I have a bill prepared which I will introduce next Monday if the committee do not report prior to that time. My bill, I think, will cover the whole ground. I am giving my undivided attention to your claims, and will be happy to have you correspond with me often. I flatter myself that I have the matter in better shape now than ever before.

The negro-suffrage bill is now up; it is required to change the constitution so as to allow the negroes to vote; please instruct me in this matter.

I rec. your papers from the adjutant-general's office. I have been in daily conference with him for several days in regard to your claims. I shall, with your consent, encouch your letter in the form of a petition and lay it before the committee of the whole on next Monday.

Please let me hear from you often.  
Your obedient servant,

W. G. McCULLOCH,  
*Member of Legislature from Miami Co., Kan.*

Excuse my letter; I have written in haste.

MACK.

PAOLA, KANS., *January 25, 1890.*

Hon. P. B. PLUMB,  
*Washington, D. C. :*

DEAR SENATOR: The papers which I enclose herewith constitute a claim against the Government for pay due a company of Kansas soldiers for services during the late war. The muster roll of Capt. W. H. Hiner's company is for service in 1861, and the two muster rolls of Capt. Geo. H. Hume's company are for services rendered in 1862 and 1863. This company was stationed at Rockville in this county, and patrolled the border from Cold Water Grove to the trading post. You doubtless have a personal recollection of Capt. Hume and his company, as you will find your name signed to one of the orders enclosed herewith.

Two of these rolls are copies of rolls now on file in the Adjutant-General's Office, the other roll being the first roll of Capt. Hume's service from Feb'y 8, 1862, to June 19, 1863, was filed in Adjutant Gen'l's Office but lost, and this roll has been made up from the best obtainable evidence.

An attempt was made in 1864 to get pay for this company from the State, but the legislature thought that inasmuch as the service which was required of this company was service which ought to have been performed by the U. S. volunteers, that it was the duty of the General Government to pay the claim rather than the State. The result is that these men have never been paid anything for their services. Many of them are now poor, and all need very much this money which is justly due them.

We have put these claims in the best possible shape under the circumstances. Two of the rolls were examined and allowed by the old auditing board of the State, June 4, 1864, and we have presented all three of the rolls to the present commission appointed for that purpose, and submitted our evidence to them and they have made their indorsement on the rolls.

We also inclose you a petition from Captain Hume which briefly gives a history of this service. You will also find a letter from Governor Charles Robinson in reference to this claim, and also such orders and papers as may throw some light on the service performed. I would respectfully suggest that you get some competent person to make an estimate of the amount of money necessary to pay these men for their own service and that of the horses which each furnished, and introduce a bill appropriating so much money for their payment.

It might be well to have a similar bill introduced in the House by Mr. Funston, so that it will expedite matters. Some of these parties are dead and provision should be made for payment to their heirs or legal representatives.

The commissions of Captain Hume you will kindly return when you get through with them.

Yours, truly,

THOS. M. CARROLL.

SPECIAL ORDER }  
No. 67. }

HEADQUARTERS 9TH KANS. VOLS., CAV.,  
*Paola, Ks., June 19, 1863.*

Capt. G. H. Hume, commanding Cavalry Co. K, S. M. of Miami Co., Ks., will prepare his Co. to assist in the defence of the border. As soon as his Co. is ready to take the field he will make the proper requisitions on these headquarters for subsistence and take post at Rockville, Kans., and report to these headquarters. This order subject to the approval of the governor of Kansas.

By order of E. Lynde, col. commanding.

A. D. SEARL,  
*Lieut. and Actg. Adjt.*

The within order approved this 11th day of July, A. D. 1863.

THOS. CARNEY,  
*Gov. of Kansas.*

HEADQUARTERS 9TH K. V. C.,  
*Cold Water Grove, Ks., Aug. 24, 1863.*

A. D. SEARL,  
*First Lt. and Adjt.*

Official:

SPECIAL ORDER }  
No. 67. }

HEADQUARTERS 9TH K. V. C.  
Paola, Kan., June 19, 1863.

Capt. G. H. Hume, commanding Cavalry Co. K., S. M. of Miami Co., Kansas, will prepare his company to assist in the defense of the border. As soon as his Co. is ready to take the field he will make the proper requisitions on these headquarters for subsistence and take post at Rockville, Kansas, and report to these headquarters.

This order subject to the approval of the gov. of Kansas.

By order E. Lynde, col. comdg.

A. D. SEARL,  
Lieut. and Actg. Adjt.

Copied by R. J. Hiner this 11th day of July, 1863.

HEADQUARTERS 9TH K. V. C.,  
Paola, Kas., June 19, 1863.

Mr. HUME:

SIR. I wish you to come to this place with the bearer of this. I desire to consult with you in regard to the militia in your vicinity.

I am most respectfully, your obedient servant,

E. LYNDE,  
Col. Comdg.

HEADQUARTERS TROOPS ON THE BORDER,  
Cold Water Grove, Ks., Sept. 4, 1863.

Capt. HUME:

SIR. The lt. col. commanding, owing to circumstances over which he had no control, is compelled to ask your services for a few days longer in patrolling the border. There are reasons for every man and soldier to be active along this border at the present time. We shall have more troops here in a few days, when you will be relieved from your unpleasant and arduous position.

Owing to the large force of our troops being ordered out on a scout, we are compelled to make a change in our patrolling, and ask of you to establish a post of 5 or 6 men at Camp Snyder, relieving the troops stationed there by Capt. Goss, and to send patrols across between there and Rockville whenever patrols arrive from the north or south, and also to scout occasionally in the vicinity of West Point. We will send scouts from here daily to report to you at Rockville.

This arrangement is only temporary, and will last but a few days. The col. left here this morning with most of the troops stationed here on a scout into Mo. He will be gone about 3 days.

I send you enclosed instructions in regard to a line of messengers that are established along the line in addition to the patrol. These I send for your information, so you can know what is going on. The messengers will pass over the direct road without coming to Rockville.

I have instructed Capt. Goss to call in his men at Camp Snyder as soon as they are relieved by you. The messenger that brings this goes on to the trading post with instructions to Capt. Goss.

I am, respectfully, your obd't servt.

A. D. SEARL,  
1st Lt. and Actg. Adjt.



Pay roll of Captain G. H. Hume, independent company (cavalry), of the ——— Regiment, Kansas State Militia, Colonel ———, from the 8th day of February, 1862, to the 19th day of June, 1863.

[We, the subscribers, do hereby acknowledge to have received of ———, paymaster, the sums annexed to our names respectively, being the amount in full of our pay and allowances for the period herein expressed, having signed duplicates thereof.]

S. R. 1938

Names.	Rank.	Joined and sworn in.			Ordered into active service or annual encampment.			No. of days in actual service.
		When.	Where.	By whom.	When.	Where.	By whom.	
G. H. Hume	Capt.	Feb. 8, '62.	Rockville	Esq. Banister	Feb. 8, '62.	Rockville	Gov. Robinson	94
John Massy	1st lt.	"	"	"	"	"	Col. Adams	94
R. J. Biner	2nd "	"	"	"	"	"	Gov. Carney	94
George S. Downing	1st sgt.	"	"	"	"	"	Col. Lynde	94
John H. Canfield	2nd "	"	"	"	"	"		94
James Dixon	3rd "	"	"	"	"	"		94
James Regua	4th "	"	"	"	"	"		94
Archibald Trammel	1st corpl.	"	"	"	"	"		94
Aaron Saterlee	2nd "	"	"	"	"	"		94
Thomas J. McBride	3rd "	"	"	"	"	"		94
Pleasant Roark	4th "	"	"	"	"	"		94
Adams, Louis	Private	"	"	"	"	"		94
Allen, Josiah	"	"	"	"	"	"		60
Allen, Frank	"	"	"	"	"	"		94
Allen, Henry	"	"	"	"	"	"		60
Bannister, I. J.	"	"	"	"	"	"		94
Binkley, James	"	"	"	"	"	"		60
Beraman, Louis	"	"	"	"	"	"		94
Beckman, Fred	"	"	"	"	"	"		94
Boyer, Joseph	"	"	"	"	"	"		94
Clendening, John	"	"	"	"	"	"		94
Chilson, Joseph	"	"	"	"	"	"		94
Carpenter, Joseph	"	"	"	"	"	"		60
Cochran, Ayers	"	"	"	"	"	"		60
Cox, Selathiel	"	"	"	"	"	"		60
Downing, Ezekiel	"	"	"	"	"	"		94
Doud, Henry	"	"	"	"	"	"		94
Deck, Boliver	"	"	"	"	"	"		94
Dond, M. F.	"	"	"	"	"	"		60
Ellis, Frank	"	Feb. 8 '62	"	"	"	"		94
Edwards, Wm	"	"	"	"	"	"		94
Estey, Albert	"	"	"	"	"	"		60
Foreman, J. A.	"	"	"	"	"	"		94
Gorman, Andrew	"	"	"	"	"	"		94
Gunnels, Carl	"	"	"	"	"	"		60
Hill, J. W.	"	"	"	"	"	"		94
Hockett, Henry	"	Sept. 20, '62	"	"	"	"		60

GEORGE H. HUME.

Pay roll of Captain G. H. Hume, independent company (cavalry), of the ——— Regiment, Kansas State Militia, Colonel ———, from the 8th day of February, 1862, to the 19th day of June, 1863—Continued.

[We, the subscribers, do hereby acknowledge to have received of ———, paymaster, the sums annexed to our names respectively, being the amount in full of our pay and allowances for the period herein expressed, having signed duplicates thereof.]

Names.	Rank.	Joined and sworn in.			Ordered into active service or annual encampment.			No. of days in actual service.
		When.	Where.	By whom.	When.	Where.	By whom.	
Huffman, Haden.....	Private.....	Feb. 8, '62	Rockville.....	Esq. Banister.....				94
Hymor, Wesley.....	"	"	"	"				94
Jackson, P. F.....	"	"	"	"				94
Jackson, S. A.....	"	"	"	"				60
Kuhlman, J. H.....	"	Feb. 8, '62	"	"				94
Karr, Wm.....	"	"	"	"				94
Karr, E. A.....	"	"	"	"				60
Long, David.....	"	"	"	"				94
Maden, David.....	"	"	"	"				60
Mankin, Charles.....	"	Feb. 8, '62	"	"				94
Miller, John.....	"	"	"	"				94
Miller, Dedrick.....	"	"	"	"				94
Miller, Henry.....	"	"	"	"				94
Massy, Isaac.....	"	"	"	"				64
Marquis, Samuel.....	"	"	"	"		Gov. Robinson		94
Maphet, C. T.....	"	"	"	"		Col. Adams		94
Maphet, John.....	"	"	"	"		Gov. Carney		64
Requa, George.....	"	"	"	"		Col. Lynde		94
Requa, Newton.....	"	"	"	"				60
Reed, Calvin.....	"	"	"	"				94
Roberts, J. T.....	"	"	"	"				94
Shannon, Thomas.....	"	"	"	"				94
Shannon, Martin.....	"	"	"	"				94
Shannon, Jefferson.....	"	"	"	"				60
Shoemaker, A. G.....	"	"	"	"				94
Sherman, Henry.....	"	"	"	"				94
Sinkey, James.....	"	"	"	"				30
Sage, C. C.....	"	Feb. 8, '62	"	"				60
Satterlee, Wm.....	"	"	"	"				94
Stewart, Thomas.....	"	"	"	"				30
Stoker, Elias.....	"	Feb. 8, '62	"	"				60
Stewart, George.....	"	Sept. 27, '62	"	"				60
Trinkle, Henry.....	"	"	"	"				94
Tracy, Hezekiah.....	"	Feb. 8, '62	"	"				60
Tracy, C. F.....	"	"	"	"				60
Trammel, Wm.....	"	"	"	"				94

Thomas, Aaron .....	..	..	..	..	..	.....	.....	.....	.....	94
Thomas, J. H. ....	..	..	..	..	..	.....	.....	.....	.....	94
Tharp, Wm. H. ....	..	..	..	..	..	.....	.....	.....	.....	94
Walley, Sarnuel. ....	..	..	..	..	..	.....	.....	.....	.....	94
Wilcox, Harmon. ....	..	..	..	..	..	.....	.....	.....	.....	94
White, J. W. ....	..	..	..	..	..	.....	.....	.....	.....	94
Melton, Wilmor. ....	..	..	..	..	..	.....	.....	.....	.....	60
Mobley, W. A. ....	..	..	..	..	..	.....	.....	.....	.....	30
Degrasty, Jerry. ....	..	..	..	..	..	.....	.....	.....	.....	30
Sage, Wesley .....	..	..	..	..	..	.....	.....	.....	.....	60
Thomas, David B. ....	..	..	..	..	..	.....	.....	.....	.....	35
		Feb. 8, '62								
		Sept. 27, '62								

\* Shoemaker is entitled to extra pay for shoeing co.'s horses.

Quantrail raided Auberry on 6th day of February, 1862. This company was organized by verbal order of Gov. Robinson to Lieut. R. J. Hiner, as follows, viz:

"Organize yourselves along the border into companies and protect your homes. I am powerless; no arms nor ammunition nor camp equipage, nor a dollar in the State Treasury. Will aid you as soon as I am able to do so, and will do as much as I can to get pay for your services, and I wish you to do all in your to prevent Quantrail and other bushwhackers from raiding Kansas along the border.

R. J. HINER.

Sworn to before me and subscribed in my presence this 30 day of Dec., 1889.

[SEAL.]

T. M. CARROLL,  
*Notary Public.*

Com. expires Oct. 9, 1893.

LAWRENCE, Jan. 14, 1890.

I hereby certify that according to my recollection the above statement of R. J. Hiner is correct.

C. ROBINSON,  
*Gov'r in 1862.*

STATE OF KANSAS,  
*Miami County, ss:*

G. H. Hume, being duly sworn, on his oath says that the foregoing is a copy, as nearly as it can now be made, of an original muster roll of his independent company filed by him immediately after said service in the adjutant-general's office and there mislaid and lost. That the number of days set opposite the name of each man is the number of days actually served within the time mentioned in this roll; and that each man furnished his own horse during said service and is entitled to pay for the same; and that neither the United States nor the State of Kansas have paid for the service of the men and their horses, as set forth on this roll. The foregoing facts are true, to the best of his knowledge and belief.

G. H. HUME.

Sworn to before me and subscribed in my presence this 2d day of January, 1890.

[SEAL.]

T. M. CARROLL,  
*Notary Public.*

I hereby certify that the foregoing abstract contains only the names of those who actually performed the service as stated above and are entitled to pay for the number of days set opposite their respective names to the best of my belief.

G. H. HUME,  
*Captain Commanding Co. (Cavalry), — Regiment, S. M.*

Went into active service Feb. 8; patrolled the line and scouted along the border for 8 days, making headquarters at Rockville, Kan. Rebels made a raid on Kansas near Cold Water Grove on the 27th of June. Company called out and were six days in active service. Sept. 20th, bushwhackers threatened Kansas all along the borders. We were in active service five days. On Oct. 5th, went into camp at Rockville. Capt. Nick L. Benter, Co. C, 12th Regt. Kan. Vol. Inf., came to our assistance on the 16th. Had several skirmishes with the rebels; patrolled the line from Cold Water Grove to Trading Post. Oct. 27th went to the assistance of Capt. Seaman, who was attacked by overwhelming numbers near Fort Defiance. We assisted in routing the enemy. Scouted along the border until the 4th of Nov., when we returned to Rockville. We were continuously in active service until the 5th day of Dec. We made requisition on the 12th Regt.; drew rations and supplies through Capt. Nick L. Benter. We were seldom called out during the winter. On the 8th day of May, 1863, we were again called out to repel the enemy, and continued in service five days. On the 10th of June we were again called out in defense of the border; remained in camp till the 19th of June, when we then mustered for pay.

I certify that the above is a true statement to the best of my recollection and from the documents now in my possession.

G. H. HUME.



TOPEKA, KAN., *January 16, 1890.*

Auditing board: Adjutant-General, Attorney-General, State Auditor.

We have examined the within copy of muster-roll of Capt. George H. Hume, and from the evidence produced before us believe the service mentioned in this roll was performed as therein stated, and that the same has never been paid, and we believe this claim to be just and should be paid.

J. N. ROBERTS,  
*Adjutant General.*  
L. B. KELLOGG,  
*Attorney General.*  
T. MCCARTHY,  
*State Auditor.*

Muster roll of Captain George H. Hume's Independent Company (Cavalry), of the ——— Regiment, Kansas State Militia, Colonel ———, from the 19th day June, 1863, to the 11th day of September, 1863.

We, the subscribers, do hereby acknowledge to have received of ———, paymaster, the sums annexed to our names respectively, being the amount in full of our pay and allowances, for the period herein expressed, having signed duplicates thereof.

[Ordered into active service or annual encampment, Rockville, by Gov. Carney, per Col. Lynde.]

No.	Names.	Rank.	Joined and sworn in.			Ordered into active service, or annual encampment—	Relieved from duty.		No. of days in actual service.	Signatures.
			When.	Where.	By whom.		When.	By whom.		
1	Geo. H. Hume.....	Capt.....	Sept. 27, '62	New Lancaster ...	Esqr. Banister ....	June 19, '63	Sept. 11, '63	Gov. Carney ..	84	Geo. H. Hume.
1	Robert J. Hiner .....	2d Lt .....	"	"	"	"	"	"	84	Robt J. Hiner.
1	Geo. S. Downing*.....	1st sgt .....	"	"	"	"	Aug. 25, '63	"	87	
2	John H. Canfield.....	2 ".....	"	"	"	"	Sept. 11, '63	"	84	John H. Canfield.
3	James Dixon.....	3 ".....	"	"	"	"	"	"	84	James Dixon.
4	James Regna*.....	4 ".....	"	"	"	"	Jul. 25, '63	"	85	
1	Archibald Trammell.....	1 corpl... ..	"	"	"	"	Sept. 11, '63	"	84	Archibald Trammell.
2	Aaron Satterlee.....	2 ".....	"	"	"	"	Aug. 6, '63	"	47	
3	Thos. J. McBride.....	3 ".....	"	"	"	"	Sept. 11, '63	"	84	Thos. J. McBride.
4	Pleasant Roorck.....	4 ".....	"	"	"	"	"	"	84	Louis Bergman.
1	Bergman, Louis.....	Private .....	"	"	"	"	"	"	84	Joseph A. Boyer.
2	Boyer, Joseph A.....	"	"	"	"	"	"	"	84	Fredrick Beckman.
3	Fredrick Beckman.....	"	"	"	"	"	"	"	84	Richard Curry.
4	Curry, Richard.....	"	June 19, '63	Rockville.....	Esqr. Stoker .....	Aug. 20, '63	"	"	21	
5	Chilson, Joseph.....	"	Aug. 20, '63	"	"	June 19, '63	"	"	34	
6	Clendenig, John.....	"	Sept. 27, '62	New Lancaster ...	Esqr. Banister ....	"	Jul. 23, '63	"	84	John Clendenig.
7	Doud, John W.....	"	"	"	"	"	Sept. 11, '63	"	53	
8	Doud, Henry H.....	"	"	"	"	"	Jul. 24, '63	"	22	
9	Downing, Ezekiel*.....	"	"	"	"	Jul. 4, '63	" 10, '63	"	21	
10	Deck, Wm. B.....	"	"	"	"	June 19, '63	" 24, '63	"	34	
11	Edwards, Wm.....	"	"	"	"	"	Sept. 11, '63	"	84	Wm. Edwards.
12	Estey, Albert.....	"	"	"	"	"	"	"	84	Albert Estey.
13	Ellis, Frank*.....	"	"	"	"	"	Jul. 24, '63	"	84	Jesse A. Foreman.
14	Foreman, Jesse A.....	"	"	"	"	"	Sept. 11, '63	"	84	
15	Huffman, Haden*.....	"	"	"	"	"	Jul. 24, '63	"	84	John W. Hill.
16	Hill, John W.....	"	"	"	"	"	Sept. 11, '63	"	84	Hymer, Wesley.
17	Hymer, Wesley.....	"	"	"	"	"	"	"	47	
18	Jackson, P. F. J.....	"	"	"	"	"	Aug. 6, '63	"	84	Andrew Gorman.
19	Gorman, Andrew.....	"	"	"	"	"	Sept. 11, '63	"	11	Ambrose N. Karr.
20	Karr, Ambrose N.....	"	Sept. 1, '63	Rockville.....	Esq. Stoker .....	Sept. 1, '63	" 11, '63	"	84	William Karr.
21	Karr, William.....	"	Sept. 27, '62	New Lancaster ...	Esq. Banister .....	June 19, '63	"	"		

22	Kuhlman, John H	"	"	"	"	"	"	84	John H. Kuhlman.
23	Lilley, Harrison †	"	"	"	"	"	"	31	
24	Long, David	"	"	"	Jul. 20, '63	Jul. 20, '63	"	57	David Long.
25	Mankin, Charles *	"	"	"	June 19, '63	Aug. 30, '63	"	71	
26	Maphet, Thos. T. *	"	"	"	"	" 28, '63	"	69	
27	Marquis, Samuel	"	"	"	"	Sept. 11, '63	"	84	Samuel Marquis.
28	Miller, William H. †	June 19, '63	Rockville	Esqr. Stoker	"	Aug. 15, '63	"	57	
29	Miller, John *	"	"	"	"	" 28, '63	"	69	
30	Miller, Dedrick	Sept. 27, '62	New Lancaster	" Banister	"	Sept. 11, '63	"	21	Dedrick Miller.
31	Massey, Isaac	"	"	"	Aug. 20, '63	"	"	21	Isaac Massey.
32	Requa, George *	"	"	"	June 19, '63	July 24, '63	"	35	
33	Reed, Calvin	"	"	"	"	Sept. 11, '63	"	84	Calvin Reed.
34	Roberts, James T.	"	"	"	"	"	"	84	James Roberts.
35	Satterlee, William §	"	"	"	"	"	"	84	William Satterlee.
36	Sherman, Henry	"	"	"	"	"	"	84	Henry Sherman.
37	Sampson, Isaac *	"	"	"	"	Jul. 24, '63	"	35	
38	Shannon, Jefferson *	June 19, '63	Rockville	" Stoker	"	" 15, '63	"	26	
39	Tracy, Hezekiah	Sept. 27, '63	New Lancaster	" Banister	"	Sept. 11, '63	"	84	Hezekiah Tracy.
40	Thomas, John H. *	"	"	"	"	July 25, '63	"	36	
41	Tharp, Frank	"	"	"	"	Sept. 11, '63	"	84	Frank Tharp.
42	Tramell, William	"	"	"	"	"	"	84	William Tramell.
43	Walley, Samuel	"	"	"	"	"	"	84	Samuel Walley.
44	Welton, Wilmore *	June 19, '63	Rockville	" Stokes	"	Jul. 24, '63	"	35	
45	Wilcox, Harmon	"	"	"	"	Sept. 11, '63	"	84	Harmon Wilcox.
46	White, John W	"	"	"	"	"	"	84	John W. White.
47	Cockran, Avers	"	"	"	"	"	"	84	Ayers Cockran.
48	Shoemaker, A. G.	Blacksmith.	"	"	"	"	"	84	

\* Enlisted in 15. Kans. Vol. Cav.

† Enlisted in 14th Kans. Cav. Vols.

‡ Joined recruiting service.

§ Killed by bushwhackers, Nov. 23, 1863.

I certify, on honor, that this muster-roll is made out in the manner required by the printed notes; that it exhibits the true state of Capt. G. H. Humes' company (independent) of the \_\_\_\_\_ Regiment of Kansas State Militia for the period herein mentioned; that the "remarks" set opposite the name of each officer and soldier are accurate and just; that each officer and soldier has sworn to and subscribed to the oath before a proper officer, according to law; and that the recapitulation exhibits in every particular the true state of the company, as required by regulations and the rules and articles of war.

Station: Rockville, Miami Co., Kansas.

Date: Sept. 11, 1863.

[5 cent internal-revenue stamp.]

G. H. HUME,  
*Commanding Company.*

I solemnly swear that the above roll exhibits a true statement of the services performed, and that each man performed the amount of service set forth against his name, and that the same remains due and unpaid, so help me God.

G. H. HUME,  
*Capt Comd'g.*

Sworn to and subscribed before me this 3d day of May, 1864.

[SEAL.]

DANIEL CHILDS,  
*County Clerk.*

Approved by the board, June 4th, 1864.

ASA HAIRGROVE,  
*Auditor of State.*

TOPEKA, KANS., January 16, 1890.

Auditing board: Adjutant-general, attorney-general, State auditor.

We have examined the within copy of muster-roll of Capt. George H. Hume, and from the evidence produced before us believe the service mentioned in this roll was performed as therein stated, and that the same has never been paid, and we believe this claim to be just and should be paid.

J. N. ROBERTS,  
*Adjutant-General.*  
L. B. KELLOGG,  
*Attorney-General.*  
T. MCCARTHY,  
*State Auditor.*

I do hereby certify that the foregoing is an accurate copy of the muster-roll of said company, as appears on file in this office, so far as it relates to the men whose names are borne thereon.

J. N. ROBERTS,  
*Adj. Genl.*  
By S. M. LANHAM,  
*Chf. clk. & A. A. G.*



*Muster roll of Captain Geo. H. Hume's Company (Cavl.) of the Kansas State Militia Regiment, by order of Colonel E. Lynde, from the Twenty-third day of June, 1863, to the eleventh day of September, 1863.*

No.	Names (present and absent. Privates in alphabetical order).	Rank.	Joined for service and enrolled at general rendezvous. Commencement of first payment by time.				Remarks.
			When.	Where.	By whom.	Days' service.	
1	George H. Hume.....	Capt.....	June 23	Rockville...	Capt. G. H. Hume...	84	
1	Robt. J. Hiner.....	2nd lieut...	June 23	Rockville.....	do.....	84	
1	Geo. S. Downing.....	1st sergt...	June 23	Rockville.....	do.....	63	Enlisted in 15th Regt. K. V., August 25th, 1863.
2	John M. Canfield.....	3rd sergt...	June 23	Rockville.....	do.....	80	
3	James Dixon.....	4th sergt...	June 23	Rockville.....	do.....	80	
1	James Regua.....	1st copl...	June 23	Rockville.....	do.....	31	Enlisted in 9th Regt. K. V., by Heard, recruiting officer, July 25th.
2	Archibal Trammell.....	2nd copl...	June 23	Rockville.....	do.....	80	
3	Aaron Sattlie.....	3rd copl...	June 23	Rockville.....	do.....	43	Enlisted in 14th Regt. K. V., August 6th.
4	Thos. J. McBride.....	4th copl...	June 23	Rockville.....	do.....	80	
1	Berghman, Tonis.....	Private.....	June 23	Rockville.....	do.....	80	
2	Boyer, Joseph.....	Private.....	June 23	Rockville.....	do.....	80	
3	Beckman, Fredrick.....	Private.....	June 23	Rockville.....	do.....	80	
4	Chilson, Joseph.....	Private.....	June 23	Rockville.....	do.....	29	Enlisted in 14th Regt. K. V., July 23.
5	Clendening, John.....	Private.....	June 23	Rockville.....	do.....	80	
6	Doud, John W.....	Private.....	June 23	Rockville.....	do.....	30	Enlisted in 9th Regt. K. V., by Sergt. Heard, July 24.
7	Doud, Henry M.....	Private.....	July 4	Rockville.....	do.....	18	Enlisted in 9th Regt. K. V., by Sergt. Heard, July 23.
8	Downing, Ezekiel.....	Private.....	June 23	Rockville.....	do.....	17	Commenced recruiting for colored regt. July 10.
9	Dick, Boliver W.....	Private.....	June 23	Rockville.....	do.....	30	Enlisted in 9th Regt. K. V., by Sergt. Heard, July 24.
10	Edwards, William.....	Private.....	June 23	Rockville.....	do.....	80	
11	Estey, Albert.....	Private.....	June 23	Rockville.....	do.....	80	
12	Ellis, Frank.....	Private.....	June 23	Rockville.....	do.....	30	Enlisted in 9th Regt. K. V., by Sergt. Heard, July 24.
13	Foreman, Jesse A.....	Private.....	June 23	Rockville.....	do.....	80	
14	Huffman, Haden.....	Private.....	June 23	Rockville.....	do.....	30	Enlisted in 9th Regt. K. V., by Sergt. Heard, July 24.
15	Hill, John W.....	Private.....	June 23	Rockville.....	do.....	80	
16	Hymen, Wesley.....	Private.....	June 23	Rockville.....	do.....	80	
17	Jackson, Peter F.....	Private.....	June 23	Rockville.....	do.....	43	Enlisted in 14th Regt. K. V., August 6th.
18	Gorman, Andrew.....	Private.....	June 23	Rockville.....	do.....	80	
19	Karr, William.....	Private.....	June 23	Rockville.....	do.....	80	
20	Kuhlman, John.....	Private.....	June 23	Rockville.....	do.....	80	
21	Lillie, Harrison.....	Private.....	June 23	Rockville.....	do.....	26	Enlisted in 14th Regt. K. V., July 20.
22	Long, David.....	Private.....	July 20	Rockville.....	do.....	53	
23	Mankin, Charles.....	Private.....	June 23	Rockville.....	do.....	67	
24	Maphet, Chas. T.....	Private.....	June 23	Rockville.....	do.....	65	Enlisted in 15th Regt. K. V., August 28.
25	Marquis, Samuel.....	Private.....	June 23	Rockville.....	do.....	80	
26	Miller, William H.....	Private.....	June 23	Rockville.....	do.....	52	Enlisted in 15th K. V., August 15.
27	Miller, John.....	Private.....	June 23	Rockville.....	do.....	65	Enlisted in 15th K. V., August 28.
28	Miller Dedrick.....	Private.....	June 23	Rockville.....	do.....	80	

*Muster roll of Captain Geo. H. Hume's Company (Caval.) of the Kansas State Militia Regiment, by order of Colonel E. Lynde, from the twenty-third day of June, 1863, to the eleventh day of September, 1863—Continued.*

No.	Names (present and absent. Privates in alphabetical order).	Rank.	Joined for service and enrolled at general rendezvous. Commencement of first payment by time.				Remarks.	
			When.	Where	By whom.	Days' service.		
29	Requa, George.....		June 23	Rockville...	Capt. G. H. Hume...	30	Enlisted in 9th K. V., by Herd, July 24.	
30	Reed, Calvin.....		June 23	Rockville.....	do.....	80		
31	Roark, Pleasant.....		June 23	Rockville.....	do.....	80		
32	Roberts, James T.....		June 23	Rockville.....	do.....	80		
33	Sattelle, William.....		June 23	Rockville.....	do.....	80		
34	Sherman, Henry.....		June 23	Rockville.....	do.....	80		
35	Sampson, Isaac.....		June 23	Rockville.....	do.....	31		
36	Shannon, Jefferson.....		June 23	Rockville.....	do.....	21		Enlisted in 14th Regt. K. V.; left camp July 15.
37	Tracy, Hezekiah.....		June 23	Rockville.....	do.....	39		
38	Thomas, John H.....		June 23	Rockville.....	do.....	30		
39	Tharp, Frank.....		June 23	Rockville.....	do.....	80		
40	Tranell, William.....		June 23	Rockville.....	do.....	80		
41	Walley, Samuel.....		June 23	Rockville.....	do.....	43		
42	Wetton, Wilmore.....		June 23	Rockville.....	do.....	30		Sore eyes; absent 37 days. Enlisted in 9th Regt. K. V., by Sergt. Herd, July 24.
43	Wilcox, Harmon.....		June 23	Rockville.....	do.....	80		
44	Cochran, Ayers.....		June 23	Rockville.....	do.....	80		
45	White, John W.....		June 23	Rockville.....	do.....	80		

All the members of this company furnished horses and equipments at their own risk and are entitled to pay for the same.

G. H. HUME,  
*Capt., Comdg. C.*  
 R. I. HINER,  
*2nd Lieut.*

[There was a mistake in this roll in the date. It should have been June 19 instead of June 23.—G. H. H.]

Record of events which may be necessary or useful for future reference at the War Department or for present information :

Went into camp June 23rd, 1863 ; patrolled the line on the border for the distance of eight miles day and night, frequently scouting the country between Mulbery and South Fork of Grand River. July 30th, pursued a band of bushwhackers from Sugar Creek, Kans., to Black's Creek the distance of thirty miles ; August 19th, marched to Porkersville, Mo., accompanied by Co. (C) of the 12th Regt. K. V. Inf., for the purpose of intercepting a band of guerrillas, who were marching in a northern direction. 20th, scouted the country thoroughly, found no enemy. 21st, marched to West Point, Mo. ; 6 o'clk p. m. received orders to march to Paola. 22nd, 2 o'clk a. m. reported to Col. Clark ; 4 o'clk a. m. received orders to march in pursuit of Quantrille ; pursued him to the North Fork of Grand River. 23rd, took 13 prisoners and turned them over to Col. Clark ; marched back near the line in company with Gen. Ewing ; then returned and took post at Rockville. Resumed patrolling the line and doing picket duty as formerly until relieved from duty by the Col., Clark, September 11th, 1863.

I certify, on honor, that this muster roll is made out in the manner required by the printed notes ; that it exhibits the true state of Captain G. H. Hume's K. S. M. company (eavly) of the ——— regiment of ——— for the period herein mentioned ; that the "remarks" set opposite the name of each officer and soldier are accurate and just ; and that the "recapitulation" exhibits in every particular the true state of the company, as required by Regulations and the Rules and Articles of War.

Station : Rockville, Miami Co., Kansas.

Date : September 11th, 1863.

G. H. HUME,  
*Commanding the Company.*

HEADQUARTERS TROOPS ON THE BORDER,  
*Cold Water Grove, Kans., September 3d, 1863.*

Instructions to commanders of stations on the line between Kansas and Missouri to establish a daily line of messengers from Trading Post, Kans., to Kansas City, Mo., and from Kansas City, Mo., to Trading Post, Kansas.

The commanding officer at the Trading Post will send two messengers to Cold Water Grove at 4 o'clock every morning, with directions to report to the commander at Cold Water Grove, who will on their arrival send two messengers to Aubrey, Kansas, to report to the commander at that place. On the arrival of the messengers at Aubrey the commander will send two messengers, with instructions to report to the commander at Little Santa Fé, who is directed to send two messengers through to Kansas City, with instructions to report to the adj't-gen'l of the district of the border and leave Kansas City the following morning at 4 o'clock. Each commander along the line is directed to forward messengers going south daily the same as going north.

*Going north.*—Leave Trading Post at 4 o'clock, a. m., Cold Water Grove at 8½ o'clock, a. m., Aubrey at 12 o'clock m., Little Santa Fé at 2 o'clock p. m., arriving at Kansas City at 5 o'clock p. m.

*Going south.*—Leave Kansas City at 4 o'clock a. m., Little Santa Fé at 7 o'clock a. m., Aubrey at 9 o'clock a. m., Cold Water Grove at 12½ o'clock p. m., arriving at the Trading Post at 5 p. m.

By order of C. S. Clark, lt. col. 9th K. V. C., commanding.

A. D. STARLE,  
*1st Lieut., and Act'g Adj't.*

*Invoice of ordnance and ordnance stores turned over by Thos. Carney, governor of the State of Kansas, to G. H. Hume, Capt. Kansas State Militia, at Paola, Kansas on the 30th of August, 1863, in obedience to ———.*

30 Austrian rifled muskets, complete; 20 Prussian muskets, complete; 50 cartridge-boxes and plates; 50 cartridge-box belts and plates; 50 bayonets and scabbards; 50 cap-boxes; 2,500 rounds buck-and-ball cartridges.

I certify that the above is a correct invoice of ordnance and ordnance stores turned over by me this ——— day of ———, 186—, to ———.

THOS. CARNAY,  
Gov'r of Kansas.

Officers invoicing ordnance stores should observe that all issues or transfers of ordnance property must be made in pursuance of proper authority. This authority may be as follows:

- (1) An order for supplies given by the Chief of Ordnance, Washington, D. C.
- (2) A requisition duly approved, as required by paragraphs 1384, 1385, and 1386, Revised Regulations of the Army.
- (3) A direct order given by a superior officer to transfer certain stores.
- (4) An order which from its nature involves a transfer of property.

In all cases an officer making use of this blank must insert after the words "in obedience to" at the head of the invoice the order or authority under which the issue is made.

If an order for supplies, give its number and year; if a requisition, say "the requisition of ——— (give officer's name) of ——— 186—."

If an order, state whose order, when and where given.

No issue will be considered valid unless the authority is given as here directed.

Muster roll of Captain W. H. Hiner's Company, New Lancaster Rifles, of the ——— Regiment, Kansas State Militia, Colonel ———, from the first day of June, 1861, when last mustered, to the seventeenth day of July, 1861.

We, the subscribers, do hereby acknowledge to have received of ———, paymaster, the sums annexed to our names respectively, being the amount in full of our pay and allowances, for the period herein expressed, having signed duplicates thereof.

[Ordered into active service or annual encampment June 1, '61, at New Lancaster, by Gov. Robinson; relieved from duty July 17, '61, by Gov. Robinson.]

	Names (present and absent; privates in alphabetical order).	Rank.	Joined and sworn in.			No. of days in actual service.	Signatures.	Remarks.
			When.	Where.	By whom.			
1	W. H. Hiner .....	Capt.....	May 14, '61	New Lancaster ...	Esq'r Banister...	30	W. H. Hiner, capt. ....	
2	Aaron Thomas .....	1st lt .....	" "	" "	" "	30	Aaron Thomas, 1st lt .....	Aaron Thomas, 1st lt., killed by the rebels at the battle of Independence, Mo.
3	Samuel A. Jackson .....	2d lt .....	" "	" "	" "	30	Sam A. Jackson, 2d lt. ....	
4	W. A. Mobly .....	3d lt .....	" "	" "	" "	20	W. A. Mobly, 3d " .....	
5	R. J. Hiner .....	Ensign .....	" "	" "	" "	30	R. J. Hiner, ensign .....	
<i>Sergeants.</i>								
1	A. G. McKenzie .....	1st sgt .....	" "	" "	" "	30	A. G. McKenzie .....	
2	I. J. Banister .....	2d sgt .....	" "	" "	Esq'r Karr .....	20	I. J. Banister .....	
3	C. E. Wait .....	3d " .....	" "	" "	" Banister .....	30	C. E. Wait, .....	E. S. Wait joined 5 Ks. Cav. and was killed at Pine Bluff, Ark.
4	G. H. Hume .....	4th " .....	" "	" "	" "	30	G. H. Hume .....	
<i>Corporals.</i>								
1	Ambrose Karr .....	1st corpl .....	" "	" "	" "	30	Ambrose Karr .....	
2	Josedick Roberts .....	2 " .....	" "	" "	" "	20	Josdic Roberts .....	
3	John McDowell .....	3 " .....	" "	" "	" "	30	.....	John McDowell joined vol. service and was killed at Fredericksburg, Va.
4	Lorenzo Tann .....	4 " .....	" "	" "	" "	30	Lorenzo Tann .....	Lorenzo Tann died of wounds received at Lone Jack, Mo.
<i>Privates.</i>								
1	Binkley, J. A .....	Pvt.....	" "	" "	" "	15	J. A. Binkley .....	
2	Binkley, A. J .....	" .....	" "	" "	" "	30	A. J. Binkley .....	
3	Cameron, William .....	" .....	" "	" "	" "	30	William Cameron .....	
4	Carpenter, Joseph .....	" .....	" "	" "	" "	30	Joseph Carpenter .....	



Muster roll of Captain W. H. Hiner's company, New Lancaster Rifles, of the ——— Regiment, Kansas State Militia, Colonel ———, from the first day of June, 1861, when last mustered, to the seventeenth day of July, 1861.

No.	Names (present and absent; privates in alphabetical order).	Rank.	Joined and sworn in.			No. of days in actual service.	Signatures.	Remarks.
			When.	Where.	By whom.			
<i>Privates—Continued.</i>								
5	Carpenter, John M. ....	Pvt. ....	May 14, '61	New Lancaster ...	Esq'r Banister ...	20	John M. Carpenter .....	
6	Cox, Salathiel .....	"	May 21, '61	"	"	20	Salathiel Cox .....	
7	Downing, Geo. S. ....	"	"	"	"	20	Geo. S. Downing .....	
8	Doud, J. W. ....	"	May 14, '61	"	"	20	J. W. Doud .....	
9	Estey, Albert .....	"	May 21, '61	"	"	10	Albert Estey .....	
10	Edwards, William .....	"	May 14, '61	"	"	30	William Edwards .....	
11	Foreman, J. A. ....	"	May 21, '61	"	"	20	J. A. Foreman .....	
12	Foreman, Greenberry .....	"	" 14, "	"	"	30	Greenberry Foreman .....	
13	Grant, Raymond R. ....	"	" 21, "	"	"	30	Raymond R. Grant .....	
14	Gormley, Livey .....	"	" 14, "	"	"	30	Livey Gormley .....	
15	Huffman, Gabriel .....	"	" " "	"	"	20	Gabriel Huffman .....	
16	Hanghey, I. T. ....	"	" " "	"	"	30	I. T. Hanghey .....	
17	Hockett, Ely .....	"	" " "	"	"	30	Ely Hockett .....	
18	Heron, Leonard .....	"	" " "	"	"	30	Leonard Heron .....	
19	Karr, James .....	"	" " "	"	"	20	James Karr .....	
20	Mobley, Wells .....	"	" " "	"	"	20	Wells Mobly .....	
21	Maffitt, Charles .....	"	" " "	"	"	20	Charles Maffitt .....	
22	Maffitt, John .....	"	" " "	"	"	10	John Maffitt .....	
23	McBride, Thomas .....	"	June 15, '61	"	"	20	Thomas McBride .....	
24	McDowell, William .....	"	May 14, '61	"	"	30	William McDowell .....	
25	Requa, James .....	"	"	"	"	30	James Requa .....	
26	Stoker, Elias .....	"	"	"	"	30	Elias Stoker .....	
27	Simonds, W. C. ....	"	"	"	"	30	W. C. Simonds .....	
28	Smith, David .....	"	"	"	"	30	David Smith .....	
29	Shoemaker, Godfrey .....	"	"	"	"	30	Godfrey Shoemaker .....	
30	Shipley, John .....	"	"	"	"	30	John Shipley .....	
31	Shipley, Thos. ....	"	"	"	"	30	Thos. Shipley .....	
32	Shipley, Wm. ....	"	"	"	"	30	William Shipley .....	
33	Shipley, Raleigh .....	"	"	"	"	20	Raleigh Shipley .....	
34	Tracey, C. F. ....	"	"	"	"	30	C. F. Tracey .....	
35	Young, B. P. ....	"	"	"	"	30	B. P. Young .....	

This company was employed in guarding and scouting on the line under order of Governor Robinson.

STATE OF KANSAS, *Miami County, ss :*

I, being duly sworn, say that the above rolls exhibit a true statement of the services performed, and that each man performed the service set forth against his name, and that the same remains due and unpaid, so help me God.

SAMUEL A. JACKSON,  
2d Lieut.

[5-cent internal rev. stamp.]

Sworn to before me this 3d day of May, 1864.

Witness my hand and official seal.

[SEAL.]

SAMUEL CHILDS,  
County Clerk.

Approved by the board June 4, 1864.

ASA HAIRGROVE,  
Auditor of State.

TOPEKA, KANS., *January 16, 1890.*

[Auditing board: Adjutant-general, attorney-general, State auditor.]

We have examined the within copy of muster roll of Capt. W. H. Hiner, and from the evidence produced before us believe the service mentioned in this roll was performed as therein stated, and that the same has never been paid, and we believe this claim to be just and should be paid.

J. N. ROBERTS,  
*Adjutant-General.*  
L. B. KELLOGG,  
*Attorney-General.*  
T. M. JARSTRY,  
*State Auditor.*

I do hereby certify that the foregoing is an accurate copy of the muster-roll of said company as appears on file in this office, so far as the same relates to the men whose names are borne thereon.

J. N. ROBERTS,  
*Adj. Genl.*  
By S. M. LANHAM,  
*Chf. Clk. and A. A. A. G.*

*Troops stationed at Rockville September—, 1863.*

Names of commanders.	Available force.	No. of men scouting and in what direction.	Remarks.
Note.—The names of Co. and detachment commanders and the commands to be given in this column.	Note.—The available force at the time of making the report at the station to be given in this column.	Note.—The time of departure and probable return of scouts to be given in this column.	Note.—Arrival and departure of troops: Movements of suspicious parties in the vicinity of the station; all depr. dations committed; all captures made and everything of interest in regard to the commands since last report to be noted in this column.

Comd'g Station.

STATE OF KANSAS, SECRETARY'S OFFICE,  
*Topeka, January 15, 1890.*

Hons. P. B. PLUMB and JOHN J. INGALLS,  
*Washington, D. C. :*

MY DEAR SENATORS: Capt. Geo. H. Hume, of Miami County, will present a claim to Congress for service of State troops on the border during the war, which remains unpaid, but which should be paid by the general Government or State, as I am personally acquainted with the fact that he and the men he represents did good service at that time and have never been rewarded for said services.

I have examined the pay rolls in Mr. Hume's possession, and as I personally know many of the men whose names appear upon the rolls, know that they performed the services, and hope you can secure for them a payment of their claims. They served the State gallantly and faithfully and at their own expense.

Very truly, yours,

WM. HIGGINS,  
*Secretary of State.*

PAOLA, KAN., Feb. 4, 1890.

Hon. P. B. PLUMB,  
*U. S. Senate:*

DEAR SENATOR: Your favor in regard to the claim of Captain Hume for pay for his independent company during the war has been received, and we thank you kindly for your promptness in this matter.

At the request of Captain Hume, I desire to call your attention to a few facts in this case, which ought to take this claim out of the rule, "that the Government never deals directly with the militia of any State."

In the first place, Captain Hume's company was an independent company, called the New Lancaster Rifles, and was organized at the beginning of the war, and performed service on the border of Missouri up to July, 1861, when the Missouri Home Guards were organized into a regiment commanded by Col. Nugent, and Captain Hiner's company was merged into and became a part of Col. Nugent's regiment of Mo. Home Guards.

The Mo. Home Guards was a militia organization for service along the border, and was composed largely of Kansas men, and it was paid by the general Government and uniformed and equipped by the Government, and treated in all respects as a volunteer organization. About the 1st of February, 1862, the Mo. Home Guards were mustered out of the service and disbanded, under the provisions of General Order No. 25, December 14th, 1861, Department of the Missouri, and this left the border of Kansas and Missouri in a defenceless condition. Immediately after the Home Guards had been mustered out, Captain Hume organized his independent company of cavalry out of the Kansas soldiers who had been in the Mo. Home Guards, and with this independent company took the place of the Mo. Home Guards, and performed with his company the same service which it had required a whole regiment of the home guards to perform. His company belonged to no regiment of militia, and while the governor of the State of Kansas sanctioned the raising of this company, it was almost exclusively under the orders of volunteer officers in command of the border, aiding the volunteer soldiers in the service, and doing the work which properly belonged to volunteer soldiers.

For the reason that the service of this company was such that it should have been performed by volunteer soldiers, the State of Kansas refused to pay for it, and it is a fact that if the general Government paid the Mo. Home Guards for their service during the war the Government should pay this claim, because Captain Hume's company succeeded the Mo. Home Guards and performed all the service which they had up to that time performed.

In addition to this, Captain Hume held a commission as 1st Lieut. in the 9th Kansas Cavalry, and was directed by the governor to organize this independent company of cavalry, under his lieutenant's commission, for service on the border. It occurs to me that on a proper investigation of this claim that, considering the service performed, by this company, it ought to be excluded from the rule stated in your letter.

However, you know personally something of the service performed by this company, and the claim is left with you, knowing full well, as Captain Hume says, that it is in good hands.

Very truly,

THOS. M. CARROLL.

PAOLA, KANSAS, Dec. 15, 1890.

DEAR SENATOR: I write you concerning the claim of Captain Hume and his men, for pay for services rendered on the border of Kansas during the early part of the war, and which was sent you about one year ago.

If you can not have the claim allowed and paid by the general Gov't. I wish it could be put in such condition that it would be allowed and paid by the State, as it is a just claim, but the State has refused to take action on the claim because the services rendered should have been performed by Gov't troops. I should be glad to hear from you and in case nothing further can be done at your end of the case return the papers to me.

Sincerely yours,

Hon. P. B. PLUMB,  
*U. S. Senate.*