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Letter from the Secretary of War, in reply to a resolution of the House of Representatives of 9th instant, respecting the progress which has been made in the settlement of claims for horses lost in the Creek and Seminole Wars

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HORSES LOST IN CREEK AND SEMINOLE WARS.

LETTER

FROM

THE SECRETARY OF WAR,

In reply to a resolution of the House of Representatives of 9th instant, respecting the progress which has been made in the settlement of claims for horses lost in the Creek and Seminole wars.

MARCH 19, 1840.

Referred to the Committee on Military Affairs.

WAR DEPARTMENT, *March 16, 1840.*

SIR: I have the honor to transmit the accompanying report of the Third Auditor, in reply to the resolution of the House of Representatives of the 9th instant, "that the Secretary of War be instructed to inform this House what progress has been made in the settlement of the claims for horses lost during the late hostilities with the Creek and Seminole Indians, in Alabama and Florida, by the Alabama volunteers, particularly those under the command of Colonel Cawfield, filed in 1837, and those under the command of Colonel Snodgrass, filed in 1838; also, to inform this House what has caused the delay in the settlement of said claims."

Very respectfully, your obedient servant,

J. R. POINSETT.

HON. R. M. T. HUNTER,
Speaker of the House of Representatives.

TREASURY DEPARTMENT,
Third Auditor's Office, March 13, 1840.

SIR: I have the honor to return the resolution of the House of Representatives, referred to me by you for a report. By it, you are instructed to inform the House what progress has been made in the settlement of the claims for horses lost during the late hostilities with the Creek and Seminole Indians, in Alabama and Florida, by the Alabama volunteers, particularly those under the command of Colonel Cawfield, filed in 1837, and those under the command of Colonel Snodgrass, filed in 1838; also, to inform the House what has caused the delay in the settlement of said claims.

The claims of the volunteers of Colonel Cawfield's command were nearly altogether presented by two agents, and were of two classes—one relating to horses, &c. delivered over to the United States, by the order of the com-

manding general, and the other to horses alleged to have been lost in various ways while in service. So far as regards the horses, &c. delivered over, the claims have generally been adjusted, and the amount allowed been paid, although further allowances on many of them are wanted. On a cursory examination of the claims for losses, the same were found to be exposed to numerous objections, and to be in but few instances in a state for settlement. Such of them (presented by one of the agents, who attended in person) as appeared to be so, were adjusted, and the sums allowed paid; and after spending much time in a more thorough examination of the others filed by him, a long statement, explanatory of the result, pointing out the objections, and the kind of evidence needed to obviate them, was made out and furnished to him; and he has since forwarded several parcels of additional testimony, which have not yet been inspected, the constant pressure of business in the office having been such as to preclude the devoting to these cases the great length of further time a proper re-investigation of them is confidently expected to demand.

The same cause has prevented the full examination of the claims for losses presented by the other agent alluded to, and the preparation, for him, of such a detailed statement of the objections, and of the further proofs requisite to remove them, as he will need for his guidance; to do which, satisfactorily, will occupy several weeks. In other instances, as well as these, in which agents have filed numerous claims, appearing to be of a character to call for the consumption of much time in the investigation thereof, by reason of objections to which, on looking them over, they were perceived to be liable, the investigation has had to be deferred, as the only alternative to a suspension of the current business of the office in this branch of its duties, great as it continually is.

The claims of volunteers of Colonel Snodgrass's regiment are all for lost horses, &c., and the losses are generally ascribed to a failure on the part of the United States to furnish sufficient forage. At the time this regiment was in service, a brigade of Georgia volunteers, commanded by Brigadier General Nelson, and a battalion of Tennessee volunteers, commanded by Major Lauderdale, were also in service; and from the members of each of which commands numerous claims for losses, attributed to a failure on the part of the United States to furnish sufficient forage, have been presented; and all such claims, whether of volunteers of the Alabama regiment, or of the Georgia brigade, or Tennessee battalion, remain unadjusted. Before these could undergo any satisfactory and decisive examination, I considered it indispensable (aware, as I was, of the immense quantities of forage provided for the use of the army in Florida at the time) that the accounts in the Quartermaster's Department should be thoroughly searched, and that statements should be prepared therefrom of the forage shown to have been issued, from time to time, for the horses of the respective commands, to serve as a test in ascertaining the instances in which there may have been failures on the part of the United States to furnish a sufficiency; and, on consulting you on the subject, you signified a concurrence with me as to the propriety of, and necessity for, this course, and instructed me to pursue it. In reports made to you by me at the last session of Congress, in pursuance of resolutions of the Senate and House of Representatives, and which were printed, (as to the Senate, in document No. 158, and as to the House, in document No. 179,) full explanation as to this matter was communicated. At that time the calls of committees, and of honorable members, for infor-

mation, and other pressing business, rendered the commencement of such a work utterly impracticable. Since then, every opportunity has been availed of in searching, and collecting from the accounts the information wanted; but owing to the great number thereof, and multiplicity of the vouchers, to the tediousness of the work, and to the prosecution of it, (being unavoidably subject to continual interruptions in attending to the current business of the office in this branch of its duties,) it is only recently that it has been found possible to bring the same to a conclusion; and, to the completion of it now, clerks have had to be taken, at much inconvenience, from their regular employment in another branch of the duties of the office, alike overburdened with business. The claims of the volunteers of the several commands before alluded to are very numerous, and will (notwithstanding these forage statements, useful as they will be in the examinations) require, in acting on them, not only great care, but much experience in relation to cases of this character; and, as signified in the reports before alluded to, the only clerk in the office having such experience, and to whom this portion of its duties is allotted, has necessarily, whilst Congress is in session, to devote the most of his time to the preparing of reports in answer to calls of the heads of departments, and committees of both Houses of Congress, and of replies to the applications incessantly making by members for information respecting claims of this nature; all of which demand prompt attention, and the compliance therewith, in many instances, involves a consumption of much time in searches and investigations to acquire the information wanted. Whilst such calls are continually coming in, (and there are many now on file that, notwithstanding the most strenuous efforts, it has not yet been found practicable to attend to,) the examining and acting on the claims referred to will be out of the power of the office. The evidences adduced as to most of them are known to be very defective, and liable to objections, independent of any that the forage statements may give rise to; and to investigate the same satisfactorily, and prepare the instructions which will be wanted for the guidance of the parties in procuring remedial testimony, will necessarily occupy a great length of time. These, besides, constitute only portions of the unadjusted claims on file. Large numbers for losses by volunteers of other States than Alabama, Georgia, and Tennessee, and of Florida, have been received, and speedy action on which has been urgently requested, but has unavoidably had to be postponed.

Application was made at the last session of Congress for three additional clerks for this office; and a provision for their appointment is understood to have been offered near the close of the session, as an amendment to a bill then under consideration, but which was not enacted. The application has been renewed at the present session, and, in case of its succeeding, I shall be enabled to furnish assistance to the clerk employed in the examination and adjustment of claims of the character herein treated on.

The resolution having reference, incidentally, to claims of other Alabama volunteers than those of the commands of Colonels Cawfield and Snodgrass, it may be observed that, with the exception of one or two of recent presentation, all such claims are believed to have been either adjusted or examined, and the result communicated to the claimants or their agents.

With great respect, your most obedient servant,

PETER HAGNER, *Auditor.*

The Hon. JOEL R. POINSETT,
Secretary of War.