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INTEREST TO THE STATE OF NEW HAMPSHIRE.

[To accompany bill H. R. No. 4.]

JANUARY 13, 1852.

Mr. McLANAHAN, from the Committee on the Judiciary, made the following

R E P O R T :

The Committee on the Judiciary, to whom was referred the bill authorizing the allowance of interest-money paid out by the State of New Hampshire, upon the advances made by the State for the use of the United States Government in repelling invasion and suppressing insurrection at Indian Stream, in said State, report :

That in consequence of the encroachments of Great Britain upon our north-eastern frontier and the claim of the Canadian government to a part of the territory of the State of New Hampshire, and the measures threatened and adopted to enforce said claim, the legislature of that State were unanimously of opinion that a small portion of its military force should be called out for the defence of its territory and the preservation of its citizens and property.

The expenses incurred by the State were exceedingly low for the services rendered, and the result of the measures adopted proved their necessity and propriety.

These advances were not reimbursed to the State for about thirteen years after the claim was made, and all the necessary evidence and vouchers furnished the general Government by the State to sustain it, and almost the entire amount of interest paid out by the State has been during this delay.

Uniform precedent, in regard to such claims, shows that the State is entitled to receive the amount she has been compelled to pay out, in the name of interest, for the use and benefit of the general Government, in consequence of these expenditures, up to the time when the principal may have been reimbursed by the United States, if the same measure of justice is to be meted out to her that has been over and over again to her sister States. Similar claims have been repeatedly sanctioned by Congress ever since the organization of the Government.

The committee refer to the several acts, involving precisely the same principle, passed in favor of the State of Virginia, the State of Maryland, of Pennsylvania, New York, South Carolina, the cities of Baltimore and Mobile ; and the act of January 26, 1849, for the relief of the State of Alabama, involving the same principle as the bill for the relief of the State of New Hampshire. Also the act of the last Congress, allowing the payment of interest to the State of Georgia for advances in the suppression of

the Creek, Seminole and Cherokee Indians, in 1836-37-38; and the act of March 3, 1851, authorizing the payment of interest to the State of Maine, made for the protection of the same north-eastern frontier. The committee therefore recommend the passage of the bill as referred, with the exception of the proviso to the first section, which they recommend to be stricken out, and in that they ask the concurrence of the House.

Approved by the Committee on the Judiciary, on the 15th day of January, 1852.

JANUARY 15, 1852.

The following is the report of the Committee on the Judiciary, made at the following meeting of the House of Representatives, on the 15th day of January, 1852.

REPORT

The Committee on the Judiciary, to whom was referred the bill entitled "An Act to amend the act of March 3, 1851, authorizing the payment of interest to the State of Maine, made for the protection of the same north-eastern frontier," and the amendments thereto, submitted the following report, together with a dissenting opinion of the Honorable Member for the State of Maine, in support of the bill.

That in consequence of the amendments of Great Britain upon the north-eastern frontier and the claim of the Canadian Government to a part of the territory of the State of New Hampshire, and the measures proposed and adopted to adjust said claim, the Legislature of that State were authorized to grant a small portion of its military force should be called out for the defence of its territory and the preservation of its rights and property.

The expenses incurred by the State were exceedingly low for the services rendered, and the amount of the services rendered proved their necessity and propriety.

These expenses were not reported to the State in about thirteen years after the claim was made, and all the necessary evidence and vouchers for amount the general Government of the State to sustain it, and about the relative amount of interest paid on the State has been during this period.

Further protection, in regard to such claims, should be given to the qualified to receive the amount she has been entitled to pay out in the course of law, for the use and benefit of the general Government, in consequence of their expenditures, up to the time when the principal part has been refunded by the United States, if the same amount of justice is to be done and not to let that has been paid and give again in her State. The State should have been promptly reimbursed by Congress for the amount of the Government.

The committee, therefore, recommend that the bill be passed, with the exception of the proviso to the first section, which they recommend to be stricken out, and in that they ask the concurrence of the House.