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Claim of Hon. H. M. Rice. Letter from the Secretary of the Interior, transmitting papers containing information in relation to the claim of Hon. H. M. Rice

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CLAIM OF HON. H. M. RICE.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

Papers containing information in relation to the claim of Hon. H. M. Rice.

MARCH 1, 1861.—Ordered to be printed.

DEPARTMENT OF THE INTERIOR,
February 28, 1861.

SIR: I have the honor to communicate herewith a report made to this department on the 27th instant by the Commissioner of Indian Affairs, containing the information called for by House resolution of the 18th instant.

With great respect, your obedient servant,

MOSES KELLY,
Acting Secretary.

Hon. WM. PENNINGTON,
Speaker of the House of Representatives, United States.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, February 27, 1861.

SIR: In reply to the resolution of the House of Representatives of the 18th instant, calling for certain information in regard to "a claim of the assignee of the Hon. H. M. Rice," and which you referred to this office for a report, I have the honor to state that I have no knowledge of a claim so described; but as, doubtless, reference was intended to be made to a claim of Mr. Rice himself, amounting to about the sum named in the resolution, I submit herewith copies of the papers therein which contain nearly all the information specified.

After a careful search, no evidence has been found in this office that "any Commissioner of the Indian bureau or Secretary of the Interior has heretofore rejected said claim," or that it was refused to be estimated for with any reference to its validity and justice. Informal estimates for it, and many other matters, were presented to the Secretary of the Interior for his consideration by the Acting Commissioner of Indian Affairs some time in the month of February, 1858; and it and other items were not included among those afterwards prepared and submitted to the Secretary and sent by him to Congress. Why said items were omitted does not appear from the papers so submitted. I understand, however, that the Secretary then declined to estimate for it on the ground that it was a private claim, and not therefore proper to be included among the items for formal and absolute public obligations; subsequently, just preceding the commencement of the present session of Congress, on his attention being again called to the case, he reconsidered his former opinion, and directed that if the claim was one incident to and arising out of the contract with Mr. Rice, an estimate for it should be prepared to be sent to Congress for the necessary amount to pay it; but a further investigation having disclosed the fact that there were existing appropriations out of which it could properly be paid, an estimate became unnecessary.

In regard to the inquiry whether the claim "was or was not referred for settlement to the Second Auditor and other accounting officers of the Treasury, as is usual in such cases, and, if not, the reasons therefor," I have to state that the practice varies, according to the character and circumstances of the case, in respect to the manner of paying claims adjudicated and allowed by this bureau. As a general rule, they are sent to the accounting officers and paid upon their reports or certificates of adjustment, in accordance with the decisions of this bureau, directly from the treasury. But there are many cases depending upon no other law than an act of appropriation, and where their allowance or disallowance is a matter of discretion with this office, according as they are found to be equitable and just, or the reverse, which, if allowed, are, as a matter of greater convenience to the parties interested, sent to some disbursing agent for payment, who has money in his hands applicable thereto, or to whom the necessary funds are remitted for that purpose. Mr. Rice's claim was one of this class, and, as a matter of convenience, was, upon being allowed, turned over to the superintendent of the northern superintendency, who is a heavily bonded officer, for payment. Such being the practice, no precedents were sought for, and I deem it but just to Mr. Rice to state that he did not suggest this mode of payment, nor, in fact, did he ever speak to me on the subject of the claim at all.

In reply to the query "what was the contract between the Hon. H. M. Rice and the government for the removal of the Winnebagoes," I would respectfully refer to Doc. No. 501, vol. 3, Reports of Committees, House of Representatives, 1st session 31st Congress, in which the contract and full information in relation thereto will be found. And in this connexion, I would refer also to Senate Reports of Committees, No. 419, 2d session 32d Congress, being a report made by Hon.

Senator Cooper, of Pennsylvania, from the Committee on Indian Affairs, showing the entire validity and justice of Mr. Rice's claim.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

Hon. MOSES KELLY,
Acting Secretary of the Interior.

No. 1.

WASHINGTON CITY, *February 8, 1853.*

The memorial of Henry M. Rice, asking payment for provisions furnished by him to the emigrant Winnebago Indians during the years 1850 and 1851, has been referred to the Committee of Indian Affairs of the Senate. Before reporting thereon, the committee desire to be informed whether, in the opinion of the Indian office, the claim is a just one and ought to be paid.

Very respectfully, your obedient servant,

W. K. SEBASTIAN,
Chairman of Committee on Indian Affairs.

Hon. LUKE LEA,
Commissioner of Indian Affairs.

The memorial is herewith sent.

No. 2.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, February 10, 1853.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, enclosing the memorial of Henry M. Rice asking payment for subsisting emigrant Winnebago Indians in 1851-'52.

In answer to your inquiry whether, in the opinion of the Indian office, the claim is a just one and ought to be paid, I have to state that all the information in the possession of this office touching said claim is contained in certain papers, copies of which are herewith enclosed; and that the evidence thus presented, though not entirely satisfactory, seems to warrant the opinion that the claim is just and ought to be paid.

The memorial is herewith returned.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Hon. W. K. SEBASTIAN, *Chairman, &c.*

No. 3.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, April 27, 1852.

SIR: I enclose herewith an account of H. M. Rice, esq., without amount, for subsistence alleged to have been furnished by him to certain emigrant Winnebago Indians after their removal under his contract. With a view to learn the facts in the case, you will instruct Agent Fridley to examine and report them together with his opinion in regard to the amount, if any, to which Mr. Rice is justly entitled.

Yours, &c.

L. LEA, *Commissioner.*

His Excellency ALEXANDER RAMSEY,
Governor, &c., St. Paul, Minnesota Territory.

No. 4.

MINNESOTA SUPERINTENDENCY,
St. Paul, August 12, 1852.

SIR: In a letter from your office of April 27, 1852, an account of H. M. Rice, esq., without amount, for subsistence alleged to have been furnished by him to certain emigrant Winnebago Indians after their removal, under his contract with Hon. Orlando Brown, of April 13, 1850, was enclosed, with directions to me "to instruct Agent Fridley to examine into and report the facts in the case, together with his opinion in regard to the amount, if any, to which Mr. Rice is justly entitled."

The terms of your letter indicated that it was not the expectation or wish of the department that any investigation of the account should be made by this office. I accordingly enclose herewith, without any comment of my own, the report of Maj. Fridley, recommending the payment to Mr. Rice of the sum of \$25,123 88, and the accompanying affidavits of David Gillman, S. B. Lowry, John Haney, jr., and Dav. Olmstead.

Upon receipt of your letter of April 27 aforesaid, the account of Mr. Rice was referred, as directed, to Agent Fridley, who *very promptly* returned me the report enclosed. Deeming this report rather too devoid of data, I requested, for the satisfaction of the department, the testimony upon which it was predicated. Awaiting this testimony, which was only received a few days since, has occasioned the delay in returning this matter to your office.

In justice to General Fletcher, the former agent for the Winnebago Indians, who is absent from this part of the country, and has no opportunity to exonerate himself, I deem it proper, to correct any false impression which may arise from the terms in which Agent Fridley has seen fit to speak of the official conduct of his predecessor, to state

that the difference between General Fletcher and Mr. Rice arose entirely from the different construction put by each upon the contract for removal, and the instructions of the Hon. O. Brown, of April 15, 1850. General Fletcher, I am certain, sought to discharge his duty in the premises *honestly* and conscientiously.

Very respectfully, your obedient servant,

ALEX. RAMSEY.

Hon. LUKE LEA,
Comm'r of Indian Affairs.

No. 5.

WINNEBAGO AGENCY,
Long Prairie, June 8, 1852.

SIR: Your letter of May 17, enclosing copy of communication from the Commissioner of Indian Affairs, dated the 27th of April last, and covering a claim and account of H. M. Rice, has been received.

Having examined fully into the facts relative to the claim of Mr. Rice for subsistence furnished by him to certain Winnebago Indians removed under contract with Orlando Brown, Commissioner of Indian Affairs, dated April 13, 1850, I find the following to be the result of the investigation:

By said contract the contractor was to be paid, without unnecessary delay, upon muster-rolls certified to by the agent for the Winnebagoes.

The contractor removed the Indians into their own country at the times and in the numbers specified in the account, a copy of which was enclosed by the Commissioner, and in accordance with his contract.

The then agent for the Winnebagoes, Gen. J. E. Fletcher, neglected or refused to give the necessary certificates. In consequence of such neglect or refusal the contractor was obliged to subsist the Indians until such times as he could obtain the certificates required. But for such subsistence so furnished the Indians would doubtless have returned to Wisconsin and Iowa, from whence they came, thus subjecting the contractors to a loss of the large amount expended in clothing, feeding, and removing them.

The Indians were assembled during the fall of 1850 and the winter of 1850-'51, awaiting the payment of the annuities then due them, and were, by the expectation of such payment, prevented from hunting or taking any other measures to procure a livelihood, and would have been in a destitute condition but for the subsistence provided by the contractor.

The contractor furnished them with necessary and suitable subsistence during the times specified in his account.

Taking into consideration the season of the year, and the distance which supplies were transported, I am of the opinion that Mr. Rice is justly entitled to four dollars per month for the subsistence of each Indian, as charged in his account, amounting to the sum of twenty-

five thousand one hundred and twenty-three dollars and eighty-eight cents, (\$25,123 88.)

Respectfully, your obedient servant,

A. M. FRIDLEY,
Indian Agent.

ALEXANDER RAMSEY,
Sup't Ind. Affairs, St. Paul, M. T.

No. 6.

LONG PRAIRIE, *July 27, 1852.*

SIR: Enclosed are copies of affidavits made by John Haney, D. Gillman, S. B. Lowry, and D. Olmstead, in regard to H. M. Rice's claim against the United States for subsisting the Winnebago Indians.

Very respectfully, your obedient servant,

A. M. FRIDLEY, *Indian Agent.*

His Excellency A. RAMSEY,
Superintendent of Indian Affairs, St. Paul, M. T.

No. 7.

TERRITORY OF MINNESOTA, }
County of Ramsey, } *ss:*

David Gillman, having first duly sworn, deposes and says: That he resides at Watab, in the county of Benton and Territory of Minnesota; that he resided there during the years one thousand eight hundred and fifty and fifty one; that he was present at Long Prairie, in said Territory, at the time when Henry M. Rice, removal contractor, mustered three hundred and twenty-three Indians of the Winnebago tribe, removed by him from the States of Wisconsin and Iowa on the 3d day of June, A. D. 1850; that he was also present at the same place on the 23d day of August, A. D. 1850, when the said Henry M. Rice, removal contractor, mustered 123 Winnebago Indians, removed as aforesaid; that he was also present at the arrival of 226 other Winnebago Indians into their own country on the 25th day of November, A. D. 1850, removed by Henry M. Rice, as aforesaid.

That he was constantly among said Indians so removed, from the time of their arrival, as above mentioned, until the month of May, A. D. 1851.

That owing to the non-payment of their annuities, in the fall of 1850, they were left in a destitute condition, and without the needful supplies for winter.

That from the time of the arrival of the said Indians, as above specified, until the 17th day of May, A. D. 1851, the said Henry M. Rice furnished the said Indians with large quantities of pork, flour, and

other necessaries, and that during said period the Indians referred to were almost wholly subsisted by the said Henry M. Rice.

That there was great discontent among the Indians removed, in consequence of the non-payment of their annuities as aforesaid; and it is the confident belief of this deponent, founded upon personal observation, that if the said Indians had not been so subsisted and furnished with the necessaries of life by Henry M. Rice, the majority of them could not have been prevented from returning to the country from whence they came.

That the Indians were all present when mustered for inspection by the agent, J. E. Fletcher, and each individual Indian pointed out to him, except ten or twelve of them, who were sick.

That the said agent was manifestly unwilling to furnish the necessary certificates and receive the Indians removed, and did all in his power to frustrate the removal and delay the contractor in effecting it, and receiving pay therefor. And further saith not.

DAVID GILLMAN.

Sworn and subscribed to before me this 15th day of January, A. D. 1852. Witness my hand and official seal.

GEORGE L. BECKER,
Notary Public.

TERRITORY OF MINNESOTA, }
Ramsey County, } ss:

Sylvanus B. Lowry, being duly sworn according to law, deposes and says: That he is a resident of Benton county, in said Territory; that he was employed during the year eighteen hundred and fifty in assisting Henry M. Rice to remove the Indians referred to in the foregoing affidavits; that he was present at the times when the several parties referred to were mustered, and that he was with said Indians during the time in said affidavit mentioned; that he was familiar with their state and condition; that he has heard the foregoing affidavit read, and that, from his own personal knowledge of the fact, he believes the statements therein contained are true; that said Rice did furnish large quantities of supplies for said Indians at different points in their own country, and that owing to the refusal of their agent to furnish said Rice with proper certificates for the Indians removed, the supplies so furnished were rendered imperatively necessary to prevent said Indians from returning to the country from whence they came, and to enable them to subsist until the payment of their annuities in the spring of 1851. And further saith not.

S. B. LOWRY.

Sworn and subscribed to before me this 15th day of January, A. D. 1852. Witness my hand and official seal.

GEO. L. BECKER,
Notary Public.

TERRITORY OF MINNESOTA, }
Ramsey County, } *ss.*

John Haney, of said county, being duly sworn, deposes and says : That he has been for many years familiar with the Winnebago tribe of Indians ; that he assisted H. M. Rice, removal contractor, in the year 1850, to remove the Winnebago Indians mentioned in the foregoing affidavits ; that he was constantly among them after their removal and during the winter of 1850 and 1851 ; that he knows their condition ; that he has heard the foregoing affidavits read, and that from his own knowledge of the facts therein contained he states them to be true. And further saith not.

JOHN HANEY, JR.

Sworn and subscribed to before me this 15th day of January, A. D. 1852. Witness my hand and official seal.

GEO. L. BECKER,
Notary Public.

LONG PRAIRIE, M. T.,
 May 28, 1852.

SIR : In answer to inquiries respecting my knowledge of the facts respecting the subsistence, by Mr. Rice, of the Winnebago Indians removed by him under his contract with the government during the year 1850, I have to say that I am aware of the following facts : That owing to the non-payment of the annuities due to the Winnebagoes in the fall of that year, and other impediments thrown in the way of his mustering them before the payment of their annuities, Mr. Rice was under the necessity of subsisting them until such payment was made. Early in the winter of 1850-'51 I was informed by his excellency the superintendent of Indian affairs that Mr. R. would be expected to subsist the Indians which he had removed until they could be finally mustered.

I have knowledge of Mr. Rice having incurred heavy expense and much trouble in this regard, and am also aware that the Indians were comfortably, and I believe satisfactorily, subsisted by Mr. Rice until their annuity payment was made them in the month of May, 1851 ; and I am satisfied that, had they not been so subsisted, many if not most of them would have returned to their old haunts in Wisconsin and Iowa.

Very respectfully, your obedient servant,

DAV. OLMSTEAD.

Major A. M. FRIDLEY,
United States Indian Agent.

COUNTY OF BENTON, *Territory of Minnesota* :

This day personally appeared before me David Olmstead, whose signature is appended to the foregoing statement, and on his oath deposes that the facts therein set forth are true.

TAYLOR DUDLEY,

Clerk of District Court of Benton County.

MAY 29, 1852.

No. 8.

WASHINGTON CITY, *March 5, 1854.*

SIR: In reply to your letter of the 27th ultimo, I have to state that I am surprised to learn that an inference has been drawn from my communication of August 12, 1852, transmitting to the Commissioner of Indian Affairs Agent Fridley's report upon your claim for subsisting certain Winnebago Indians in 1850 that had I been called upon I would have made a report of a different and unfavorable character. Such an inference is unfounded and not justified by my letter. Not having been called upon for a report on the claim, I did not feel at liberty to make any, and I simply so stated to prevent misapprehension on that point.

My comments on Mr. Fridley's remarks respecting Agent Fletcher having refused or neglected to furnish you the certificate contemplated by your contract were only intended to shield the latter from any unjust censure, as the difficulty in the case grew out of the vague and uncertain provisions of the contract, and he acted according to his understanding of them.

The difficulty was afterwards remedied by his successor giving the required certificates, which were satisfactory to the department, and secured the settlement of your accounts and the payment of the amount due you for the removal of the Indians. In the meantime the Indians, having received no annuities, were in a destitute condition, and to prevent their return to the country whence they had been removed had to be fed. The rates charged by you for provisions furnished them I consider very reasonable.

Not having any of the papers before me in relation to this matter, I am unable to make a more specific statement from memory, but have no doubt your claim is an entirely just one.

Very respectfully, your obedient servant,

ALEX. RAMSEY.

Hon H. M. RICE, *Washington City.*

No. 9.

WASHINGTON, *February 11, 1858.*

SIR: Permit me to call your attention to a claim of H. M. Rice, remaining unsettled in your office, growing out of a contract with him for the removal of certain Winnebago Indians in the winter and spring of 1850-'51.

The claim being a just and valid one—so shown to be by the evidence in support of it, and by the report of the agent for the Winnebagoes, to whom it was sent by the Indian office for investigation—I cannot doubt that it would have long since been settled and paid but for want of an appropriation, which it seems to me to be the duty of the department to ask for, as was the former practice in such cases, instead of subjecting the claimant to the delay, vexation, and uncertainty of a personal application to Congress.

Among the papers is a memorandum,* stating the whole case, prepared by myself for the late Commissioner of Indian Affairs, who was requested to ask for an appropriation, but who not seeming disposed to do it, the matter was not pressed.

Mr. Rice having been in Congress during the whole of the last administration, from motives and feelings of delicacy was unwilling, as he still is, to have the claim prosecuted before that body in his behalf, and hence it has laid over till now.

Hoping that the department will see the justice and propriety of estimating for the amount necessary for its payment, which would doubtless secure an appropriation.

I am, very respectfully, your most obedient servant,

J. T. COCHRANE.

C. E. MIX, Esq.,

Acting Commissioner of Indian Affairs.

NOTE.—No answer was returned to this communication.

No. 10.

WASHINGTON, *December 31, 1860.*

SIR: I beg leave to call your attention to a claim against your department, in the name of the Hon. Henry M. Rice, for subsistence furnished certain Winnebago Indians removed by him under a contract with the government in 1850. The claim is just, and ought long since to have been paid, but has not been pressed by Mr. Rice because of a sensitive delicacy on account of the public positions he has held for years past. In the meantime he has transferred portions of the claim to other parties in settlements with them. These parties have abstained from pressing the claim out of consideration for Mr. Rice's feelings in the matter, but their circumstances do not

* Memorandum not found among the papers.

admit of their waiting any longer. If the claim cannot be allowed, so that they can obtain what is due to them out of it, they will be compelled to press Mr. Rice to make other arrangements to pay them, though they would be reluctant to do this, knowing Mr. Rice's situation to be such that it would seriously embarrass him to be so pressed at present. As, however, the claim is a just one, and there is an appropriation applicable to its payment, it is hoped that it can be allowed and paid without further delay.

I am acting for Mr. Rice's assignees in the case, and though he will not interfere directly or indirectly in the matter, I know it would be a great accommodation to him to have the claim settled and paid by the department.

Very respectfully, your most obedient servant,

J. T. COCHRANE.

Hon. J. THOMPSON,
Secretary of the Interior.

No. 11.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, January 6, 1861.

SIR: In compliance with your reference of the letter of J. T. Cochrane, esq., of the 31st ultimo, I have the honor to report as follows upon the claim of H. M. Rice, to which your letter relates:

Under a contract entered into with the Commissioner of Indian Affairs on the 13th day of April, 1850, Mr. Rice removed a considerable number of refugee Winnebago Indians from the States of Wisconsin and Iowa to the country of the tribe on Crow Wing river. In consequence of the depredations and other lawless acts of these Indians, the authorities of the States named had urgently demanded their removal to the new country then set apart for them, and to which the body of the tribe had been emigrated. The agent of the tribe had attempted to prevail upon them to join their brethren without success. Hence the contract with Mr. Rice, who, from his long and intimate acquaintance with the Winnebagoes, was known to have much influence with them, and who was believed to be the only person who could effect the removal of the roving and scattered bands in question without resort to the very expensive measure of employing the military for the purpose of coercing them.

Mr. Rice was to receive a stipulated price for each Indian removed, and was to be paid, "without unnecessary delay," upon muster-rolls certified by the agent of the tribe. The then agent refused or neglected to give the required certificates, and being superseded, and his successor having been delayed for a considerable time in reaching his agency, Mr. Rice was compelled to keep the Indians together until they could be properly inspected and the rolls examined and certified by the agent, as required by the contract; else they would have scattered and gone back, and he lost all his time, labor, and expense in

effecting their removal, and had the whole work to go over again. He could only keep them in the country by furnishing them with subsistence, and this, in consequence of their destitute condition, the government would have had to do to effect the same object had the new agent been there.

There is ample evidence that Mr. Rice subsisted the Indians as charged for, and that the price was reasonable; and as the claim is for a service necessarily rendered in course of the operations under the contract, I respectfully recommend that it be allowed and paid out of the accumulated balance of appropriations on hand applicable thereto, viz: \$2,284 25, "Removal and subsistence of Indians," and the remainder, viz: \$22,043 21, "Provisions for Indians;" the claim amounting to \$24,327 46.

I may add that I am satisfied the claim has not heretofore been pressed for settlement for the reasons mentioned in Mr. Cochrane's letter, which is herewith returned.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

Hon. J. THOMPSON,
Secretary of the Interior.

No. 12.

DEPARTMENT OF THE INTERIOR,
January 16, 1861.

SIR: Herewith I return the letter of John T. Cochrane, esq., in relation to the claim of Hon. H. M. Rice for alleged expenses incurred in the subsistence of Winnebago Indians removed by him under contract with your office of date of April 13, 1850.

If, upon a thorough examination of all the facts and circumstances connected with this claim, you find that the contract has been fully carried out in all its provisions; that your records do not show any adverse action heretofore in relation thereto, and you are convinced it is just and equitable, and can be legally paid from the balances of appropriations referred to in your report of the 5th instant, your office should proceed as in other cases of a similar kind.

Very respectfully, your obedient servant,

MOSES KELLY,
Acting Secretary.

Hon. A. B. GREENWOOD,
Commissioner of Indian Affairs.

No. 13.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, January 25, 1861.

SIR: Herewith you will receive an account of Henry M. Rice for subsistence furnished by him to certain Winnebago Indians, which he rendered under his contract of April 13, 1850, with the Commissioner of Indian Affairs.

This account has been lying in this office undisposed of for a number of years, its settlement and payment not having been pressed by Mr. Rice, in consequence, it is understood, of delicacy on the part of Mr. Rice, on account of his public position. Recently, however, Mr. J. T. Cochrane, acting for assignee of Mr. Rice, has called it up and urged its settlement. With the approbation of the Acting Secretary of the Interior, it has, after careful examination, been allowed, and you are hereby instructed to pay it out of the funds in your hands applicable thereto, as follows:

Removal and subsistence of Indians.....	\$2,284 25
Provisions for Indians.....	22,043 21

24,327 46

for which amount you will take the receipt of Mr. Rice in due form on the account, and which, so receipted, will be your voucher in your accounts for the present quarter.

Very respectfully,

A. B. GREENWOOD, *Commissioner.*

W. J. CULLEN, Esq., *Superintendent, &c., present.*

No. 14.

The United States to Henry M. Rice, Winnebago removal contractor, Dr.

May 17, 1851.—For subsistence furnished three hundred and twenty-three Winnebago Indians, removed under contract with Orlando Brown, Commissioner of Indian Affairs, dated April 13, 1850, and for expenses incurred in keeping them from returning to the States of Iowa and Wisconsin, (being the Indians specified in the muster-rolls as belonging to parties numbered one, two, three, four, five, six, and seven,) from June 3, 1850, the date of delivery made to the agent for the Winnebagoes, as per contract to the date hereof, May 17, 1851, eleven months and thirteen days, at four dollars per month—eleven months and fourteen days.. \$14,814 93½

May 17, 1851.—For subsistence furnished one hundred and twenty-three Winnebago Indians, and the expenses incurred as above, (being the Indians specified

in the muster-rolls as belonging to parties numbered eight, nine, ten, eleven, twelve, and thirteen,) from August 23, 1850, the date of delivery made to the agent for the Winnebagoes, as per contract to the date hereof, May 17, 1851, ten months and thirteen days, at four dollars per month—eight months and twenty-four days.....	\$4,329 60
May 17, 1851.—For subsistence furnished two hundred and twenty-six Winnebago Indians, and the expenses incurred as above, (being the Indians specified in the muster-rolls as belonging to parties numbered fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three,) from November 25, 1850, the time of their arrival in their own country to the date hereof, five months and twenty-two days, at four dollars per month.....	5,182 93
True amount	<u>9,512 53</u>

No. 15.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, February 20, 1861.

SIR: To enable me to answer fully a resolution of the House of Representatives on a subject which has just been referred to this office, you are requested to state promptly whether you have paid the claim of the Hon. H. M. Rice, under the instructions of this office of the 25th ultimo, and if so, to whom, and whether any portion thereof was paid to assignees of Mr. Rice.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

Major W. J. CULLEN,
Superintendent of Indian Affairs, now in Washington City.

No. 16.

WASHINGTON CITY,
February 21, 1861.

SIR: In reply to your letter of yesterday's date, which has just been received, I have the honor to state that I promptly paid the claim of Mr. Rice, according to your instruction of the 25th ultimo. I paid no part of the amount to assignees, for, under existing laws, as you are aware, assignments of claims or debts against the government are

not respected. The whole amount was paid to Mr. Rice himself by checks on the assistant treasurer at New York, with whom my funds were deposited; checks for different sums being given to him, at his request, to enable him, as he stated, to pay conveniently different persons to whom portions of the money was owing; and one of which checks he transferred in my presence in payment of an assignment of a portion of the claim.

Very respectfully, your obedient servant,

W. J. CULLEN,
Superintendent of Indian Affairs.

Hon. A. B. GREENWOOD,
Commissioner of Indian Affairs.