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W. P. Adair. Letter from the Secretary of the Interior, submitting the papers relative to the claim of W. P. Adair, of the Cherokee delegation.

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W. P. ADAIR.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

SUBMITTING

The papers relative to the claim of W. P. Adair, of the Cherokee delegation.

FEBRUARY 15, 1871.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 13, 1871.

SIR: I have the honor to submit herewith, for appropriate action by Congress, a copy of a communication from the Commissioner of Indian Affairs, dated the 10th instant, in relation to an account of William P. Adair, of the Cherokee delegation, for moneys advanced by him to certain Eastern Cherokee Indians, amounting to \$1,734 50; also, in regard to liabilities contracted by said Eastern Cherokees during their late visit to this city, amounting to \$4,789 85.

For the further information of Congress, I inclose copies of papers connected with Mr. Adair's claim, and report of the Indian Office, dated the 18th of August last.

I am, sir, very respectfully, your obedient servant,

C. DELANO,
Secretary.

HON. JAMES G. BLAINE,
Speaker of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 9, 1871.

SIR: Referring to a report from this office of the 18th August last, touching the claim of W. P. Adair for \$1,734 50, on account of moneys advanced to Eastern Cherokee Indians while on a visit to this city in the early part of last year, and to the decision of the honorable Acting Secretary of the Interior of the 24th October following, that there were no funds within the control of the Department applicable to the payment of said claim, I now have the honor to submit copies of papers

connected with this case, and to recommend that, in compliance with Mr. Adair's request per letter of the 4th instant, the same be laid before Congress for appropriate action.

In connection with the present case, I have to state that, besides Mr. Adair's claim of \$1,734 50, as above, there are others to the amount of \$4,789 85 on account of liabilities contracted by the Eastern Cherokees on their late visit to this city, which, if allowed, require an appropriation to meet.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. C. DELANO, *Secretary of the Interior.*

WASHINGTON, D. C., February 4, 1871.

SIR: I respectfully ask leave to call your attention to a letter from your office, under date of October 26, 1870, which I received in the Cherokee Nation, and which, in respect to my account, presented to your office, for advances made by me last year to the "North Carolina Cherokee delegation," then in this city, contains the following language from you:

"I have to advise you [the undersigned] that the papers connected with your claim for moneys advanced by you to the delegation of North Carolina Cherokees, referred with office report of the 18th of August last, for the consideration of the Hon. Secretary of the Interior, have been returned to this office with advice that there are no funds within the control of the Department out of which your claim can be paid, and that you should be referred to Congress for relief."

In view of said letter of your office, I respectfully ask that your office make the reference of my said account to Congress as required by it. As already stated, the advances made by me to the North Carolina Cherokee delegation were made under the impression that your office had interceded before Congress to have an amount appropriated for said delegation, and pursuant to such intercession, that Congress would make such appropriation; and finally, that such appropriation was included within the amount of the \$50,000 appropriated last session of Congress to defray the expenses of Indian delegations attending the city of Washington last year. Your kindness in giving prompt action to this matter may relieve me of my embarrassment, and place me under renewed obligations; and will, in my humble opinion, cause the Government to pay an obligation which, under the circumstances, I think should not fall upon my shoulders.

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

Hon. E. S. PARKER,
Commissioner of Indian Affairs.

W. P. ADAIR,
Chairman Cherokee Delegation.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 26, 1870.

SIR: I have to advise you that the papers connected with your claim for moneys advanced by you to the delegation of North Carolina Cherokees, referred with office report of the 18th of August last for the consideration of the honorable Secretary of the Interior, have been returned to this office with advice that there are no funds within the control of the Department out of which your claim can be paid, and that you should be referred to Congress for relief.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

W. P. ADAIR, Esq., *Present.*

DEPARTMENT OF THE INTERIOR,
Washington, D. C., October 24, 1870.

SIR: I herewith return the papers connected with the claim of W. P. Adair for moneys advanced by him to the delegation of North Carolina

Cherokees, which were submitted with your report of the 18th August last, and inclose a letter received to-day on the same subject from Mr. Adair.

The contingent fund of the Indian Office is not applicable to the payment of Mr. Adair's claim, and the appropriation of \$50,000, having been made for a specific object, cannot be applied thereto. There are therefore no funds within the control of the Department out of which his claim can be paid, and he should be referred to Congress for relief.

Very respectfully, your obedient servant,

W. T. OTTO,
Acting Secretary.

Hon. E. S. PARKER,
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 18, 1870.

SIR: I have the honor to inclose herewith a letter from W. P. Adair, dated the 15th instant, submitting an account in his favor for money advanced to the delegation of North Carolina or Eastern Cherokee Indians, with other papers relative thereto, and requesting that the same be paid from the interest due said Indians on the principal sum set aside for them under the act of July 29, 1848; also one from Mr. Adair, dated the 16th instant, inclosing an affidavit made by James Taylor and Hugh Lambert, tending to show that funds to pay the expenses of said delegation were embraced in the appropriation of \$50,000 recently made by Congress to defray the expenses of delegations of Indians visiting this city.

The account of Mr. Adair purports to be for "cash advanced at various times for expenses coming to and while remaining at the city of Washington," and amounts to \$1,734 50. It is certified to be just and true by S. Mink, William Matoy, Hugh Lambert, and James Taylor, members of said delegation, and they request that the amount thereof be paid to William P. Adair, chairman of Western Cherokee delegation, from whom they acknowledge to have received it. I have no doubt that the account is correct as stated, or that Mr. Adair actually advanced the money as claimed.

The funds referred to in Mr. Adair's letter of the 15th instant cannot, in the opinion of this office, be considered as a tribal fund, and consequently cannot be used to defray any portion of the expenses of said delegation. There is, in fact, no money at the disposal of the Department that can possibly be used to pay this account unless it be taken from the \$50,000 appropriation hereinbefore referred to. This appropriation was made to defray the expenses of delegations of Indians visiting this city, and to purchase presents for them; and, at the time Congress was asked to appropriate said sum, it was intended to be used for delegations invited to this city by the Department. Whether the affidavit presented by Mr. Adair should be considered sufficient to establish the fact that said sum was intended to cover the expenses of these North Carolina Cherokees, or not, I am not prepared to say. Should the Department decide it to be sufficient, or that the funds referred to are applicable for the payment of said account, I know of no reason why Mr. Adair should not be paid the amount of his claim.

In case it be determined to pay the account in question, I would respectfully ask what action shall be taken in regard to other claims that have been or may be presented to this office for and on account of the expenses of said North Carolina Cherokees, incident to their present visit to this city.

Very respectfully, your obedient servant,

W. F. CADY,
Acting Commissioner.

Hon. J. D. COX,
Secretary of the Interior.

WASHINGTON, D. C., August 15, 1870.

SIR: Herewith I have the honor of transmitting an account of \$1,734 50 which I hold against the North Carolina Cherokee delegation, for funds advanced as thereto stated, marked "A," and an extract copy of resolutions of the said North Carolina Cherokee council, under date of December 27, 1869, marked B, and on file in your office; and an extract copy of an act of Congress, dated July 29, 1848, marked C. In making this account with the said North Carolina Cherokee delegation, I relied

chiefly upon the good faith of the United States Government, and respectfully ask that the same be paid out of any *interest funds* due the said North Carolina Cherokees, under the said act of Congress, for the following reasons, viz:

1. That the said account of \$1,734 50 is just and correct, as verified by the signatures of said delegation.

2. That the funds applicable to pay it are due the said North Carolina Cherokees as *interest funds*, accruing upon their invested funds, under the said act of Congress of July 29, 1848, marked C, and have been authorized and ordered by the council and chief of said North Carolina Cherokees to be paid by your Department to the said delegation as their "legal representatives," by said act of their National Council and chief herewith presented, marked B, as contingent expenses of said delegation.

Our demands against the Government have never been unreasonable, and as the foregoing account is just and duly authorized, and as the funds for paying the same are legitimately applicable under the said act of Congress, we would respectfully ask that the account be paid.

Very respectfully,

W. P. ADAIR,
Chairman Cherokee Delegation.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

NORTH CAROLINA CHEROKEE DELEGATION,

To Wm. P. ADAIR, *Chairman Western Cherokee Delegation, DR.*

1870, July 20. To cash advanced at various times for expenses coming to
and while remaining at the city of Washington..... \$1,734 50

We, the North Carolina Cherokee delegation, hereby certify that the above account is just and true, that we received the money as stated, and request that the same be paid to Wm. P. Adair, chairman Western Cherokee delegation, and charged to the account of the North Carolina Cherokees.

his
S. + MINK,
mark.

his
WILLIAM + MATOY,
mark.

his
HUGH + LAMBERT.
mark.

JAMES TAYLOR,
Secretary of Delegation.

Witness:

JAMES SHRIVER.
TERRY CARMAN.