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Report : Claim of the American Board of Foreign

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1871.—Ordered to be printed.

Mr. AMES made the following

REPORT.

[To accompany joint resolution S. R. No. 303.]

The Committee on Military Affairs, to whom was referred joint resolution S. R. 303 in relation to the claim of the American Board of Foreign Missions, report as follows:

By this resolution it would appear that the claim was in behalf of the American Board of Foreign Missions, whereas in reality it is the claim of the Rev. Worcester Willey, the agent of that board, in charge of the Dwight Mission, located at Fort Gibson, Cherokee Nation.

It is shown by affidavit "that on the 1st of December, 1863, the committee (having full power and authority in the premises) resolved that all the property, real and personal, which said board owned and possessed at said Dwight on said 1st of December, 1863, or which said board had owned and possessed at said Dwight at any time since the 2d of October, 1860, aforesaid, and prior to said 1st of December, 1863, should be relinquished, and was thereby relinquished to said Willey, so that said committee, since said 1st of December, 1863, has regarded and considered all the right, title, and interest of said board to any and all of its property at said Dwight as having passed to and fully vested in said Willey;" also, "that in order to give the fullest effect to the transfer aforesaid, the prudential committee of the Board of Foreign Missions, which committee had full authority to act," adopted the following resolution on the 16th of June, 1868:

"Resolved, That said Willey be empowered to prosecute any and all claims which the American Board of Commissioners for Foreign Missions may or might have, by reason of any injuries to any property of said board at Dwight during the late civil war."

Mr. Willey, in urging his claim, said: "I cannot afford to give this amount to the Government, and so ask to be reimbursed to the amount of my loss," which is \$16,186 04.

He certifies as follows: "It is impossible for me to tell who took or destroyed all the property named in my account, as I was only able to be there occasionally to look after my family. I was there when Colonel Jennison and Colonel Harrison (of the national forces) returned and had the mortification of seeing them take the last and all the property. A large portion of the articles charged in the accompanying account I saw them take with my own eyes, notwithstanding my protestations," &c. He states that his mission was between the lines of the two contending forces; sometimes being in possession of one party and sometimes of the other. He also states that the mission and its belongings were more or less predated on before any regular forces on either side appeared.

Among the articles charged are the following buildings, which were destroyed by fire: a new study building, a barn, and a corn-crib. He does not know who burned them, nor does he show what they contained at the time.

Of some four hundred and fifty charges in the detailed account submitted, the great majority are for articles which evidently belonged to the mission. That this claim may be the better understood, extracts from the schedule of the property lost are submitted. The schedule begins as follows: 4 silk dresses, \$200; 18 night-dresses, \$35; 2 berage dresses, \$40; 2 delaine dresses, \$35; 6 calico dresses, \$42; 15 chemises, large, \$75; 10 night-caps, wrought and plain, \$15; 30 shirts, \$90, &c. The following articles are found in the schedule: Farina-boiler, \$2; 2 colanders, \$3; 5 cake-tins, \$2 25; * * 2 pot-hooks, \$1 50; 6 iron candle-sticks, \$3; 2 cork-screws, \$1; * * daguerreotypes, \$25; gold watch, \$100; purse, \$1; knife, \$1; hat, \$10; set of teeth, in gold, \$100; shoe-strings, 50 cents; 2 papers needles, \$50 cents; set of teeth, \$100; 1 ladle, 25 cents, and so on, with articles of greater or less value to the number of about four hundred and fifty. The indications are that not a few of the articles have been entered more than once.

Inasmuch as the transfer of a claim as herein made is declared by the law as null and void, and inasmuch as the loss sustained by Mr. Willey in his own property is not clearly shown, and inasmuch as the responsibility of the United States, if they have incurred any responsibility or accountability, has not been sufficiently proven, the committee are of the opinion that none of this claim, in its present form at least, should be allowed, and therefore ask that they be discharged from its further consideration.