

1-22-1877

## On the Relief of J. Theiren

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S. Rep. No. 603, 44th Cong., 2nd Sess. (1877)

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IN THE SENATE OF THE UNITED STATES.

JANUARY 22, 1877.—Ordered to be printed.

Mr. WRIGHT submitted the following

REPORT:

[To accompany bill S. 587.]

*The Committee on Claims, to whom was referred the bill (S. 587) for the relief of Jacob Theiren, with accompanying papers, submit the following report:*

Claimant, in his affidavit accompanying the bill, states that in 1847 he started from Western Missouri to go to Santa Fé, in New Mexico, with four wagons loaded with goods; that at Mann's Fort, in the Indian Territory, sixty barrels of beer belonging to him were seized and destroyed by order of Colonel Gilpin, commanding Oregon troops, and then in command of that fort. That is all that claimant says in regard to the circumstances of this destruction, and his affidavit forms the only evidence of any kind accompanying the bill. For aught that appears, this destruction may have been entirely justified and rightful under the facts then existing. The carrying of this property may have been in violation of our intercourse regulations with the Indians, or of some other equally proper rules of trade in that section. At any rate, in the absence of all showing to the contrary, we cannot presume that the officer was guilty of any wrong in the matter.

This claim was presented to the Thirty-first Congress without action being had thereon, and since that time has been allowed to rest. Affiant attempts to excuse this delay. But without passing upon this point, and considering only the facts of the claim as now before us, we recommend that the committee be discharged, and the bill indefinitely postponed.