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Relief of Certain States and Territories

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IN THE SENATE OF THE UNITED STATES.

JANUARY 13, 1885.—Ordered to be printed.

Mr. DOLPH, from the Committee on Claims, submitted the following

R E P O R T :

[To accompany bill S. 656.]

The Committee on Claims, to whom was referred the bill (S. 656) for the benefit of the States of California, Oregon, and Nevada, and Nevada when a Territory, have duly examined the same, and report the same back to the Senate with amendments.

By the act of Congress entitled "An act to indemnify the States for expenses incurred by them in defense of the United States," approved July 27, 1861, the Secretary of the Treasury was authorized and directed "to pay to the governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury."

By the first section of an act of Congress approved June 27, 1882, the Secretary of the Treasury was authorized and directed, with the aid and assistance of the Secretary of War, to cause to be examined and investigated all the claims of the States of Texas, Colorado, Oregon, Nebraska, California, and Nevada, and the Territories of Washington and Idaho against the United States for money alleged to have been expended, and for indebtedness alleged to have been assumed, by said States and Territories in organizing, arming, equipping, supplying clothing, subsistence, transporting, and paying the volunteer and military forces of said States and Territories called into active service by the proper authorities thereof between the 15th day of April, 1861, and the date of said act to repel invasion and Indian hostilities in said States and Territories and upon their borders, including all proper expenses necessarily incurred by said States and Territories on account of said forces having been so called into active service, and all proper claims paid or assumed by said States and Territories for horses and equipments actually lost by said forces in the line of duty in active service, excepting the claim of the State of Oregon for expenditures in suppressing the Modoc Indian hostilities, the payment for which had already been provided for by act of Congress.

By the second section of said act it was provided that no higher rate for supplies, transportation, and other proper expenses than was allowed and paid by the United States for similar services in the same grade and for the same time in the United States Army serving in said States and Territories, and for similar supplies, transportation, and

other proper expenses during the same time furnished the United States Army in the same country, and that no allowance should be made for the services of such forces except for the time during which they were engaged in active service in the field, or for expenditures for which the Secretary of War should decide there was no necessity at the time and under the circumstances.

The first section of the bill under consideration is intended to authorize the Secretary of the Treasury and the Secretary of War, in adjusting the claims of the said States under the acts above mentioned, to receive secondary evidence of the contents of any original paper relating to claims under said acts which may have been lost or destroyed. When amended, as proposed by your committee, this section seems to be unobjectionable.

The second section is intended to authorize the accounting officers of the Treasury, in adjusting the claims of said States under said acts, to credit such of said States and Territories with the amount of money actually expended by them from their respective treasuries, on account of extra pay, bounty, and relief to troops called into the service of the United States.

Large amounts were paid by States and municipal corporations for bounty and relief to volunteers during the war of the rebellion.

Your committee has been unable to find that the United States has yet assumed or paid to any State under the provisions of the act of July 27, 1861, or any other act, the amounts so paid by such State for bounty or relief, and is unwilling, at this time, to establish a precedent for such payment.

Your committee therefore report the bill back to the Senate, and recommend that when the amendments proposed by the committee are made to the bill, it do pass.

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