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Report : Petition of E. Chirouse

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IN THE SENATE OF THE UNITED STATES.

APRIL 29, 1886.—Ordered to be printed.

Mr. MAXEY, from the Committee on Indian Affairs, submitted the following

R E P O R T :

[To accompany bill S. 1375.]

The Committee on Indian Affairs, to which was referred the bill (S. 1375) for the relief of E. C. Chirouse, late United States Indian agent, after careful consideration, respectfully submits the following report:

In response to a communication from the chairman to the Secretary of the Interior, that officer writes as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 24, 1886.

SIR: I have the honor to acknowledge the receipt of your note of the 6th instant, inclosing, with request for examination and report, Senate bill 1375 of the current session, "for the relief of E. C. Chirouse, late United States Indian agent."

The matter having been referred to the Commissioner of Indian Affairs, I transmit herewith, in reply, copy of his letter of 22d instant, together with copy of letter of 14th June, 1882, addressed by the late Commissioner of Indian Affairs to the chairman of the Committee of Indian Affairs of the Senate, noted therein, relating to the settlement of the accounts of Rev. E. C. Chirouse, &c.

In forwarding this communication, which favors the claim of Mr. Chirouse for relief, the Commissioner says: "As this office has not received any further information in regard to Agent Chirouse's accounts, it has nothing further to submit, nor any reason to change the views in reference to his claim for relief contained in said communication of June 14, 1882. I respectfully inclose a copy of it, trusting the same may be received as a sufficient report."

S. 1375 is herewith respectfully returned.

Very respectfully,

L. Q. C. LAMAR,
Secretary.

The CHAIRMAN,
Committee on Indian Affairs, United States Senate.

The letter of the Commissioner of Indian Affairs therein referred to is as follows:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 23, 1886.

SIR: In compliance with the directions contained in your indorsement of 8th instant, referring to me, S. 1375, "A bill for the relief of E. C. Chirouse, late United States Indian agent," submitted by Hon. H. L. Dawes, chairman Senate Committee on Indian Affairs, under date of 6th instant, I have the honor to report that Agent Chirouse's case has previously been presented to Congress, and I believe fully reported upon by this office.

When, in 1884, H. R. 5855, a bill for the same purpose, was under consideration, it was referred to this office by Hon. Olin Wellborn, then chairman Committee on Indian Affairs, House of Representatives, for the views and suggestions of this Depart-

ment thereon, or any information it might have relative to the passage of the bill. In reply this office transmitted to Mr. Wellborn a copy of a communication addressed to Hon. H. L. Dawes, chairman Committee on Indian Affairs, United States Senate, dated June 14, 1882, with advice that said communication contained the best information that this office had in the matter, and also its views in regard to late Agent Chirouse's claims.

As the office has not received any further information in regard to Agent Chirouse's accounts, it has nothing further to submit, nor any reason to change the views in reference to his claim for relief contained in said communication of June 14, 1882. I respectfully inclose a copy of it, trusting the same may be received as a sufficient report.

Senator Dawes's letter of 6th instant, with the copy of S. 1375 inclosed, is herewith returned.

Respectfully,

J. D. C. ATKINS,
Commissioner.

The SECRETARY OF THE INTERIOR.

The letter of the Hon. H. Price, late Commissioner, called for in the above letter of Commissioner Atkins, is as follows:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, June 14, 1882.

SIR: In reply to your communication of 9th instant and that of Hon. James H. Slater, of same date, received by reference of the honorable Secretary of the Interior, under date of 12th instant, in which information is requested relative to the accounts of Rev. E. C. Chirouse, late United States Indian agent, and that any suggestions by this Department be submitted which may seem called for in view of the petition of Agent Chirouse, now before the above committee, for relief for certain suspensions against him in the examination of his accounts as such agent by the accounting officers of the Treasury, you are informed that a copy of the final statement of this man's accounts, as prepared by the Treasury, and over which this Department would have only administrative power, is not available for its reference at present, so that the items it contains cannot be referred to in detail. The books here show a few small disallowances against Agent Chirouse, to correct clerical errors of his, which, of course, must stand and are not now under consideration. The suspensions against him still remaining on said books are almost entirely of a technical character, as his troubles arose mainly from his failure to comprehend his duties, and action was frequently taken by him without having first consulted the Department.

Although Agent Chirouse's manner of disbursing and accounting for public funds has been irregular and in some cases contrary to the statutes, this Department does not believe that any taint of fraud attaches to his official actions as Indian agent, but that the use (if Mr. Chirouse quotes the Treasury statement of his account correctly) of \$3,006.58 miscellaneous funds, for the benefit of the Indians under his charge, in place of depositing the same to the credit of the United States; the expending of \$493.13 in trying to suppress liquor traffic with his Indians, contrary to the statute which provides for the payment of legal expenses in a different manner; and using \$393.80 to pay contingent expenses, and for transportation of Indian supplies, when he had no funds in his hands applicable to these purposes; though contrary to law, are believed to have been in each case of great benefit to the Indians, and in the end the Government suffered no less thereby.

In view of the foregoing, late Agent Chirouse's prayer for a modification of the law, so as to permit the Treasury Department to adjust and settle his accounts as affected by the three sums above mentioned upon principles of equity and justice, and to give him credit for all or such a part thereof as may be properly sustained by vouchers, and such as he can prove to have been disbursed in good faith, and as is believed to have inured to the benefit of the Indians and the Government, is favorably looked upon by this Department.

Herewith inclosed, the petition of late Agent Chirouse is returned.

Very respectfully,

H. PRICE,
Commissioner.

Hon. H. L. DAWES,
Chairman Committee on Indian Affairs, United States Senate.

In view of these official communications, the committee is of opinion that Mr. Chirouse is entitled to the relief asked, and reports back Senate bill 1375 and recommends that it do pass.