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Report : Petition of J. Bainter

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 18, 1886.—Ordered to be printed.

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

REPORT:

[To accompany bill S. 145.]

The Committee on Indian Affairs, to whom was referred the bill (S. 145) for the relief of James Bainter, have considered the same, and they report the bill back to the Senate adversely, with a recommendation that it be indefinitely postponed.

The committee have been brought to the conclusion announced by the inclosed letter from the Commissioner of Indian Affairs, which is made a part of this report.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 11, 1886.

SIR: I am in receipt, by Department reference, of your letter of the 6th instant, referring the bill (S. 145) for the relief of James Bainter, with a request for such information relative thereto as this Department may possess, and in reply I have the honor to report that it appears from the records of this office that a claim of James Bainter (No. 2802), amounting to \$5,872.50, on account of depredations alleged to have been committed by Cheyenne and Sioux Indians, on the 9th August, 1864, was filed October 14, 1881; on the 22d of the same month the claim was transmitted to United States Indian Agent Miles, at Cheyenne and Arapaho Agency, Darlington, Ind. T., for investigation and report, and returned by him January 26, 1883, with the recommendation that it be transmitted to the agent at Pine Ridge Agency, Dakota; on the 1st February following, the papers in the case were sent to United States Indian Agent McGillycuddy, at Pine Ridge Agency, and returned by him January 21, 1884, with his report recommending favorable action; on the 4th February following, the report of this office, recommending that claimant be allowed \$4,432.50, in full payment of his claim, to be paid from funds belonging to Sioux of different tribes, including Santee Sioux of Nebraska, was submitted to the honorable Secretary of the Interior, and by him concurred in, and transmitted to the Speaker of the House of Representatives, February 15, 1884, and appears by House Ex. Doc. No. 102, Forty-eighth Congress, first session, to have been referred to the Committee on Indian Affairs. (Bill H. R. 5538, Forty-eighth Congress, first session.)

The claim was returned to this office for re-examination in pursuance to the provisions of the act approved March 3, 1885, and was again examined, and the report of this office submitted to the honorable Secretary, 12th ultimo, with the recommendation that the claim be dismissed as barred by force of the 17th section of the act approved June 30, 1834 (4 Stats., 731, 732), and the recommendation for disallowance was concurred in by the honorable Secretary, 14th ultimo.

The papers in the case are now on file in this office. Senate bill 145 herewith returned.

Very respectfully,

J. D. C. ATKINS,
Commissioner.

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