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Certain Claims of California

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IN THE SENATE OF THE UNITED STATES.

MAY 19, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

Mr. WHITE presented the following

LETTER FROM THE ACTING SECRETARY OF THE TREASURY,
TRANSMITTING REPORT OF THE AUDITOR OF THE WAR
DEPARTMENT RELATIVE TO THE REAPPROPRIATION OF MONEY
TO PAY CERTAIN CLAIMS OF THE STATE OF CALIFORNIA.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., May 5, 1896.

SIR: In reply to your communication of the 16th ultimo, asking to be informed as to the reappropriation of money to pay certain claims of the State of California, I have the honor to transmit herewith report of the Auditor of the War Department of the 1st instant, for your information.

Your communication and its inclosures are returned herewith as requested.

Respectfully yours,

S. WIKE,
Acting Secretary.

Hon. S. M. WHITE,
United States Senate.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR WAR DEPARTMENT,
Washington, D. C., May 1, 1896.

SIR: I have the honor to return the communication of Hon. Stephen M. White, United States Senate, dated the 15th ultimo, which was referred to this office on the 18th ultimo for report.

The letter suggests the reappropriation of a sufficient sum—\$50,220.16—out of the unexpended balance of \$169,470.24 (long since carried to the surplus fund) originally appropriated to pay California its expenses in Indian wars within the State subsequent to January 1, 1854, in order that it may now be used to liquidate certain Indian war claims, bonded and nonbonded—obligations accruing prior to January 1, 1854.

By act of March 2, 1861 (12 U. S. Stats., 199), \$400,000, or so much thereof as shall be necessary, was appropriated to pay expenses incurred by California in certain expeditions against hostile Indians within the State in 1854, 1855, 1856, 1858, and 1859: The proper accounting officers found due the State under the act \$229,987.67, which amount was paid June, 1863.

The balance, \$169,470.24, was rejected as being excessive and unau-

thorized, and was on June 30, 1864, carried to the surplus fund on the books of the Treasury.

The fund provided by the acts of August 5, 1854 (10 U. S. Stats., 582, 583), and August 18, 1856 (11 U. S. Stats., 91), \$924,259.65 for expenses incurred and obligations contracted in the suppression of Indian hostilities prior to January 1, 1854, has been entirely exhausted in the redemption by the United States of bonds issued by the State acts of February 15, 1851, and May 3, 1852.

It appears, however, that of the two series of State bonds, 196 of various denominations remain outstanding and unpaid, equal to a principal of \$35,600, of which the State now holds 119, or \$23,000, together with certain Comptroller's warrants, Treasurer's certificates, and other items, aggregating the sum of \$50,220.16.

A full compilation and report was made by the Third Auditor in respect to California Indian war claims, in response to Senate resolution of December 19, 1889, and December 21, 1893 (vide Ex. Doc. 84, Senate, Fifty-third Congress, second session).

In respect to the outstanding California nonbonded State obligations, in the form of warrants and certificates and for expenses, printing; etc., placing the bonds on the market, the Third Auditor, in his report (Ex. Doc. No. 122, pages 6 and 7), said:

These demands are so vaguely set out and so intermingled with the expenses of later wars that it is not possible to distinguish even what aggregates are supposed to pertain to the prior period. * * * except the fraction thereof representing costs of printing, etc., of the bonds, nothing indicates what kind of debts or expenses were, in fact, liquidated by such warrants or certificates. * * * To pay the expenses incurred by the State, in addition to assuming its bonds, would be to duplicate the payments. In no event should the United States recognize any demands of the character indicated.

I have nothing to add or suggest to the report by the Auditor as to the certificates, warrants, etc.

As to the bonds outstanding and unpaid, the Third Auditor, in his report, said:

I hold that the United States should provide such additional fund as will complete the payment of the bonds and interest, and that the account between it and the State for expenses for Indian hostilities prior to January 1, 1854, or in any manner growing out of or pertaining thereto, should then be regarded as liquidated in full and forever closed; and I recommend that this condition be definitely expressed in any act making such appropriation.

While it might be proper to reappropriate the unexpended balance of \$169,470.24, or any part thereof, for the purpose of paying claims subsequent to January 1, 1854, under the provision of the act of 1861, yet no part of said balance can legally be reappropriated for the payments of claims prior to January 1, 1854, however just the claims may be.

The fund provided for such purpose, under the acts of 1854 and 1861, has been entirely exhausted, and consequently I can not recommend the reappropriation of the sum suggested.

Respectfully yours,

F. STOBO FARROW, *Auditor.*

The SECRETARY OF THE TREASURY.

UNITED STATES SENATE,
Washington, D. C., April 15, 1896.

SIR: On March 2, 1861, Congress appropriated the sum of \$400,000 in the act entitled "An act for the payment of expenses incurred in the

suppression of Indian hostilities in the State of California" (12 U. S. Stats., 199).

On page 8 of your report to the Senate on April 18, 1894 (Senate Ex. Doc. 84, Fifty-third Congress, second session), you reported that the sum of \$230,529.76 of said appropriation has been expended on account of said California Indian war matter, leaving unexpended a balance of \$169,470.24, which had been carried to the surplus fund on the books of the Treasury.

On page 23 of said Ex. Doc., taken from page 7 of your letter to the Senate of May 9, 1890 (Senate Ex. Doc. 122, Fifty-first Congress, first session), is recited as follows, to wit:

I hold that the United States should provide such additional fund as will complete the payment of the bonds and interest, and that the account between it and the State for expenses for Indian hostilities prior to January 1, 1854, or in any manner growing out of or pertaining thereto should then be regarded as liquidated in full, and forever closed; and I recommend that this condition be definitely expressed in any act making such appropriation.

Wherefore I respectfully request to be informed by you whether your Department sees any objection to reappropriating out of said unexpended balance the sum of \$50,220.16, with which to pay certain items of California Indian war claims, heretofore reported by you to the Senate in said Ex. Doc. No. 84, and hereinafter described as follows, to wit:

(1) The California-Indian war bonds, issued under the act of the legislature of said State, approved May 3, 1852, and interest to the date of the maturity of said bonds, May 2, 1862, and recited as Exhibit No. 1, on pages 13 and 14 of said Ex. Doc. No. 84, and aggregating the sum of \$35,491.10 (copy of which exhibit is hereto attached and made a part hereof).

(2) Amount necessary to pay the outstanding California nonbonded State obligation in the form of "State comptroller's warrants," etc., not heretofore paid by the United States, and to be duly accepted by the State of California as a finality therein, the sum of \$11,449.73.

(3) Amount necessary to refund the State of California the money by her expended for "printing said bonds issued under said acts of 1851, 1852, 1853," etc., and not heretofore paid by the United States and now duly accepted by the State of California as a finality therein, the sum of \$2,800 (as included in Schedule A, p. 23 of said Senate Ex. Doc. No. 84).

(4) The coupons detached from California Indian war bonds described as follows, to wit:

Coupons 3, 4, 5, bond No. 84, act May 3, 1853, \$35 each, total.....	\$105. 00
Coupons 3, 4, 5, bond No. 183, act May 3, 1853, \$35 each, total.....	105. 00
Coupons 3, 4, 5, bond No. 194, act May 3, 1853, \$35 each, total.....	105. 00
Coupons 4, 5, bond No. 220, act May 3, 1853, \$70 each, total.....	140. 00
Coupon 3, bond No. 220, act May 3, 1853, \$24.33, total.....	24. 33

Making total aggregate of..... 479. 33

and all of which last described coupons were heretofore filed in your Department for payment by the First National Bank of Washington, D. C., and not paid for want of sufficient appropriation.

(RECAPITULATION.

Amount recited in item No. 1.....	\$35, 491. 10
Amount recited in item No. 2.....	11, 449. 73
Amount recited in item No. 3.....	2, 800. 00
Amount recited in item No. 4.....	479. 33

Making a total aggregate of..... 50, 220. 16

With your reply hereto, I respectfully request the return to me of this communication, and said Exhibit No. 1, and oblige,

Yours, very truly,

STEPHEN M. WHITE,
United States Senate.

The SECRETARY OF THE TREASURY,
Washington, D. C.

EXHIBIT NO. 1.—*List of 7 per cent bonds of 1852 held by the State.*

No. of bond.	Date of bond.	Amount of bond.	Interest to May 2, 1862 (maturity).	Total.
115	September 20, 1852	\$100	\$67.31	\$167.31
297	January 5, 1854	100	58.27	158.27
298	do	100	58.27	158.27
299	do	100	58.27	158.27
300	do	100	58.27	158.27
301	do	100	58.27	158.27
303	January 17, 1854	100	58.03	158.03
304	January 19, 1854	100	57.96	157.96
307	January 27, 1854	100	57.84	157.84
308	do	100	57.84	157.84
309	do	100	57.84	157.84
310	January 30, 1854	100	57.78	157.78
311	January 31, 1854	100	57.76	157.76
312	do	100	57.76	157.76
313	do	100	57.76	157.76
314	February 1, 1854	100	57.75	157.75
315	February 7, 1854	100	57.64	157.64
316	do	100	57.64	157.64
317	February 18, 1854	100	57.42	157.42
318	February 28, 1854	100	57.24	157.24
319	do	100	57.24	157.24
320	do	100	57.24	157.24
321	do	100	57.24	157.24
322	March 22, 1854	100	56.77	156.77
323	do	100	56.77	156.77
327	March 29, 1854	100	56.64	156.64
328	do	100	56.64	156.64
330	March 31, 1854	100	56.60	156.60
351	April 20, 1854	100	56.23	156.23
352	do	100	56.23	156.23
360	April 28, 1854	100	56.07	156.07
361	do	100	56.07	156.07
362	do	100	56.07	156.07
363	do	100	56.07	156.07
364	do	100	56.07	156.07
365	do	100	56.07	156.07
367	do	100	56.07	156.07
368	do	100	56.07	156.07
369	do	100	56.07	156.07
377	May 23, 1854	100	55.59	155.59
378	do	100	55.59	155.59
379	do	100	65.59	155.59
382	June 5, 1854	100	55.35	155.35
385	July 20, 1854	100	54.48	154.48
387	July 31, 1854	100	54.26	154.26
388	do	100	54.26	154.26
389	do	100	54.26	154.26
392	August 11, 1854	100	54.07	154.07
393	do	100	54.07	154.07
395	August 24, 1854	100	53.81	153.81
396	August 26, 1854	100	53.78	153.78
397	September 2, 1854	100	53.66	153.66
399	September 14, 1854	100	53.43	153.43
408	December 30, 1854	100	51.36	151.36
410	July 9, 1855	100	47.69	147.69
411	do	100	47.69	147.69
412	do	100	47.69	147.69
414	August 1, 1855	100	47.26	147.26
415	do	100	47.26	147.26
421	August 15, 1855	100	46.99	146.99
422	do	100	46.99	146.99
423	do	100	46.99	146.99
424	August 17, 1855	100	46.96	146.96
425	do	100	46.96	146.96
426	August 28, 1855	100	46.73	146.73

CERTAIN CLAIMS OF CALIFORNIA.

EXHIBIT NO 1.—List of 7 per cent bonds of 1852 held by the State—Continued.

No. of bond.	Date of bond.	Amount of bond.	Interest to May 2, 1862 (maturity).	Total.
427	April 3, 1856.....	\$100	\$42.56	\$142.56
428	May 18, 1856.....	100	41.68	141.68
429	June 21, 1856.....	100	41.04	141.04
430	January 1, 1857.....	100	37.34	137.34
431	.....do.....	100	37.34	137.34
39	September 20, 1852.....	250	168.27	418.27
106	January 5, 1854.....	250	145.67	395.67
107	.....do.....	250	145.67	395.67
111	January 31, 1854.....	250	144.40	394.40
112	February 1, 1854.....	250	144.40	394.40
114	February 7, 1854.....	250	144.10	394.10
115	.....do.....	250	144.10	394.10
116	February 18, 1854.....	250	143.57	393.57
117	March 22, 1854.....	250	141.92	391.92
118	March 29, 1854.....	250	141.60	391.60
119	.....do.....	250	141.60	391.60
120	March 31, 1854.....	250	141.47	391.47
127	June 5, 1854.....	250	138.37	388.37
131	July 21, 1854.....	250	136.15	386.15
132	.....do.....	260	136.15	386.15
133	.....do.....	250	136.15	386.15
137	August 7, 1854.....	250	135.35	385.35
138	.....do.....	250	135.35	385.35
144	September 2, 1854.....	250	134.16	384.16
147	September 14, 1854.....	250	133.57	383.57
148	.....do.....	250	133.57	383.57
150	.....do.....	250	133.57	383.57
157	January 4, 1855.....	250	128.20	378.20
158	.....do.....	250	128.20	378.20
159	August 1, 1855.....	250	118.15	368.15
165	May 18, 1856.....	250	104.20	354.20
169	January 1, 1857.....	250	93.35	343.35
170	April 28, 1857.....	250	87.67	337.67
171	.....do.....	250	87.67	337.67
172	.....do.....	250	87.67	337.67
416	August 1, 1855.....	250	118.15	368.15
417	.....do.....	250	118.15	368.15
418	.....do.....	250	118.15	368.15
419	.....do.....	250	118.15	368.15
91	August 21, 1852.....	500	339.35	839.35
400	January 5, 1854.....	500	291.35	791.35
401	.....do.....	500	291.35	791.35
402	.....do.....	500	291.35	791.35
404	January 27, 1854.....	500	289.20	789.20
405	.....do.....	500	289.20	789.20
406	February 28, 1854.....	500	286.15	786.15
407	March 29, 1854.....	500	283.20	783.20
408	March 31, 1854.....	500	282.95	782.95
412	April 15, 1854.....	500	281.60	781.60
414	April 28, 1854.....	500	280.35	780.35
415	.....do.....	500	280.35	780.35
417	May 13, 1854.....	500	278.85	778.85
418	July 6, 1854.....	500	273.75	773.75
419	July 10, 1854.....	500	273.35	773.35
	Total.....		12,491.10	85,491.10