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Report : Mr. Wade

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S. Rep. No. 416, 33rd Cong., 2nd Sess. (1855)

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IN THE SENATE OF THE UNITED STATES.

JANUARY 17, 1855.—Ordered to be printed.

Mr. WADE made the following

REPORT.

[To accompany bill S. 547.]

The Committee of Claims, to whom was referred the petitions of James Pool, report:

It appears that the petitioner was employed by the United States, under the provisions of sundry treaties, as a blacksmith for the Delaware, Shawnee, and Seneca tribes of Indians, from August, 1823, until November, 1838.

During portions of this period it became necessary to employ an assistant or striker, and Mr. Pool employed a striker and paid him out of his private funds, under the assurance, as is alleged, of the commissioners or Indian agents, that the money should be refunded as soon as appropriations could be obtained. In consequence of the death of Governor Stokes and Captain Vaishon, the Indian agents, the proper estimates and vouchers failed to be forwarded, and although the claim was repeatedly and urgently pressed upon the government, it was not paid until 1852.

In 1851 he renewed the application, but there being no fund out of which he could be paid, a clause was inserted in the deficiency bill for that year, (32d Congress, 1st session, p. 19,) "for payment for services of blacksmith and for use of tools for the Seneca tribes of Indians, from 1st July to 8th November, 1838, \$213 33." And in the deficiency bill for 1852, (32d Congress, 2d session, p. 186,) "for the services of a striker in the shop of the Delaware Indians, from August 1, 1823, to August 31, 1826, and for the services of a smith and striker in the shop of the Senecas and Shawnees of Lewiston, from 17th November, 1823, to 15th February, 1838, deducting all amounts paid for such service during said period, and for balance due for services on Seneca mill-dam, as estimated by the proper department, \$2,229."

Both of the above sums were found by the accounting officers to be due to the memorialist, and were paid to him.

He now asks that interest may be allowed him from the time the sums became due until provision was made by Congress for their payment.

The chiefs of the tribes certify that the payment was demanded, at the time, of Major Graham, the Indian agent, and that he had no funds in his hands out of which he could pay it.