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Charles F. Tracy. (To accompany bill H. R. 546.).

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CHARLES F. TRACY.

[To accompany bill H. R. 546.]

FEBRUARY 23, 1872.—Ordered to be printed.

Mr. AVERILL, from the Committee on Indian Affairs, made the following

REPORT:

The committee having under consideration H. R. bill No. 546, for the relief of Charles F. Tracy, have duly considered the same and beg leave to report:

It appears in the testimony produced and properly sworn to in this case that the aforesaid Charles F. Tracy was, in the month of May, 1870, employed to transport Indian supplies from Camp Supply, Indian Territory, to the agency of the Cheyenne and Arapaho Indians, on the North Fork of the Canadian River.

On or about the 29th of May, 1870, a party of Apache Indians attacked his train, killed one man in charge, drove off fifty-eight mules, and did much other damage. A detailed account of this destruction of property, for which indemnification is sought, has been rendered to the Department of the Interior. This account has been thoroughly examined in said Department, and true valuation fixed for the property destroyed. The account, as rendered, amounted to \$22,730, which included loss of ninety days' time for ten teams, damages to wagons, &c. The Commissioner of Indian Affairs, after a full examination, struck out all items, except the fifty-eight mules and one horse, for the reason that the balance was for consequential damages, which he did not feel justified in approving, leaving the amount \$14,650. The communication of the Commissioner to the Secretary of the Interior, together with that of the Secretary to the Speaker of the House of Representatives, we hereto append.

The evidence adduced in this case also shows that the transportation of these supplies at that time was considered a necessity by the Indian agent then at Camp Supply, and that the said Charles F. Tracy, while complying with request of the Government officer to make this trip, did urgently request that an escort be provided for him, which was refused by the officer then in command of that post.

We have carefully examined and investigated this case and the character of the testimony rendered in its support, the same being hereto annexed.

Your committee, therefore, unanimously conclude that the claim is a proper and just one and recommend the passage of the bill.